

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON NOVEMBER 12, 2008 AT 9:05 A.M.

PRESENT:

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|-------------------------------------|--------------------------------|
| HON. ROEL T. JARINA, | Vice Mayor & Presiding Officer |
| HON. SUZETTE MARIE HILADO-BANNO, | Councilor |
| HON. SUZETTE TENEFRANCIA-ALQUISADA, | Councilor |
| HON. AGATON O. TUMABOTABO, | Councilor |
| HON. MARLON R. TERUÑEZ, | Councilor |
| HON. NORBERTO T. TURALBA, | Councilor |
| HON. JOSE T. TAVARRO, JR., | Councilor |
| HON. LORETA LUNGAY-ARIAS, | Councilor |
| HON. ELMER T. TORRATO, | Councilor |
| HON. ORVILLO T. TANGENTE, | Pres., Liga Ng Mga Barangay |
| HON. LEA E. TORREFLORES | SKMF President |

ABSENT: NONE

Municipal Ordinance No. 2008-011

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 2006-005 - IMPOSING FEE FOR THE SERVICE MAINTENANCE OF THE MUNICIPAL BIRTHING CLINIC OF THE RURAL HEALTH UNIT, MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO AND PROVIDING PENALTIES IN VIOLATION THEREOF

SPONSORED BY: HON. SUZETTE MARIE HILADO-BANNO, Chairman Committee on Education, Health & Sanitation

SECONDED BY: Hon. Agaton Tumabotabo, Hon. Norberto Turalba,
Hon. Jose Tavarro, Jr., Hon. Loreta Arias, Hon. Elmer Torrado,
Hon. Orvillo Tangente and Hon. Lea Torreflores

WHEREAS, Section 447 of the Local Government of 1991 (RA 7160) states that the Sangguniang Bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Sec. 16 of RA 7160 and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this code;

WHEREAS, it shall generate and maximize the use of resources and revenues for development plans, program objectives and priorities of the municipality as provided for under Section 18 of this code with particular attention to agro-industrial development and countryside growth and progress;

WHEREAS, subject to the provisions of Rule XXIII of Local Health Boards and in accordance with the standards and criteria of the Department of Health (DOH), provision on health services which include the implementation of programs and projects on primary health care, maternal and child care and communicable and non-communicable disease control services; and access to secondary and tertiary health services shall be implemented;

WHEREAS, **the Lying-In Clinic of the RHU should be changed to Municipal Birthing Clinic** since it cannot meet the standards of DOH as a Lying-In Clinic due to inadequate facilities and space, full time physician and nurses on 24 hours duty are not available therefore the permit to operate cannot be secured from the Department of Health;

NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO THAT:

SECTION 1. **TITLE** – This ordinance shall be known as “**AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 2006-005 - IMPOSING FEE FOR THE SERVICE MAINTENANCE OF THE MUNICIPAL BIRTHING CLINIC OF THE RURAL HEALTH UNIT, MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO AND PROVIDING PENALTIES IN VIOLATION THEREOF**”

SECTION 2. **DEFINITION OF TERMS** – as used in this ordinance, the following terms shall mean:

Municipal Birthing Clinic - refers to a place in the Rural Health Unit catering to the deliveries of normal full-term pregnancies

Full-Term Pregnancy - pregnancy with age of gestation from 38-42 weeks

Age of Gestation - number of weeks of the baby inside the mother's womb based on the 1st day of the last normal menstrual period

Regular Prenatal Check-up - pregnant women having monthly prenatal visits from the 1st month to 7 month age of gestation, twice a month at 8th month age of gestation, weekly during the 9th age of gestation

Normal Spontaneous Delivery - spontaneous expulsion of full-term baby in presentation thru vaginal opening

Traditional Birth Attendant - “Paltera or Hilot”

Skilled Birth Attendant - refers to physicians, nurses or midwives handling the delivery

Prenatal Care - refers to care of pregnant women from the time of conception to the time of delivery

Post-Partum Care - care of mother who has newly delivered a newborn baby

Neonatal Care - care of newborn baby

Family Planning Services - refers to services for reproductive health and responsible parenthood

Obstetrical Complications - untoward incidents that may happen during the time of delivery like elevated blood pressure, profuse vaginal bleeding, breech presentation or mother's inadequate pelvic inlet in proportion to the size of the baby's head (Cephalo-Pelvic Disproportion (CPD))

SECTION 3. Administrative Mechanism - The operation of the clinic shall be managed by the Midwife under the supervision of the Municipal Health Officer, Medical Health Officer and Nurses. The clinic shall be available for twenty four (24) hours on call.

SECTION 4. **The services offered by the Municipal Birthing Clinic are Prenatal Care, Post Partum Care, Neo-natal Care and Family Planning Services.**

SECTION 5. The Municipal Birthing Clinic of the Rural Health Unit shall serve full-term pregnant constituents of the Municipality of Tigbauan.

SECTION 6. Only those who have undergone regular prenatal check-up and those who will undergo normal spontaneous vaginal deliveries can avail of the services of the Municipal Birthing Clinic.

SECTION 7. Prohibition of Home Deliveries - Any traditional birth attendant is prohibited to perform home deliveries. He/She may only assist in bringing the pregnant mother to the birthing clinic of the RHU and may also assist during the delivery. This intends to safeguard the life of the mother and the infant since not all obstetrical complications are neither predictable nor avoidable but can be treated if identified early. It is proper to focus on the delivery and post-partum care assisted by skilled birth attendant.

SECTION 8. To sustain the operation of the Municipal Birthing Clinic, a **service fee of P1,500.00** shall be imposed to augment its basic maintenance needs to be apportioned/distributed as follows: **P500.00** shall go to the **General Fund**; **P500.00** to the **Trust Fund**; and the remaining **P500.00** will serve as **honorarium of the health personnel rendering services after the regular office hours**. For deliveries occurring during office hours (8:00 a.m. to 5:00 p.m.) the charge will only be **P1,000.00** to be distributed as follows: **P500.00** will go to the **General Fund** while the remaining **P500.00** will go to the **Trust Fund**.

SECTION 9. Service Fee payment shall be collected by the Municipal Treasurer's Office which in turn shall issue a receipt for every transaction made.

SECTION 10. **PENALTY CLAUSE** - Any traditional birth attendant found to have violated the provisions of this ordinance shall be penalized as follows:

- 1st Offense - P1,000.00
- 2nd Offense - P2,000.00 plus imprisonment of three (3) days at the discretion of the court
- 3rd Offense - P2,500.00 plus imprisonment of seven (7) days at the discretion of the court

SECTION 11. **REPEALING CLAUSE** - All previous ordinances, rules and regulations or parts thereof which are inconsistent with this ordinance are hereby repealed or modified accordingly.

SECTION 12. **SEPARABILITY CLAUSE** - If for any reason/s any portion or provisions of this ordinance is declared unconstitutional or invalid, the other portions or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. **EFFECTIVITY CLAUSE** - This ordinance shall take effect ten (10) days after its approval and having been posted in three (3) conspicuous public places in the Municipality of Tigbauan, Province of Iloilo.

ENACTED. November 12, 2008.

I HEREBY CERTIFY that the foregoing Municipal Ordinance No. 2008-011 was approved by the Sangguniang Bayan.

CERTIFIED CORRECT:

MARLENE T. NAVA
S.B. Secretary

ATTESTED:

ROEL T. JARINA
Vice Mayor & Presiding Officer

APPROVED:

JAMES EXCELSIOR M. TORRES
Municipal Mayor