


FIFTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
*First Regular Session*



Senate  
Office of the Secretary

'11 MAY 17 P4:12

**SENATE**

RECEIVED BY: 

S. No. **2829**

---

Introduced by Senator Manuel "Lito" M. Lapid

---

### **EXPLANATORY NOTE**

It is the solemn duty of the State to protect and promote the right to health of the people to full, healthy and holistic health development. In this light, it is the responsibility of the State to promote an environment conducive to the development of all its citizens to become, to the best of their potentials, independent, self-reliant and productive members of society.

In the pursuit of such policy, the State shall institutionalize the inclusion of infant eye preventive health care system in order to prevent ophthalmia neonatorum.

Ophthalmia neonatorum refers to a disease or condition of the eye, or eyes of an infant in which there is inflammation, swelling or redness in either one or both eyes, either apart from or together with purulent discharge from the eye or eyes, at any time within two (2) weeks after the birth of such infant, independent of the nature of the infection.

Under this proposed measure, it shall be the duty of any healthcare practitioner who attends or assists at the birth of a child, to instill in each eye of the newborn baby, as soon as possible and not later than one (1) hour after complete delivery of the newborn, ocular prophylaxis approved by the Department of Health (DOH) for the prevention of *ophthalmia neonatorum*. Moreover, any healthcare practitioner who delivers, or assists in the delivery, of a newborn in the Philippines shall, prior to delivery, inform and educate the parents or legal guardian of the newborn of the availability, nature and benefits of ocular prophylaxis.

In view of the foregoing, early passage of this bill is earnestly requested.




**MANUEL "LITO" M. LAPID**  
Senator 



11 MAY 17 P4:12

**SENATE**

S. No. **2829**

RECEIVED BY: 

---

Introduced by Senator Manuel "Lito" M. Lapid

---

**AN ACT**  
**PROVIDING FOR THE MANDATORY INCLUSION OF OCULAR**  
**PROPHYLAXIS INTO THE NEWBORN SCREENING PROGRAM OF THE**  
**GOVERNMENT, APPROPRIATING FUNDS THEREFOR AND FOR OTHER**  
**PURPOSES**

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

**SECTION 1. Short Title.** - This Act shall be known as the *"Infant Eye Preventive Health Care Act of 2011"*.

**SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State to protect and promote the right to health of the people to full, healthy and holistic development and the right to self-determination. As such, the State shall promote an environment conducive to the development of all its citizens to become, to the best of their potentials, independent, self-reliant and productive members of society.

Towards this end, the State commits itself to the establishment of institutional mechanisms to provide a comprehensive information, education and communication campaign on ophthalmia neonatorum in order to address this health concern. In the pursuit of such policy, the State shall also institutionalize the inclusion of ocular prophylaxis in its national newborn screening system.

**SEC. 3. Definition of Terms.** - For purposes of this Act, the following terms shall mean:

(a) "Ophthalmia neonatorum" any disease or condition of the eye, or eyes of an infant in which there is inflammation, swelling or redness in either one or both eyes, either apart from or together with purulent discharge from the eye or eyes, at any time within two (2) weeks after the birth of such infant, independent of the nature of the infection.

(b) "Healthcare practitioner" physicians, midwives, and those authorized by law to attend at childbirth.

(c) "Health institutions" hospitals, health infirmaries, health centers or lying-in centers with obstetrical and pediatric services, whether public or private.

(d) "Local health officer" city or municipal health officer.

**SEC. 4.** Section 4 (1) of Republic Act No. 9288, otherwise known as the "***Newborn Screening Act of 2004***" is hereby amended to read as follows:

"1) *Comprehensive Newborn Screening System* means a newborn screening system that includes, but is not limited to, education of relevant stakeholders; collection and biochemical screening of blood samples taken from newborns; **PROVISION OF OCULAR PROPHYLAXIS ON NEWBORN INFANTS**; tracking and confirmatory testing to ensure the accuracy of screening results; clinical evaluation and biochemical/medical confirmation of test results; drugs and medical/surgical management and dietary supplementation to address the heritable conditions; and evaluation activities to assess long term outcome, patient compliance and quality assurance."

**SEC. 5.      *Information, Education and Communication (IEC) to Patients.* -** Any healthcare practitioner who delivers, or assists in the delivery, of a newborn in the Philippines shall, prior to delivery, inform and education the parents or legal guardian of the newborn of the availability, nature and benefits of ocular prophylaxis.

**SEC. 6.      *Delivery of Services.* -** It shall be the duty of any healthcare practitioner who attends or assists at the birth of a child, to instill in each eye of the newborn baby, as soon as possible and not later than one (1) hour after complete delivery of the newborn, ocular prophylaxis approved by the Department of Health (DOH) for the prevention of *ophthalmia neonatorum*.

**SEC. 7.** It is the duty of all health institutions to post and keep posted in conspicuous places in their institution, copies of this Act, and to instruct persons professionally employed in such institutions and places regarding their duties under this Act, and to maintain such records of cases of *ophthalmia neonatorum* in the manner and form prescribed by the DOH.

**SEC. 8.** The local health officer shall:

(a) Investigate each case of *ophthalmia neonatorum* reported to him/her, and any other such case as may come to his/her attention: *Provided*, That he/she cannot do so without the prior consent of the parents or guardian of the child; and

(b) Report all cases of *ophthalmia neonatorum* and the results of all such investigations as he/she may make, to the DOH in the manner and form prescribed by said Department.

**SEC. 9.** The Department of Health (DOH) shall:

(a) Enforce the provisions of this Act;

(b) Provide for printing, publication and distribution to all health institutions and healthcare practitioners, advice and information on the proper use of scientific prophylactic for *ophthalmia neonatorum*, the necessity for the prompt and effective treatment thereof, together with copies of this Act;

(c) Prepare the appropriate documentary forms and furnish them to all local health officers for distribution to healthcare practitioners free of charge; and

(d) Report any and all violations of this Act to the Office of the Prosecutor of the province where said violations are committed.

**SEC. 10. *Appropriations.*** - The funds necessary to implement the provisions of this Act shall be incorporated in the annual general appropriations of the Department of Health (DOH).

**SEC. 11. *Implementing Rules and Regulations (IRR)*** - The DOH shall issue the implementing rules and regulations necessary to carry out the provisions of this Act within one hundred eighty (180) days after its approval.

**SEC. 12. *Separability Clause.*** - The provisions of this Act are hereby declared separable, and if any clause, sentence, provision or section hereof, should be declared invalid, such invalidity shall not affect the other provisions of this Act which can be given force and effect without the provisions which have been declared invalid.

**SEC. 13. *Repealing Clause.*** - All laws, or parts thereof, inconsistent herewith are hereby repealed or modified accordingly.

**SEC. 14. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

***Approved.***