

Republika ng Pilipinas  
Lungsod ng Dagupan  
**TANGGAPAN NG SANGGUNIANG PANLUNGSOD**  
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**EXCERPT FROM THE MINUTES OF THE 29<sup>th</sup> REGULAR SESSION OF THE 11<sup>th</sup> SANGGUNIANG PANLUNGSOD, DAGUPAN CITY, HELD AT SP SESSION HALL ON JULY 30, 2024.**

PRESENT:

Hon. Dean Bryan L. Kua	City Vice Mayor & Presiding Officer
Hon. Alipio Serafin D. Fernandez	Presiding Officer Pro Tempore, Member
Hon. Maria Librada Fe M. Reyna	Majority Floor Leader, Member
Hon. Alvin T. Coquia	First Deputy Majority Floor Leader, Member
Hon. Redford Christian P. Erfe-Mejia	Second Deputy Majority Floor Leader, Member
Hon. Michael B. Fernandez	Minority Floor Leader, Member
Hon. Jeslito C. Seen	Deputy Minority Floor Leader, Member
Hon. Celia C. Lim	City Councilor, Member
Hon. Marilou Maria Lourdes S. Fernandez, DMD	City Councilor, Member
Hon. Dennis C. Canto	City Councilor, Member
Hon. Victoria Czarinna C. Lim-Acosta	City Councilor, Member
Hon. Marcelino D. Fernandez	Liga ng mga Barangay President, Ex-Officio Member
Hon. Bradley Claude C. Benavides	Pederasyon ng mga Sangguniang Kabataan President, Ex-Officio Member

ABSENT:

None

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**ORDINANCE NO. 2289-2024**

**AN ORDINANCE ESTABLISHING FOR A PRIMARY CARE CENTER OR CLINIC WITHIN JAIL FACILITIES OF THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, DAGUPAN CITY JAIL MALE AND FEMALE DORMITORY AND PROVIDING FUNDS THEREOF, FOR THE PURPOSE OF CATERING TO PERSONS DEPRIVED OF LIBERTY.**

WHEREAS, the Persons Deprive of Liberty (PDL) in BJMP Facilities, despite their incarceration, are entitled to same rights as any person to include the fundamental right of the "RIGHT TO HEALTH";

WHEREAS, Republic Act No. 11223, otherwise known as the Universal Health Care Act, provides among others that it is the policy of the State to protect and promote the right to health of all Filipinos and instill health consciousness among them and that the State shall adopt a health care model that provides all Filipinos access to a comprehensive set of quality and cost-effective, promotive, preventive, curative, rehabilitative and palliative health services without causing financial hardship, and prioritizes the needs of the population who cannot afford such services;

WHEREAS, the PDL are in a desolate condition considering the congestion rate of jail facilities in the Philippines, aggravated by the lack of ventilation making them vulnerable to communicable diseases;

WHEREAS, the fact of incarceration of PDL limits their easy access to healthcare services since the law requires a competent Court Order prior their visit to hospitals for medical checkup;

WHEREAS, the Bureau of Jail Management and Penology are equipped with the needed manpower for the provision of health care services to include physicians, nurses, medical technologies, pharmacists, x-ray technicians, and other allied health professionals, however, funding for medicines and equipment are not sufficient;

WHEREAS, the enactment of the devolution of funds to local government units (LGUs) following the Mandanas ruling, the LGUs are tasked to provide basic services delivery;

WHEREAS, the PDL population in BJMP jail facilities are communities by themselves, and may be likened to barangays considering their numbers;



WHEREAS, the PDL in BJMP facilities being communities are also constituents of the local government unit within the same territory and jurisdiction as any individual residing in the specific location; thereby having the same rights to any services that the LGUs provides to the rest of its constituents;

NOW, THEREFORE, on motion of Councilor Redford Christian P. Erfe-Mejia, duly and jointly seconded by Councilors Marilou Maria Lourdes S. Fernandez, be it ordained by the Sangguniang Panlungsod of Dagupan City in its regular session assembled that:

Section 1. TITLE. – An Ordinance Establishing for a Primary Care Center or Clinic Within Jail Facilities of the Bureau of Jail Management and Penology, Dagupan City Jail Male and Female Dormitory and Providing Funds Thereof, for the Purpose of Catering to Persons Deprived of Liberty.

Section 2. PURPOSE. – The Ordinance aims to afford unhampered basic health care to the Persons Deprived of Liberty (PDL) of the BJMP – DAGUPAN CITY JAIL MALE AND FEMALE DORMITORY, by providing a locally-funded jail clinic with sufficient equipment and medicines for use of the PDL.

Section 3. OBJECTIVES. – The objective of this Ordinance are as follows:

- a. To provide sufficient and unhampered basic health care services to the PDL as they are entitled to the same health services as any individuals in the community;
- b. To assist in the guarantee of public safety and order by limiting the movement and interaction of PDL with the general public;
- c. To foster shared responsibility of government agencies and the local government as regards any individual; and,
- d. To assist in ensuring that the PDL will be eventually reintegrated in the community.

Section 4. SCOPE. – This Ordinance shall provide for the establishment of a pseudo-primary care center or clinic in the jail facility of BJMP DAGUPAN CITY JAIL MALE AND FEMALE DORMITORY for use of its PDL.

