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Republic of the Philippines  
Quezon City  
23rd Quezon City Council

Proposed Ordinance No. \_\_\_\_\_, S-2026

**AN ORDINANCE STRENGTHENING AND EXPANDING THE COVERAGE OF ORDINANCE NO. SP-3221, S-2023, OTHERWISE KNOWN AS THE "QUEZON CITY RIGHT TO CARE ORDINANCE," AMENDING CERTAIN PROVISIONS THEREOF BY PROVIDING UNIVERSAL ACCESS TO HEALTH CARE PROXY DESIGNATION AND PROVIDING SAFEGUARDS CONSISTENT WITH EXISTING NATIONAL LAWS.**

Introduced by:  
**COUNCILOR BERNARD R. HERRERA**  
**COUNCILOR KRISTINE ALEXIA R. MATIAS RN**

**WHEREAS**, Ordinance No. SP-3221, S-2023, otherwise known as the "Quezon City Right to Care Ordinance," was enacted to recognize and protect the right of competent adults to designate a Health Care Agent to make medical decisions on their behalf, particularly in circumstances where the patient is unable to communicate or provide informed consent;

**WHEREAS**, the Right to Care Ordinance affirms the fundamental principles of dignity, autonomy, and equal protection in the delivery of health services, consistent with the 1987 Constitution which values the dignity of every human person and guarantees full respect for human rights;

**WHEREAS**, health care decision-making is an essential component of personal liberty and bodily autonomy, and the ability to designate a trusted Health Care Agent ensures timely, informed, and patient-centered medical care;

**WHEREAS**, Department of Health policies and hospital licensing standards require health facilities to uphold informed consent protocols and to recognize authorized representatives or surrogate decision-makers when patients are unconscious, incapacitated, or otherwise unable to express their wishes;

**WHEREAS**, strengthening the mechanism for voluntary health care proxy designation at the local level operationalizes existing Department of Health standards on patient rights, informed consent, advance directives, and surrogate decision-making;

**WHEREAS**, Republic Act No. 11223, otherwise known as the "Universal Health Care Act," establishes a people-centered, integrated, and equitable health system that guarantees all Filipinos access to quality and responsive health services, including care that respects patient autonomy and continuity of treatment;

**WHEREAS**, ensuring universal access to health care proxy designation promotes the objectives of Universal Health Care by preventing delays in medical intervention, reducing administrative uncertainty in health facilities, and ensuring uninterrupted and coordinated care within the local health system;

52           **WHEREAS**, there are increasing numbers of Senior Citizens, Solo Parents,  
53 Persons with Disabilities, independent adults, and individuals living alone within  
54 Quezon City who may not have immediate family members available, willing, or  
55 legally recognized to act on their behalf during medical emergencies;  
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57           **WHEREAS**, many residents live in non-traditional households, chosen  
58 families, or long-term support arrangements that may not be formally recognized  
59 under existing family laws but nonetheless function as primary sources of care,  
60 support, and decision-making;  
61

62           **WHEREAS**, the absence of a clearly recognized decision-maker may result in  
63 treatment delays, ethical uncertainty among health care providers, unnecessary legal  
64 exposure, and potential violations of a patient's expressed wishes;  
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66           **WHEREAS**, Republic Act No. 9994 (Expanded Senior Citizens Act), Republic  
67 Act No. 8972 (Solo Parents' Welfare Act), Republic Act No. 7277 (Magna Carta for  
68 Persons with Disabilities), and other related laws affirm the protection of vulnerable  
69 sectors, and the present amendment seeks to complement and strengthen such  
70 statutory protections without diminishing rights granted under existing national  
71 laws;  
72

73           **WHEREAS**, it is necessary to clarify that disability does not automatically  
74 equate to incapacity, and that all adults are presumed competent unless lawfully  
75 declared otherwise, consistent with principles of equality and non-discrimination;  
76

77           **WHEREAS**, expanding the coverage of the Right to Care Ordinance to  
78 provide universal access to health care proxy designation for all competent adults  
79 strengthens inclusive governance, promotes equity in health access, and harmonizes  
80 local policy with national health and social welfare laws;  
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82           **WHEREAS**, the Quezon City Government remains committed to ensuring  
83 that local legislation supplements and does not impair the authority of lawful  
84 spouses, parents, legal guardians, or court-appointed representatives under  
85 applicable laws;  
86

