

Comments and Recommendations on PRRD’s April 13 Report on the Implementation of the Bayanihan Act (RA 11469)

Senator Joel Villanueva

Here are our comments and recommendations on the current measures being implemented to address the COVID-19 pandemic and mitigate its impact:

- 1. We commend the launch of the improved DOH portal that contains relevant COVID-19 statistics in the country. To further improve data disclosure, we recommend adding statistics on tests conducted, the number of individuals tested, contacts traced, probable and suspected cases estimated, and donations received and dispatched, among others.**

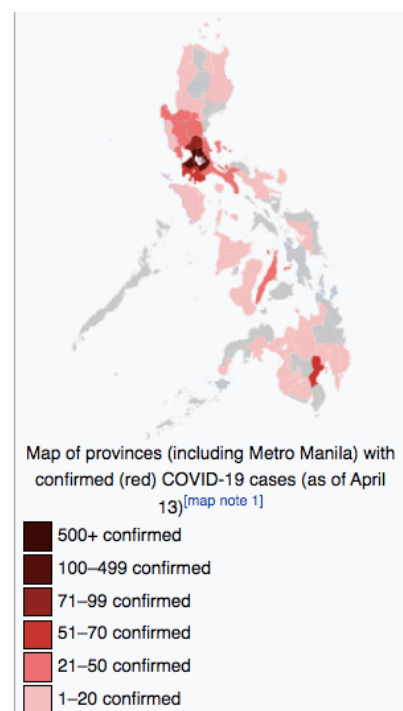
We appreciate that important figures—such as (i) regional breakdown of currently admitted, recovered, and deceased COVID-19 patients, (ii) summary of tests conducted (including their results) by facility, (iii) availability of beds and mechanical ventilators in different hospitals, and (iv) availability of personal protective equipment (PPEs) (further broken down into face shield, goggles, gown, N95, etc.) in different facilities—are now made available to the public through its portal doh.gov.ph/covid19tracker.

However, for items (ii) to (iv), we note that only 30.6% of hospitals and 40.7% of infirmaries have reported on the DOH DataCollect app. We hope that the DOH continues improving data submission from these facilities to be able to better provide an accurate picture of the health situation.

As of this writing, the key statistics uploaded in the portal are frequency of confirmed COVID-19 cases, and recovered and deceased patients. To improve data disclosure, we propose to add the following information in the portal:

- i. Geographic and Socio-Demographic Profile of Persons Tested for COVID-19:*

The DOH portal disclosed that as of April 11, 2020, there are a total of 33,814 individuals tested—of which 14.5% have tested positive. Although the portal summarizes how these tests are distributed across testing laboratories (e.g. around 75% or 25,400 of these tests were conducted by the RITM), we request that more details of these tests be made available. Specifically, we hope to see the profile of tested patients (both with positive and negative results) in terms of area of residence, age, gender, and indicator of presence of any pre-existing conditions. Getting a more accurate picture of the spread of COVID-19 entails analysis of more granulated data from mass testing.



ii. *Statistics on Contact Tracing:* According to the 3rd Bayanihan Report, the DOH has traced a total of 8,973 contacts as of April 8. This is extremely low considering that scientists have estimated that a COVID-19 patient infects two or more others. As of the same date (April 8), there were already 3,870 confirmed COVID-19 cases in the country—which shows that contacts traced are relatively low.

iii. *Statistics on Suspected and Probable Cases:* The total number of suspected and probable cases in the whole country¹ has long been unclear, despite the fact that massive testing, which relies on such data, is supposed to be rolled-out on April 14, 2020.

The NDRRMC report dated April 13, 2020² shows that there are a total of 215,990 PUMs and 14,931 PUIs in the country (excluding NCR) as of April 12, 2020. Such figures were compiled from regional DRRMCs. According to the said report, such figures still require further validation of the DOH Central Office.³ We note that such breakdown is not anymore available in the April 14 report, but urge that that once validation is done, the said figures on PUM and PUIs or suspected or probable cases nationwide will be made available in the DOH portal as well.

