



REPUBLIC OF THE PHILIPPINES
SANGGUNIAN PANLUNGSOD
CITY OF MANDALUYONG



ORDINANCE NO. 952, S-2023

**AN ORDINANCE PROHIBITING THE CONDUCT
OF HOME BIRTHS AND DELIVERIES IN
THE CITY OF MANDALUYONG**

WHEREAS, Section 11, Article XIII of the 1987 Philippine Constitution provides that "the state shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health, and other social services available to all people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children;"

WHEREAS, Section 15, Article II of the 1987 Philippine Constitution provides that "the State shall protect and promote the right to health of the people and instill health consciousness among them;"

WHEREAS, Section 17 of R.A. No. 7160, otherwise known as the Local Government Code of 1991, provides that "local government units shall endeavor to be self-reliant and shall continue exercising powers and discharging the duties and functions currently vested upon them and shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services enumerated herein. Subject to the provisions of Title Five, Book 1 of this Code, health services include hospitals and other tertiary health services";

WHEREAS, Republic Act No. 11223, otherwise known as the Universal Health Care Act, aims to progressively realize Universal Health Care through a systematic approach and clear delineation of roles of key agencies and stakeholders towards better performance in the health system, and to ensure that all Filipinos are guaranteed equitable access to quality and affordable healthcare goods and services;

WHEREAS, pregnancy and childbirth are among the leading causes of death, disease, and disability in women of reproductive age in developing countries, and every year, around 2,000 mothers die due to pregnancy-related complications;

WHEREAS, the risk of maternal and neonatal deaths is magnified if delivery is not attended to by skilled birth attendants and there is no access to emergency obstetric and neonatal care services;

WHEREAS, one of the prime objectives of the City of Mandaluyong is the efficient and effective delivery of basic healthcare services to its constituents;

WHEREAS, it is the duty of the City of Mandaluyong to adopt measures to eliminate or reduce maternal and neonatal deaths in the City.

NOW, THEREFORE, be it ENACTED, as it is hereby ENACTED, by the Sangguniang Panlungsod of the City of Mandaluyong, in session duly assembled, by virtue of the power vested in it by law, that:

- SECTION 1. TITLE.** This Ordinance shall be known as the “No Home Births Ordinance of the City of Mandaluyong.”
- SECTION 2. DECLARATION OF POLICY.** It shall be the policy of the City of Mandaluyong to ensure the protection and safety of the life of both the mother and child. Pursuant thereto, the practice of home births is hereby prohibited in order to protect the health and well-being of the mother and the newborn from the risks of infection, other diseases, and death.
- SECTION 3. SCOPE.** This Ordinance shall apply to all persons, whether natural or juridical, whether resident or not, and in all places found within the territorial jurisdiction of the City of Mandaluyong.
- SECTION 4. DEFINITION OF TERMS.** As used in this Ordinance, the terms below shall have the meanings ascribed in this Section. Any word or term not defined shall be given their plain customary meanings, unless the context requires otherwise, and shall be interpreted in a manner consistent with the purpose and spirit of this Ordinance.
- a. **BIRTHING FACILITIES** – refer to a licensed institution which facilitates the delivery of a child at birth;
 - b. **HOME BIRTH** – refers to the act of delivering newborns outside of a birthing facility (i.e. house, school, etc.), whether attended by a hilot or trained midwife;
 - c. **SKILLED BIRTH ATTENDANT** – refers to an accredited midwife, physician, obstetrician, nurse, or other healthcare professional who possesses the relevant training or educational background and provides basic and emergency healthcare services to women and their newborns during pregnancy, childbirth, and the postpartum period;
 - d. **TRADITIONAL BIRTH ATTENDANT** – traditional, independent, non-formally trained, and community-based providers of care during pregnancy, childbirth, and the postpartum period.
 - e. **PREGNANT WOMAN** – a woman expecting to deliver a child or children which condition shall continue until she has delivered such child or children or has suffered a miscarriage.
- SECTION 5. PROHIBITED ACTS.** The following are the prohibited acts under this Ordinance:
- a. The delivery of birth at home or outside an accredited birthing facility by a skilled birth attendant, traditional birth attendant, hilot, or any individual not formally trained in assisting children.

SECTION 9. **PENALTIES.** Any person who violates Section 5 of this Ordinance will be subject to the following penalties:

FIRST OFFENSE	₱3,000.00
SECOND OFFENSE	₱4,000.00
THIRD AND SUBSEQUENT OFFENSES	₱5,000.00 and/or imprisonment of not more than thirty (30) days

This is without prejudice to the corresponding criminal, civil, and administrative sanctions already imposed by law.

SECTION 10. **PUBLIC INFORMATION AWARENESS.** The City Health Department shall post this information at the Barangay Health Centers and in different strategic locations within the City. Barangay Health Workers shall encourage pregnant women to seek consultation and schedule birth at the proper birthing facility.

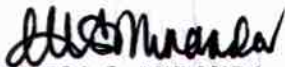
SECTION 11. **SEPARABILITY CLAUSE.** If for any reason or reasons, any provision or section of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 12. **REPEALING CLAUSE.** All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 13. **EFFECTIVITY CLAUSE.** This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation in Metro Manila.

ENACTED on this 13th day of November 2023, in the City of Mandaluyong.

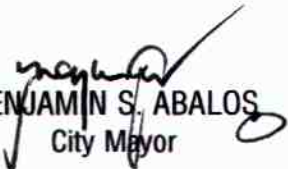
I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN A REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:

APPROVED BY:


CARMELITA A. ABALOS
City Vice Mayor &
Presiding Officer


BENJAMIN S. ABALOS
City Mayor

Date: NOV 24 2023

DISTRICT I



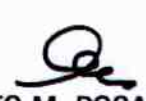
ANTONIO DLS. SUVA, JR.
Councilor



ANJELO ELTON P. YAP
Councilor



DANILO L. DE GUZMAN
Councilor



RODOLFO M. POSADAS
Councilor



CARISSA MARIZ S. MANALO
Councilor



ESTANISLAO V. ALIM III
Councilor

DISTRICT II



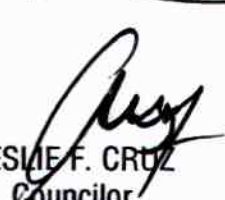
BENJAMIN A. ABALOS III
Councilor



ALEXANDER C. STA. MARIA
Councilor



REGINALD S. ANTIOJO
Councilor



LESLIE F. CRUZ
Councilor



MICHAEL R. OCAMPO
Councilor



MICHAEL ERIC G. CUEJILO
Councilor



DARWIN A. FERNANDEZ
LnB President



AEROL SEDRICK A. MANGALIAG
SK Federation President