87           **WHEREAS**, strengthening and expanding the coverage of Ordinance No. SP-  
88 3221, S-2023 is necessary to respond to evolving demographic realities, diverse family  
89 structures, and contemporary health governance needs in Quezon City;  
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91   **NOW, THEREFORE,**  
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93           **BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN**  
94 **SESSION DULY ASSEMBLED, THAT:**  
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96           **SECTION 1. AMENDMENTS TO ORDINANCE NO. SP-3221, S-2023.**  
97 Sections 2, 3, 4, 5, 6, 8, and 12 of Ordinance No. SP-3221, S-2023, otherwise known as  
98 the "Quezon City Right to Care Ordinance," are hereby amended to read as follows:  
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100   **"SECTION 2. DECLARATION OF POLICY.** It is hereby  
101 declared the policy of the Quezon City Government to uphold and  
102 protect the dignity, autonomy, and equal protection of all persons in  
103 the delivery of health services by recognizing the right of every

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competent adult to designate a Health Care Agent to make medical decisions on their behalf in the event that they are unable to communicate or provide informed consent.

The City affirms that health care decision-making is a fundamental aspect of personal liberty and bodily autonomy, and that ensuring timely recognition of a duly designated Health Care Agent promotes patient-centered care, continuity of treatment, and the efficient delivery of health services.

Consistent with Republic Act No. 11223, otherwise known as the "Universal Health Care Act," and Department of Health standards on informed consent and surrogate decision-making, the City adopts a people-centered and inclusive approach to health governance that guarantees universal access to health care proxy designation for all competent adults.

This Ordinance shall apply to all competent adults within Quezon City, including but not limited to Senior Citizens, Solo Parents, Persons with Disabilities, independent individuals, adults living alone, individuals without immediate family, and persons living in non-traditional or chosen support structures.

The City further declares that this Ordinance is intended to complement and harmonize with existing national laws, and shall not be construed to diminish or impair the authority of lawful spouses, parents, legal guardians, court-appointed representatives, or rights granted under the Family Code, guardianship laws, or other applicable statutes."

**"SECTION 3. DEFINITION OF TERMS.** For purposes of this Ordinance, the following terms are hereby defined:

- (a) **Chosen Family or Support Network** - Individuals who, though not related by blood, marriage, or legal adoption, function as primary sources of care, assistance, or decision-making support in the life of the Principal.
- (b) **Designated Support Person** - A trusted individual identified by the Principal as part of the Principal's support system and who may be appointed as Health Care Agent.
- (c) **Health Care Agent** - A competent adult person designated by the Principal to make health care decisions on behalf of the Principal in the event that the Principal is unconscious, incapacitated, or otherwise unable to communicate or provide informed consent.
- (d) **Health Care Provider** - Any licensed hospital, clinic, physician, nurse, allied health professional, or health facility operating within the territorial jurisdiction of Quezon City.
- (e) **Health Care Proxy** - A written instrument voluntarily executed by a competent adult designating a Health Care Agent to make medical decisions on the Principal's behalf under circumstances provided in this Ordinance and its Implementing Rules and Regulations.

- 157 (f) **Independent Individual** – Any adult person living alone or  
 158 without an immediately available relative who may lawfully  
 159 act as surrogate decision-maker under existing laws.  
 160 (g) **Informal Caregiver** – A person who provides regular care,  
 161 assistance, or support to an adult without formal legal  
 162 guardianship but who may form part of the Principal’s  
 163 support network.  
 164 (h) **Principal** – Any competent adult person who voluntarily  
 165 executes a Health Care Proxy designating a Health Care  
 166 Agent pursuant to this Ordinance.  
 167 (i) **Vulnerable Adult** – Any adult person who, by reason of age,  
 168 disability, health condition, social circumstance, or absence of  
 169 immediate family support, may require assistance in health  
 170 care decision-making but has not been judicially declared  
 171 incapacitated.  
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173 All adults are presumed competent to execute a Health Care Proxy  
 174 unless declared otherwise by a competent court or determined to  
 175 lack decision-making capacity in accordance with applicable  
 176 medical and legal standards.”  
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178  
 179 *“SECTION 4. HEALTH CARE PROXY DESIGNATION.* Any  
 180 competent adult may voluntarily execute a Health Care Proxy  
 181 designating a Health Care Agent to make health care decisions on  
 182 the Principal’s behalf in the event that the Principal is unconscious,  
 183 incapacitated, or otherwise unable to communicate or provide  
 184 informed consent.  
 185