REGION	PUM	PUI
NCR		
BARMM	8,291	264
CAR	7,676	519
REGION I	21,030	1066
REGION II	7297	206
REGION III	33,478	2,368
CALABARZON	58,392	4,947
MIMAROPA	43,435	815
REGION V	0	177
REGION VI	3,248	142
REGION VII	3,826	1640
REGION VIII	20105	295
REGION IX	3,996	236
REGION X		364
REGION XI		1066
REGION XII	262	259
CARAGA	4,954	27
TOTAL	215,990	14,391

iv. *Breakdown of PPEs and Other Supplies, by Source (i.e. Donations, Government-procured):* The Report cites that the 1 million PPE sets procured by DOH, DBM and PITC are ongoing delivery. For the week of April 4 to 9, a total of 43,945 PPE sets were delivered to various hospitals in six regions in the country.

We hope that more details about PPEs—for instance, how many of these were donated and how many were procured by DOH, health facilities they were delivered to, and estimated target/ideal number of PPEs per hospitals—are also uploaded in the portal. We expect that such detailed updates would not be difficult given that the Office of Civil Defense is already monitoring it.

¹ Previous terms used are Persons Under Investigation (PUIs) and Persons Under Monitoring (PUMs).

² http://ndrrmc.gov.ph/attachments/article/4036/National_Task_Force_for_Coronavirus_Disease-2019_COVID-19_SitRep_No_13_as_of_13April2020-rotated.pdf

³ No information as to when validation of these figures will be finished.

2. We are glad to note that the economic team is amenable to our suggestion of rolling out a wage subsidy program for MSME workers as well as a relief program for small businesses. We note, however, that logistical difficulties similar to that of the Emergency Subsidy Program (ESP) may arise if only a portion (the estimated 3.4 million workers affected by ECQ) of the total 5.7 million MSME workers will be provided wage subsidy. We likewise request for the calculation supporting the said estimate.

The ECQ has caused not only lack of workforce for MSMEs but also loss of buyers and suppliers, and higher costs of logistics and materials. Hence, this update is a welcome development.

Data from the DTI and PSA shows that there are a total of 5,714,262 workers in the MSME sector as of 2018. We hope the government would reconsider covering *all* MSME workers, instead of just 60% of them. Our own estimates show that the Php50.8 billion cost of providing Php8,000 worth of assistance for each of 3.4 million employees for two months, can support around 50% minimum wage subsidy for all MSME workers within the same duration.

Region	MSME Employment	Total Cost of Subsidizing Agri and Non-Agri Minimum Wage for 22 Working Days			
		100%	75%	50%	25%
National Capital Region (NCR)	1,621,685	19,156,517,402	14,367,388,052	9,578,258,701	4,789,129,351
CAR	88,753	683,398,100	512,548,575	341,699,050	170,849,525
Region I (Ilocos Region)	236,856	1,766,696,547	1,325,022,410	883,348,274	441,674,137
Region II (Cagayan Valley)	134,074	1,090,433,960	817,825,470	545,216,980	272,608,490
Region III (Central Luzon)	605,056	5,577,297,132	4,182,972,849	2,788,648,566	1,394,324,283
Region IV-A (CALABARZON)	824,283	7,243,105,144	5,432,328,858	3,621,552,572	1,810,776,286
Region IV-B (MIMAROPA)	110,874	780,552,960	585,414,720	390,276,480	195,138,240
Region V (Bicol Region)	191,111	1,303,377,020	977,532,765	651,688,510	325,844,255
Region VI (Western Visayas)	318,467	2,740,375,990	2,055,281,993	1,370,187,995	685,093,998
Region VII (Central Visayas)	449,775	3,995,731,080	2,996,798,310	1,997,865,540	998,932,770
Region VIII (Eastern Visayas)	140,269	970,285,470	727,714,103	485,142,735	242,571,368
Region IX (Zamboanga)	139,313	967,729,774	725,797,331	483,864,887	241,932,444
Region X (Northern Mindanao)	207,600	1,664,540,592	1,248,405,444	832,270,296	416,135,148
Region XI (Davao Region)	317,316	2,762,983,322	2,072,237,492	1,381,491,661	690,745,831
Region XII (SOCCSKSARGEN)	197,331	1,411,685,748	1,058,764,311	705,842,874	352,921,437
Region XIII (Caraga)	98,696	694,819,840	521,114,880	347,409,920	173,704,960
ARMM	32,803	233,179,650	174,884,738	116,589,825	58,294,913
Total	5,714,262	53,042,709,731	39,782,032,298	26,521,354,866	13,260,677,433

