

AN ACT TO REVISE AND CONSOLIDATE THE PROVISIONS OF ACT NUMBERED THREE THOUSAND NINE HUNDRED SIXTY-ONE, AS AMENDED, RELATIVE TO FREE EMERGENCY MEDICAL TREATMENT, AND REPUBLIC ACT...

REPUBLIC ACT NO. 1054, June 12, 1954

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. It shall be the duty, of the owner, lessee, or operator of any shop, factory, estate, or commercial, industrial or agricultural establishments, or branch thereof, whether the same be an individual, corporation, or partnership, or government-owned or controlled corporation, or the National Government, or a provincial or municipal government, or the government of any political subdivision whatsoever, who habitually employs in any locality employees or laborers to furnish free emergency medical and dental attendance to his employees and laborers, in the following cases and manner:

- If the number of employees and laborers, is not than thirty nor more than two hundred, the owner, lessee, or operator shall keep a stock of emergency medicines under the charge of a nurse for the use of his employees and laborers, and shall furnish free emergency medical and dental attendance to them, except when, within a radius of one kilometer from the commercial, industrial, or agricultural establishment there is a public dispensary furnishing medicine free of charge to poor applicants or a pharmacy where the employer can buy the same for the purposes of this Act, the keeping in stock of emergency medicine shall not be necessary to do so, in the discretion of the Secretary of Labor or his authorized representatives: Provided, however, That this exemption shall not apply in cases where the number of employees and laborers exceeds one hundred but is not greater than two hundred.
- When the number of employees and laborers exceeds two hundred but is not greater than three hundred, the owner, lessee, or operator, in addition to keeping a stock of emergency medicines under the charge of a nurse shall employ the services of a permanent or retained physician and a permanent or retained dentist for the benefit of employees and laborers, and provide a room of strong materials, properly ventilated, and adequate enough to meet cases of emergency.
- When the number of employees exceeds three hundred, the owner, lessee, or operator in addition to keeping a stock of medicines and employing, in full the services of a physician and a dentist for the purposes specified in the preceding two subsections, shall maintain a dental clinic and an infirmary or emergency hospital of sufficient capacity of one bed for each hundred employees, except where this shall be unnecessary because of the existence of a dental clinic and of a hospital in the place, at a distance not greater than two kilometers from the commercial, industrial, or agricultural establishment. In such cases, the owner, lessee, or operator may enter into an agreement with said dental clinic and hospital to reserve the necessary number of beds for the purposes specified in this subsection: Provided, That the number of beds may be increased to three for each two hundred laborers and employees according to the nature of the establishment, at the discretion of the Secretary of Labor.

SEC. 2. The physicians and dentists of the commercial, industrial, and agricultural establishments, or branches of such establishments shall subject all the employees of said establishments or branches thereof and members of said unions or branches thereof to a medical and dental examination at least once a year, and shall make detailed monthly and annual reports of all the services rendered by them.

SEC. 3. The owner, lessee, or operator of any commercial, industrial, or agricultural establishment subject to the provisions of this Act shall not be held liable for failing to furnish medical or dental treatment of other than an emergency nature, as prescribed in this Act and in the rules and regulations issued thereunder by the Secretary of Labor or his authorized representative; or failing to furnish adequate emergency treatment in cases of epidemics, catastrophes, fires, or other disasters resulting in an extraordinarily large number of sick and injured among his employees and laborers, or creating such situation as to render the proper furnishing of medical or dental attendance prescribed by this Act difficult; and he shall in no case be held civilly or criminally liable for any consequence of the medical or dental treatment herein provided for, the acceptance whereof shall be entirely optional with the laborer or employee, or with his family or the person considered authorized to speak for the sick or injured employee.

SEC. 4. The computation provided for in subsections (a), (b), and (c) of section one of this Act shall include all laborers and employees financially dependent for their work and subsistence upon the owner, lessee, or operator of a commercial, industrial, or agricultural establishment subject to the provisions of this Act.

SEC. 5. The Chief Medical Officer of the Department of labor or his authorized representative shall prescribe the kinds and quantities of the medicines mentioned in sub-sections (a), (b), and (c), of section one of this Act and the conditions of the dental clinic and infirmary or hospital mentioned in subsection (c) of said section; and shall see to the enforcement of this Act, inspecting the commercial, industrial, and agricultural establishments subject to the provisions of this Act at intervals of not more than six months, and shall also issue instructions and from time to time promulgate such rules and regulations as he may deem necessary and advisable to carry out properly the provisions of this Act. The medicines, material, and equipment required by this Act may be purchased or requisitioned from the Bureau of Supply, thru the Secretary of Labor, and shall in this case be furnished at the same prices as the Government pays for the same.

SEC. 6.

- Any person who willfully violates Section one of this Act shall upon conviction be punished by a fine of not less than twenty five pesos nor more than three hundred pesos, and upon second or subsequent conviction, the Court may in addition, order the definite closing of the establishment.

- If any violation of this Act is committed by a corporation, trust, partnership, or branch thereof, the president, the manager, or, in his default, the person acting as such when the violation took place, shall be held liable. In the case of a government owned or controlled corporation, the managing head shall be held liable, except when it is shown that the violation was due to the act or omission of some other person over whom he has no control, in which case the latter shall be held liable.

- In case the National Government or any provincial or municipal government or the government of some Political subdivision is owner, lessee or operator of the establishment or branch where the violation is committed, the officer having direct charge, control or supervision of said establishment shall be held liable.

SEC. 7. Act Numbered Three thousand nine hundred sixty-one, Commonwealth Act Numbered Three hundred twenty-four, Republic Act Numbered Forty-six, and Republic Act Numbered Two hundred and thirty-nine are hereby repealed.

SEC. 8. This Act shall take effect three months after its approval.

Approved, June 12, 1954.

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