186 The designation of a Health Care Agent shall not be limited to  
 187 spouses, relatives, domestic partners, or persons related by blood,  
 188 marriage, or adoption. Any competent adult chosen by the Principal  
 189 may be designated as Health Care Agent, subject to the requirements  
 190 of this Ordinance and its Implementing Rules and Regulations.  
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192 A Health Care Proxy shall be in writing and signed by the Principal  
 193 in accordance with the formal requirements prescribed in the  
 194 Implementing Rules and Regulations. The document shall clearly  
 195 identify the designated Health Care Agent and may include  
 196 limitations, conditions, or specific instructions regarding medical  
 197 treatment consistent with existing laws.  
 198

199 Upon determination of incapacity or inability to communicate by the  
 200 attending physician in accordance with applicable medical  
 201 standards, the duly designated Health Care Agent shall have the  
 202 authority to make health care decisions consistent with the known  
 203 wishes and best interests of the Principal.  
 204

205 No health care provider within the territorial jurisdiction of Quezon  
 206 City shall refuse recognition of a duly executed Health Care Proxy  
 207 on the basis of age, disability, civil status, relationship status, living  
 208 arrangement, household structure, or absence of familial  
 209 relationship.



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211 Nothing in this Section shall be construed to override the authority  
212 of lawful spouses, parents, legal guardians, or court-appointed  
213 representatives under applicable national laws, nor shall it impair  
214 judicial determinations of incapacity or guardianship.  
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216  
217 **“SECTION 5. QUEZON CITY RIGHT TO CARE CARD.** The  
218 Quezon City Right to Care Card (RTC Card) is a City-issued  
219 identification or certification which functions as proof that a Health  
220 Care Proxy has been duly executed by the Principal named therein.  
221

- 222 (a) **Issuance.** Subject to the provisions of this Ordinance and  
223 such other reasonable requirements as the City may  
224 prescribe, the Quezon City Gender and Development (QC  
225 GAD) Council Office shall serve as the primary office  
226 responsible for the registration of Health Care Proxies and  
227 the issuance of RTC Cards to qualified applicants,  
228 provided that the Principal and/or the designated Health  
229 Care Agent is a resident of Quezon City.  
230

231 To promote accessibility, efficiency, and expeditious  
232 public service delivery, the City Mayor may designate  
233 other appropriate City offices or units as additional  
234 receiving or issuing authorities for the processing,  
235 verification, and release of RTC Cards, in accordance with  
236 the Implementing Rules and Regulations of this  
237 Ordinance and the applicable Citizens Charter of the  
238 concerned office.  
239

240 All designated offices shall comply with uniform  
241 standards, verification procedures, data privacy  
242 requirements, and records management protocols as may  
243 be prescribed under the Implementing Rules and  
244 Regulations.  
245

- 246 (b) **Form.** The RTC Card shall be issued in both physical and  
247 digital formats, either of which shall be deemed valid by  
248 Health Care Providers operating within the territorial  
249 jurisdiction of Quezon City.  
250

- 251 (c) **Contents.** The RTC Card shall:  
252 i. Contain the names, signatures, and appropriate  
253 contact details of both the Principal and the Health  
254 Care Agent;  
255 ii. Contain a quick response (QR) code, or similar  
256 verification mechanism, which directs to a digital  
257 copy of the registered Health Care Proxy stored in  
258 a secure, City-controlled digital system; and  
259 iii. Contain such other information or design elements  
260 as may be deemed appropriate by the City  
261 consistent with this Ordinance and its  
262 Implementing Rules and Regulations.