TOTAL Cost of Wage Subsidy for Workers in Agri- and Non-Agri MSMEs	
100%	53,042,709,731
75%	39,782,032,298
50%	26,521,354,866
25%	13,260,677,433

Author:	Office of Senator Joel Villanueva
Data Source	National Wages Productivity Commission (NWPC); DTI; 2018 List of Establishments (Philippine Statistics Authority)

We also hope to hear the government plans to help the struggling MSMEs, and expedite their study on the matter. According to the 3rd Bayanihan Report, the DOF is studying a proposal to give credit guarantee to MSMEs to make borrowing thru banks more accessible. Considering that the ECQ has been in place for four weeks already, most, if not all, MSMEs have been struggling for some time, and government must work immediately to give assistance to this sector in our economy.

3. We request for the release of more uniform targets for COVID-19 Adjustment Measures Program (CAMP) and for Tulong Panghanapbuhay sa Ating Displaced/Disadvantaged Workers—Barangay Ko, Bahay Ko Disinfection or Sanitation Project (TUPAD-BKBK), as well as updates on the efforts to meet target beneficiaries.

Based on the 3rd Report, a total of 167,941 workers have benefitted from CAMP while 118,086 have benefited from TUPAD-BKBK. These figures result in accomplishment rates of 52% for CAMP and 50% for TUPAD-BKBK, if using the targets contained in the Report.

However, the accomplishment rates would be lower if we compare the actual number of beneficiaries to the initial targets DOLE submitted to the Office of Senator Villanueva: 540,000 workers for CAMP and 700,000 workers for TUPAD. With these, DOLE's accomplishment rates drop to 31% for CAMP and 17% for TUPAD. In relation to this, we hope that DOLE can further expedite the delivery of assistance to CAMP and TUPAD-BKBK target beneficiaries, and for DBM to expedite the release of the total Php7.8 Billion requested funds of DOLE for the implementation of DOLE's social amelioration programs.

In addition, we hope that DOLE will also establish a real-time monitoring portal to reflect relevant information on the distribution of financial assistance to formal and informal workers and to our OFWs (e.g., with respect to CAMP, the number of establishments that applied for CAMP (divided per province), the number of approved, denied or pending applications, the number of employees granted assistance, and the actual date of remittance of the financial assistance to the bank account of the worker or to designated money remittance centers; with respect to TUPAD-BKBK, the number of workers who applied for assistance, the number of approved applications, profile of the applicant or nature of work, their location, and the date of remittance of assistance; with respect to DOLE AKAP for OFWs, the number of OFWs who applied for assistance, the number of approved applications, profile of the applicant, country where OFW used to work, etc.)

We also hope to see a report on the accomplishments of DOLE AKAP for OFWs, a program intended to give USD200 or Php10,000 or its equivalent in foreign currency to displaced or repatriated OFWs due to COVID-19. We note that there was no mention of this program in the 3rd Bayanihan Report.

4. We hope to see a clearer plan to speed up delivery of Personal Protective Equipment (PPEs) and other supplies to health facilities.

Coupled with the fact that COVID-19 testing rate is extremely low, frontliners and healthcare workers are at risk of infection and death while performing their duties without adequate provision of Personal Protective Equipment (PPEs). According to the Private Hospitals Association of the Philippines (PHAP), as of April 7, 2020, a total of 21 Filipino doctors have already died due to COVID-19.⁴

Although the 3rd Bayanihan Act Report cites that from April 4 to April 9, a total of 43,945 PPE sets were delivered to various hospitals, it is still low compared to the 900,000 PPE sets the DOH has acquired. It is also difficult to assess whether these PPEs are enough because the DOH has not come up with any estimated number of PPEs required to respond to this pandemic.

5. 63 proposed testing centers remain to be under assessment or validation a week after this was first reported in the 2nd Bayanihan Report. Such figure is frustrating, given the urgency of providing testing centers or laboratories to fully implement mass testing. We request more details on these pending facilities (e.g. geographical distribution) as well as efforts of DOH to expedite accreditation of testing centers.

