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SENATE

S. No. 3272

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Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Article 8, Section 11 of the 1987 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 the people."

Health Information Technology (HIT) is a tool for improving the quality, safety and efficiency of the health delivery system by providing the framework for management of health information and its secure exchange between consumers, providers, the government and qualified entities, and insurers. It is being utilized to facilitate improvements in health care quality, increase affordability and improve health care outcomes.

This proposed measure seeks to establish a program that will mainstream the promotion and utilization of health information technologies (HIT) in our health care delivery system in order to improve the delivery of quality health care to our patients. Moreover, this measure seeks to provide technical assistance and grants to health care providers who intend to utilize health information technologies in order to improve their delivery of basic health services to their patients.

Furthermore, this measure seeks to establish and institutionalize a Health Information Technology Center, which shall be placed under the supervision and control of the Office of the Secretary of the Department of Health. The center shall serve as a hub of all databanks of health information technology (HIT) records and the implementation of the provisions of this measure.

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


MANUEL "LITO" M. LAPID
Senator

SENATE

9 MAY 25 11:00

S. No. 3272

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Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
INSTITUTING THE MECHANISMS FOR THE PROMOTION AND UTILIZATION OF HEALTH INFORMATION TECHNOLOGY (HIT) IN ORDER TO IMPROVE THE DELIVERY OF QUALITY HEALTH CARE SERVICES, CREATING THE HEALTH INFORMATION TECHNOLOGY CENTER, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the "**Health Information Technology (HIT) Act of 2009.**"

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 and establish quality standards in the delivery of health services to protect the general welfare of the public.

As such, the State shall establish the mechanisms for the provision of Health Information Technology (HIT) in order to provide tools for improving the overall quality, safety and efficiency of the health delivery system.

Moreover, the State shall establish a program to provide technical assistance or grants to eligible health care entities which seek to utilize health information technology (HTI) in order to improve quality in health care and patient safety, including costs for the purchase, lease, or installation of computer software and hardware.

SEC. 3. Policy Objectives. - The provision of health information technology (HIT) is envisioned to provide tools for improving the overall quality, safety and efficiency of the health delivery system.

The broad consistent utilization of HIT will (a) improve health care quality; (b) prevent medical errors; (c) reduce health care costs; (d) increase administrative efficiencies; and (e) expand access to affordable care.

It is hoped that the use of HIT will improve individual patient care and bring many public health benefits including:

- a) Early detection of infectious disease outbreaks around the country;
- b) Improved tracking of chronic disease management; and
- c) Evaluation of health care based on value enabled by the collection of quality information that can be compared.

SEC. 4. *Definition of Terms.* - For purposes of this Act, the following terms shall be defined as follows:

(a) "*Health Information Technology (HIT)*" is the application of information processing involving both computer hardware and software that deals with the storage, retrieval, sharing, and use of health care information, data, and knowledge for communication and decision making. For HIT, technology represents computers and communications attributes that can be networked to build systems for moving health information. Health information technologies can include tools that help individuals maintain their health through better management of their health information.

(b) "*Secretary*" shall refer to the Secretary of the Department of Health;

SEC. 5. *National Data and Communication Health Information Technology Standards.* – Within one (1) year from the date of effectivity of this Act, the Secretary of the Department of Health (DOH) is hereby tasked to provide for the development and adoption of a national data and communication health information

SEC. 6. *Health Information Technology (HIT) Center.* - There shall be created a Health Information Technology (HIT) Center to be placed under the supervision and control of the Office of the Secretary of the Department of Health. The center shall serve as a hub of all databanks of health information technology (HIT) records and other pertinent information significant to the implementation of the provisions of this Act.

The center shall enforce strict compliance with the uploading and updating of electronic medical records as provided for in this Act.

SEC. 7. *Technical Assistance and Grants.* - The Secretary of Health shall establish a program to award grants and/or technical assistance to eligible entities that have submitted applications for the purpose of assisting such entities establishing health information technology (HIT) systems that are related to clinical health care informatics systems and services designed to improve quality in health care and patient safety.

The Secretary of Health shall require from the proponents the following information:

a) A description of the clinical health care informatics system and services that the eligible entity intends to implement with the assistance received under this section;

b) a description on how the health information technology (HIT) will improve quality in health care and patient safety, including estimates of the impact on the health of, and the health costs associated with the treatment of, patients with heart disease, cancer, stroke, diabetes, chronic obstructive pulmonary disease, asthma, or any other disease or conditions; and

c) a description on how the health information technology (HIT) will ensure the privacy and security of individually identifiable health information.

d) any additional information that the Secretary may specify, consistent with the provisions of this Act.

SEC. 8. *Monitoring the State of Health Information Technology in the Country.* - The Secretary of the Department of Health (DOH), in coordination with the various stakeholders in the Health Information Technology, is hereby tasked to conduct a comprehensive study to evaluate the use of clinical health care informatics systems and services to measure and report quality data, and assess the impact of such systems and services on improving patient care, reducing costs, and increasing efficiencies.

Within three (3) years from the date of effectivity of this Act, the Department of Health (DOH) shall make a report to both Houses of Congress on the results of the study conducted by it for policy implication, *in aid of legislation*, in order to further promote the use of health information technologies (HIT) in the country.

SEC. 9. *Funding.* - There is hereby authorized to be appropriated for the implementation of this Act the amount of Fifty Million Pesos (Php50,000,000.00) for the initial operations of the Health Information Technology (HIT) Center as an attached agency of the Department of Health . Thereafter, such amount needed to implement this Act shall be included in the Annual Appropriations Act of the Department.

SEC. 10. *Implementing Rules and Regulations (IRR).* - Within six (6) months from the date of effectivity of this Act, the DOH shall promulgate necessary implementing rules and regulations to implement the provisions of this Act.

SEC. 11. *Repealing Clause.* - All Laws, decrees, executive orders, rules and

regulations or parts thereof not consistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Separability Clause.* - If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

SEC. 13. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from the date of its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,