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(d) **Authority.** A Health Care Agent designated in the RTC Card shall, on behalf of the Principal named therein, have the authority to:

- i. Make any and all Health Care Decisions on the Principal’s behalf, subject to any express limitations contained in the Health Care Proxy;
- ii. Receive medical information and access medical records necessary to make informed decisions regarding the Principal’s Health Care; and
- iii. Exercise such authority in priority over any other person, except as otherwise provided under applicable national laws or as expressly limited in the Health Care Proxy.”

**“SECTION 6. CAPACITY.** All adults are presumed to possess legal capacity to execute a Health Care Proxy and to make Health Care Decisions unless declared otherwise by a competent court or determined to lack decision-making capacity in accordance with applicable medical and legal standards.

The authority of the Health Care Agent to make Health Care Decisions shall commence only upon a determination, consistent with applicable laws, rules, or regulations, that the Principal is unable to communicate or lacks decision-making capacity.

Advanced age, disability, illness, or health condition shall not, by themselves, constitute incapacity. No person shall be deemed incapable solely on the basis of age, disability, civil status, or living arrangement.

In the event that the Principal regains decision-making capacity, the authority of the Health Care Agent shall immediately cease, and the Principal’s expressed decisions shall prevail.

Where the Principal objects to a determination of incapacity or to a Health Care Decision made by the Health Care Agent, such objection shall prevail unless a court of competent jurisdiction determines otherwise.

Nothing in this Section shall be construed to impair judicial determinations of incapacity, guardianship, or other lawful authority under applicable national laws.”

**“SECTION 8. HEALTH CARE PROVIDER OBLIGATIONS.** All Health Care Providers operating within the territorial jurisdiction of Quezon City shall recognize and honor a duly executed Health Care Proxy and a valid Quezon City Right to Care (RTC) Card in accordance with this Ordinance and its Implementing Rules and Regulations.

316 A Health Care Provider presented with an RTC Card or Health Care  
 317 Proxy, or who has due knowledge that such proxy has been duly  
 318 executed by the Principal, shall:

- 319 (a) Access and verify the registered Health Care Proxy through  
 320 the City's authorized verification system;  
 321 (b) Include a copy or reference of the verified Health Care Proxy  
 322 in the Principal-patient's medical records;  
 323 (c) Notify the designated Health Care Agent, using the contact  
 324 information indicated in the RTC Card or proxy document, in  
 325 cases where the Principal is under their care and unable to  
 326 communicate;  
 327 (d) Comply in good faith with Health Care Decisions made by  
 328 the duly designated Health Care Agent, to the same extent as  
 329 if such decisions had been made directly by the Principal,  
 330 subject to any express limitations contained in the Health  
 331 Care Proxy and applicable national laws.

332  
 333 No Health Care Provider shall refuse recognition of a duly executed  
 334 Health Care Proxy on the basis of age, disability, civil status,  
 335 relationship status, living arrangement, household structure, or  
 336 absence of familial relationship between the Principal and the Health  
 337 Care Agent.

338  
 339 Nothing in this Section shall be construed to require a Health Care  
 340 Provider to comply with any Health Care Decision that is contrary  
 341 to law, professional standards, or valid court orders.

342  
 343 Health Care Providers shall adopt internal policies consistent with  
 344 Department of Health regulations on informed consent, surrogate  
 345 decision-making, patient rights, and medical records management  
 346 to ensure full compliance with this Ordinance."  
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348  
 349 **"SECTION 12. NON-LIMITATION AND**  
 350 **HARMONIZATION CLAUSE.** Nothing in this Ordinance shall be  
 351 construed to create, expand, diminish, impair, or supersede any  
 352 authority or right granted under existing national laws, including  
 353 but not limited to the Family Code of the Philippines, guardianship  
 354 statutes, court-appointed representation, and other applicable civil,  
 355 health, or social welfare laws.

356  
 357 This Ordinance shall not override or displace the lawful authority of  
 358 a spouse, parent, legal guardian, or court-appointed representative  
 359 as determined under applicable national laws or valid judicial  
 360 orders.