The DOH aims to increase the capacity for COVID-19 testing up to 10 times its current performance: from around 1,000 tests conducted at present to 8,000 to 10,000 tests a day by the end of April 2020. However, accreditation of testing centers remains to be very slow, and 63 testing centers remain to be accredited, seemingly with no improvement since this was first reported in the 2nd Bayanihan Report.⁵

The local government of Marikina has recently continued with the launch of its own COVID-19 Testing Center even without the approval of the DOH. Marikina City Mayor stated that the schedule mass testing of the city was put on hold after DOH initially rejected their proposed testing facility. He added that they have followed all protocols and standards set by the DOH and decided to push through with their facility, invoking local autonomy.⁶

We also hope that the selection of testing centers and COVID-19 laboratories was made with due regard to the number of population and the rate of transmission/ infection in the area.

⁴ www.gmanetwork.com/news/news/nation/733083/21-filipino-doctors-have-died-due-to-covid-19-phap/story/

⁵ At p. 14.

⁶ news.mb.com.ph/2020/04/14/marikina-city-to-push-through-with-opening-of-covid-19-testing-center-even-without-doh-approval/

6. We recommend looking into the allegation of unsanitary quarantine facilities provided for PUMs/PUIs, and upscale them, if needed.

On April 14, a seafarer complained of the dismal and unsanitary condition of the quarantine facility/hotel they were placed in. To exacerbate the matter, the hotel staff directed them to DOH for their concerns, while the DOH, in turn, put the blame on the manning agency for choosing the hotel as a quarantine facility. The manning agency also pointed out that the facility was approved by DOH through the Bureau of Quarantine.⁷

The NDRRMC's National Task Force Report shows that there are some quarantine facilities that are either short-time motels or are located in areas with questionable means of sanitation. There has to be an upscaling of such quarantine facilities especially if they will be designated for the use of people with preexisting conditions or are suffering from COVID-19 symptoms.⁸

7. We recommend the government to acknowledge request for technical and medical assistance from countries and regions that have devised successful strategies against the spread of COVID-19.

It may be timely for our government to acknowledge the need for assistance and solicit expert advice and guidance from Taiwan, Vietnam, and New Zealand for best practices in epidemiology and healthcare management of COVID-19. As of April 7, 2020, Taiwan has five deaths from the virus, 376 confirmed patients, and 61 recovered patients, with only single or double digit daily increases from the infection.⁹ New Zealand only has 1,072 confirmed cases and nine deaths as of April 14, 2020.¹⁰ Vietnam has confirmed cases of 265 individuals with 167 recoveries and zero deaths as of April 14, 2020.¹¹

The NDRRMC report on National Task Force Activities has shown that 36 offers of assistance from foreign entities came mostly from Chinese national and municipal government institutions, Chinese healthcare institutions, private companies, Singaporean agencies, and foreign individuals.¹² Almost all of these were in the form of testing kits, PPEs, masks, and money. Only one was in the form of technical assistance from the Hong Kong Institution of Engineers, which aims to share expertise in Modular Integrated Construction for conversion of hospital wards to negative pressure isolation rooms.¹³

⁷ news.abs-cbn.com/news/04/14/20/ofw-complains-of-filthy-unhygienic-conditions-at-quarantine-hotel

⁸ NDRRMC Report, April 12, 2020, Annex E

⁹ http://www.xinhuanet.com/english/2020-04/07/c_138954428.htm

¹⁰ health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-current-situation/covid-19-current-cases

¹¹ ncov.moh.gov.vn/

¹² NDRRMC Report, April 12, 2020, Annex F

¹³ Ibid.

8. We reiterate that in extraordinary times such as this pandemic, state agents must not resort to heavy-handed actions to suppress dissent.

The NBI has subpoenaed a netizen for having posted on Facebook (on March 23, 2020) a statement comparing the government's misuse of funds for a Php2 billion jet with the little amount it has spent for healthcare.¹⁴ He has been charged of violating Article 154 of the Revised Penal Code.¹⁵¹⁶

9. We propose adopting a sectoral view in gradually lifting the lockdown, in order to dampen the impact of COVID-19 to the economy without increasing the risk of spread of infection.