Section 5. TECHNICAL WORKING GROUP (TWG). – Upon the enactment of this ordinance, a technical working group shall be created consisting of the following:

- a. City Administrator representing the Office of the City Mayor (OCM);
- b. City Health Officer, City Health Office;
- c. Chairperson of the Committee on Appropriation or his/her representative;
- d. Chairperson of the Committee on Laws, Ordinances, and Judiciary or his/her representative;
- e. Chairperson of the Committee on Women, Children and Family or his/her representative;
- f. Chairperson of the Committee on Health or his/her representative;
- g. City Treasurer's Officer or his/her representative;
- h. City Budget Officer, or his/her representative;
- i. Chief, Public Order and Safety Office or his/her representative;
- j. City Engineer or his/her representative;
- k. Bids and Awards Chairperson or his/her representative; and,
- l. Warden, BJMP DAGUPAN CITY JAIL MALE AND FEMALE DORMITORY as ex-officio members

Section 6. PROCEDURE. – Within fifteen (15) days from the effectivity of this Ordinance, the TWG shall be covered. They shall resolve the manner and the timeliness of the execution of this ordinance.

Section 7. SPECIFICATIONS AND INCLUSIONS. – The City Government shall provide a pseudo-primary care center or clinic within the jail facility of the BJMP DAGUPAN CITY JAIL MALE AND FEMALE DORMITORY with the following specifications and inclusions:

- a. A minimum of 8m<sup>2</sup> one (1) floor area with a lavatory/sink and toilet and bath;
- b. A part of the floor area with at least 2m<sup>2</sup> to be allotted for sterilization of equipment;
- c. Medical equipment consisting of oxygen tank with regulator, nebulizer, suction machine, mobile x-ray, ultrasound, birthing table;
- d. A separate sputum collection area with a lavatory/sink; and,
- e. Medicines to include 1<sup>st</sup> line antibiotics, analgesics, anti-hypertensive and medicines.

Section 8. FUNDING. - The Local Government of Dagupan City shall appropriate Php300,000.00 for the male dormitory and Php150,000.00 for the female dormitory to be used for their funding of Primary Health Care Jail Facility for implementation every year to be included in the Annual or Supplemental Budget, subject to all necessary legal, budgetary, accounting and auditing rules.



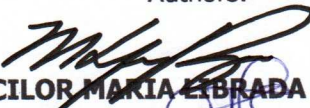
Section 9. SEPARABILITY CLAUSE. – If any reason or reasons, any part or provision hereof shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to be in full force or effect.

Section 10. REPEALING CLAUSE. – All ordinances, resolutions or laws of local application and effect inconsistent hereto are hereby modified, superseded and repealed accordingly.

Section 11. EFFECTIVITY. – This Ordinance shall take effect upon its approval.

ENACTED UNANIMOUSLY.

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Authors:

  
**COUNCILOR MARIA LEBRADA FE M. REYNA**

  
**COUNCILOR ALVIN T. COQUIA**

  
**COUNCILOR CELIA C. LIM**

  
**COUNCILOR MARILOU MARIA LOURDES S. FERNANDEZ, DMD**

  
**COUNCILOR ALIPIO SERAFIN D. FERNANDEZ**

  
**COUNCILOR REDFORD CHRISTIAN P. ERFE-MEJIA**

  
**COUNCILOR VICTORIA CHARINNA C. LIM-ACOSTA**

  
**DEAN BRYAN L. KUA**  
City Vice Mayor & Presiding Officer

ATTESTED:

  
**RYAN C. RAVANZO**  
City Secretary

APPROVED:

**BELEN T. FERNANDEZ**

City Mayor

Date: \_\_\_\_\_



REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE CITY MAYOR  
DAGUPAN CITY

August 9, 2024

Honorable Vice Mayor  
and all Honorable Members of the  
Sangguniang Panlungsod

Received by: 10:44  
8/13/2024  
Sangguniang Panlungsod  
Dagupan City, Pangasinan

Subject: Veto of Ordinance No.  
2289-2024, Regarding the  
Establishment of a Primary Care  
Center/Clinic within BJMP  
Dagupan City

Sirs/Mesdames:

I write to respectfully inform you of my decision to veto Ordinance No. 2289-2024, which proposes the establishment of a Primary Care Center or Clinic within the Jail Facilities at the BJMP in Dagupan City.

While I recognize the intent of this ordinance to enhance the health and well-being of the detainees, it is important to note that the City of Dagupan is already providing substantial support to the BJMP. Currently, the City grants allowances to BJMP personnel at the rate of ₱500 per month, alongside rice subsidies and other essential supplies summarized hereunder:

BUREAU OF JAIL MANAGEMENT AND PENOLOGY – APPROPRIATION  
Financial Aid to National Government Agencies – 5-02-14-020

	Male Dorm	Female Dorm	Total
City Allowance	360,000.00	168,000.00	528,000.00

(2024 – 500.00 per month, proposed for 2025 - 800.00 per month)

Rice Subsidy	150,000.00	50,000.00	200,000.00
Fuel, Oil and Lubricants	30,000.00		<u>30,000.00</u>
		<b>Grand Total:</b>	<b>758,000.00</b>

KATAPATAN AT GALING SA UNLISERBISYO



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DAGUPAN CITY

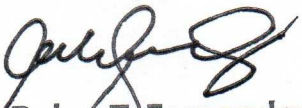
Given the existing financial assistance and resources already allocated to the BJMP, I believe that the establishment of a Primary Care Center within the jail facilities would result in an unnecessary duplication of services and an additional financial burden on the City's budget considering this could be very well funded by the DOJ and DILG. Instead, the focus should be on maximizing the utilization of our funds particularly those contained in Supplemental Budget No.2 2024.

I encourage the Sangguniang Panlungsod to revisit the allocation of funds and explore other avenues that could further improve the services within the BJMP without duplicating efforts or straining the City's financial resources.

I trust that you will consider this matter with the utmost diligence and responsibility.

Thank you for your understanding and continued commitment to the welfare of our City.

Sincerely,

  
Belen T. Fernandez  
City Mayor