361  
 362 The execution of a Health Care Proxy pursuant to this Ordinance  
 363 shall be deemed a voluntary act of the Principal and shall operate  
 364 only within the limits of authority lawfully granted by the Principal  
 365 and consistent with existing laws.  
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368 Nothing herein shall be interpreted to:

- 369 (a) Authorize any act or omission to which the Principal could  
370 not lawfully consent;
- 371 (b) Impair judicial determinations of incapacity, guardianship, or  
372 legal representation;
- 373 (c) Alter succession rights, property rights, marital status, or  
374 legal family relations;
- 375 (d) Confer benefits, rights, or legal recognition beyond health  
376 care decision-making as expressly provided in this  
377 Ordinance.

378  
379 This Ordinance shall be interpreted in a manner that harmonizes  
380 local policy with national legislation and promotes patient  
381 autonomy without contravening existing statutory or judicial  
382 authority.”

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385 **SECTION 2. Insertion of a New Section 4-A.** A new Section 4-A is hereby  
386 inserted after Section 4 of Ordinance No. SP-3221, S-2023, to read as follows:

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388 **“SECTION 4-A. EXPANDED ELIGIBILITY AND**  
389 **UNIVERSAL ACCESS TO HEALTH CARE PROXY**  
390 **DESIGNATION.** This Ordinance shall apply universally to all  
391 competent adults within the territorial jurisdiction of Quezon City,  
392 including but not limited to:

- 393 (a) Senior Citizens;
- 394 (b) Solo Parents;
- 395 (c) Persons with Disabilities;
- 396 (d) Adults living independently or alone;
- 397 (e) Adults without immediate family members available or  
398 willing to act as surrogate decision-makers;
- 399 (f) Adults estranged from legal relatives;
- 400 (g) Individuals living in non-traditional households, chosen  
401 families, or long-term support arrangements; and
- 402 (h) Any competent adult who voluntarily designates  
403 another competent adult as Health Care Agent pursuant  
404 to this Ordinance.

405  
406 The absence of a marital, blood, or legal relationship between the  
407 Principal and the designated Health Care Agent shall not, by itself,  
408 constitute a ground for refusal of recognition, provided that the  
409 Health Care Proxy has been duly executed in accordance with this  
410 Ordinance and its Implementing Rules and Regulations.

411  
412 Nothing in this Section shall be construed to diminish or impair  
413 rights granted under Republic Act No. 9994 (Expanded Senior  
414 Citizens Act), Republic Act No. 8972 (Solo Parents’ Welfare Act),  
415 Republic Act No. 7277 (Magna Carta for Persons with Disabilities),  
416 Republic Act No. 11223 (Universal Health Care Act), the Family  
417 Code of the Philippines, guardianship laws, or other applicable  
418 national statutes.

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This Section shall be interpreted to promote inclusivity, equitable access to health care decision-making mechanisms, and the efficient delivery of medical services consistent with national health policies and patient rights standards.”

**SECTION 3. Updating of the Implementing Rules and Regulations.** Within sixty (60) days from the effectivity of this Ordinance, the appropriate City offices, led by the Quezon City Gender and Development (QC GAD) Office and in coordination with other concerned departments, shall review and update the Implementing Rules and Regulations (IRR) of Ordinance No. SP-3221, S-2023 to ensure consistency with the amendments introduced herein.

Pending such updating, all existing provisions of the current Implementing Rules and Regulations which are not inconsistent with this Ordinance shall remain valid, enforceable, and fully implementable.

**SECTION 4. SEPARABILITY CLAUSE.** If any provision of this Ordinance is declared unconstitutional or invalid by a competent court, the remaining provisions not affected thereby shall continue to be in full force and effect.

**SECTION 5. REPEALING CLAUSE.** All ordinances, resolutions, executive issuances, rules, and regulations, or parts thereof, inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

**SECTION 6. EFFECTIVITY CLAUSE.** This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation within Quezon City, or upon posting in at least three (3) conspicuous public places in the City, in accordance with applicable laws and regulations.

**ENACTED.**

Submitted by:

  
**BERNARD R. HERRERA**  
City Councilor, District 1

  
**KRISTINE ALEXIA R. MATIAS RN**  
City Councilor, District 6