The Asian Development Bank (ADB) projects that the Philippines' GDP growth to be at 2% in 2020,¹⁷ which is clearly lower than last year's 5.9% growth, and is largely attributable to the COVID-19 pandemic.

To further reduce the potential economic losses brought about by shutting down of private establishments in various areas, we recommend the government to look into feasible set-ups in gradually lifting the lockdowns.

We propose identifying sectors whose current restrictions on movement may be lifted and may be replaced with more relaxed policies (such as social distancing and/or requirement to wear masks in workplaces), putting the following factors into consideration: (i) their risk of contributing to the spread of the virus, and their (ii) relative value of contribution to rebooting the economy.

Sectors with low risk of spreading the virus such as subsistence agricultural workers as well as workers in food and agricultural may be allowed to resume their operations, provided social distancing and monitoring may be put in place. Lifting of quarantine is also crucial for the latter, which are considered to be crucial in rebooting the economy.

Equally high value sectors such as logistics, transportation, and construction, may resume operations under strict monitoring of movement, social distancing, and regular COVID-19 random testing. Such is due to the fact that this sector may have high risk of spreading the virus.

In effect, considering their high risk of spreading the virus and relatively less urgent role in rebooting the economy, among the last priorities for lifting the lockdown include schools and educational institutions, as well as theaters and resorts.

¹⁴ www.rappler.com/nation/257278-nbi-subpoena-based-gripping-about-government-private-jet

¹⁵ www.lawphil.net/statutes/acts/act_3815_1930b.html; Any person who by means of printing, lithography, or any other means of publication shall publish or cause to be published as news any false news which may endanger the public order, or cause damage to the interest or credit of the State

¹⁶ www.rappler.com/nation/257871-retired-sc-justice-carpio-says-facebook-post-private-jet-protected-speech; Note: We also wonder why an 80-year-old provision in the Revised Penal Code with no visible conviction or acquittal in the Supreme Court has been used in this case.

¹⁷ <https://www.gmanetwork.com/news/money/economy/732505/adb-philippine-gdp-to-slide-at-2-in-2020-due-to-covid-19-rebound-to-6-5-in-2021/story/>

10. We would also like to reiterate some of our comments that remain unaddressed in the 3rd Report.

- i. *On Clear Strategy in the Conduct of Mass Testing, including Expediting Accreditation of Test Kits:* According to the 3rd Bayanihan Act Report, a total of 24,755 individuals have been tested for COVID-19 as of April 6, 2020. However, the Report did not explain how these tests are distributed across the cities and municipalities with recorded COVID-19 cases, and are far higher than the 6,000 tests published in the DOH tracker recently.

Without verifiable details, such figure becomes dubious, especially considering that Quezon City, which holds the highest number of reported COVID-19 cases in the country, announced having only around 1,300 test kits from DOH for its community-based testing.¹⁸

The approval rate of applications for COVID-19 test kits certification remains to be low (at 25%). We hope to see in the next report steps undertaken to encourage more applicants as well as support provided to those with pending requirements. Moreover, we also hope to see a clear figure on the target number of test kits needed.

With regard the conduct of mass testing, the 3rd Bayanihan Report do not contain any detailed plan on the conduct of mass testing, especially to address the 15,000 backlog on COVID-19 testing reported by Chief Implementor Carlito Galvez, Jr.¹⁹ Considering that all 17 regions in the country already have confirmed COVID-19 cases, it is highly likely that this number is even bigger. We hope to see a clearer plan and bigger number of tests conducted in the next Bayanihan Report.

- ii. *On the Distribution of Emergency Subsidy through Social Amelioration Programs (SAP) and Profiling of Beneficiaries:* We again emphasize that we hope to see a clear basis for the identification of the target 18 million Filipinos. While the 3rd Report states that, as of April 9, 664 cities and municipalities have indicated their intention to avail of the SAP, we still hope to be assured that a bottom-up approach is currently being adopted to ensure that the households they have identified to be in need of assistance would be provided subsidy.
- iii. *On Ensuring Adequate Quarantine and Isolation Facilities:* We reiterate our call to DOH, DILG and DPWH and other concerned agencies to extend the necessary assistance to LGUs in setting up their own quarantine facilities and equipping the medical and other personnel to ensure the safety and sanitation of these quarantine facilities or isolation units. Moreover, we hope to see in the next report updates on efforts in assisting the 29,721 remaining barangays (as of April 2, 2020) to designate Barangay Isolation Units or Special Care Facilities for PUIs in their respective jurisdiction.

¹⁸ www.rappler.com/nation/257561-quezon-city-community-based-coronavirus-testing-after-holy-week

¹⁹ news.abs-cbn.com/news/04/14/20/philippine-covid-19-testing-has-15000-backlog-pandemic-plan-chief

- iv. *On Expanding Health Human Resource:* While the 3rd Bayanihan Report mentioned that DBM approved the engagement of 857 medical personnel to be deployed to the Philippine General Hospital, Lung Center of the Philippines and Dr. Jose N. Rodriguez Memorial Medical Center, the 3rd Bayanihan Report still does not a tally on the number of health workers (pegged at 172,744 based on the 2nd Bayanihan Report) at risk of infection or death due to COVID-19.

We also remain to see the efforts of the government to augment the number of medical personnel across the country, other than the deployment of the 857 medical personnel to the three COVID-19 referral hospitals referred to above. Moreover, even while the POEA Governing Board has temporarily suspended the deployment of medical personnel, there are no reports on the efforts of the government to actively engage the services of these health workers to our health care system.

- v. *On Relaxing Movement of Basic Goods:* The 2nd Bayanihan Report stated that most LGUs (with a compliance rate of 86%) have already complied with the directive to allow the unhampered movement of essential goods and cargoes. However, further update was given in the 3rd Bayanihan Report, aside from the fact that DILG has instructed LGUs to dismantle their checkpoints along national and provincial roads.

Moreover, given the fact that markets are often a hotbed for possible transmission due to the inevitable convergence of people in the area, we recommend that the DA, DILG, DOTr and other appropriate agencies consider to adopting a farm-to-household model to reduce, if not eliminate, the need to go to markets.

11. We recommend the release of low-risk detainees and prisoners who are vulnerable to COVID-19 (especially the senior citizens) to prevent any fatality in these facilities in case of spread of the virus.²⁰

This may be considered in light of the fact that our jails and detention centers managed by the BJMP and BuCor all over the country are swamped with a 310% to a 450% congestion rate.²¹ This suggestion may seem reasonable and in line with legal principles save for the fact that the presence of an epidemic is an extraordinary situation that should merit the further relaxation of rigid rules of legal procedure. We also note that the DOJ has begun coordinating with the Supreme Court on this matter.²² In this regard, we are pushing for the following suggestions:

- a) Urging the DILG, the Supreme Court, and other relevant agencies to implement a fast-tracked process for release without the need for individualized court orders;
- b) Inclusion of conditions for release, including limitations on movement and travel and reporting to particular authorities concerned such as judges and law enforcement officers on particular dates or occasions;
- c) Identifying the list of offenses qualified for early release from imprisonment or detention, including those detained for curfew violations and other light offenses under the Bayanihan Act;
- d) A periodic report of the number of persons released, the offenses committed by these persons released, and a status of their medical conditions; and
- e) Tracking of these individuals who have received the benefits of early release.

12. We recommend that the DOH establish a registry of accredited funeral parlors, and the deaths they report, with corresponding causes of death.

Because of the backlog in the release of COVID-19 test results, it is not unusual that suspected COVID-19 patients die before they receive the results of their tests, and thus their death certificates will bear a different cause of death (e.g., pneumonia). In these cases, it is highly likely that these people, who are posthumously declared as being positive with COVID-19 are not included in the number of deaths reported by DOH. In order to accurately capture the total number of deaths due to COVID-19, the DOH also has to engaged the cooperation of funeral parlors.

²⁰ www.rappler.com/nation/257773-bjmp-supports-temporary-release-prisoners-coronavirus-pandemic-only-by-court-order#cxrecs_s; While we acknowledge that the BJMP has strongly supported the release of these classes of persons deprived of liberty, the agency has noted that there should be a court order for each and every one of these prisoners or detainees to be released

²¹ rappler.com/nation/257241-catastrophic-situation-feared-low-risk-prisoners-not-released-coronavirus

²² *Ibid.*