FOURTEENTH CONGRESS OF THE}
REPUBLIC OF THE PHILIPPINES }
Third Regular Session

SENATE

P.S. Res No. 1305

Introduced by Senator Manny Villar

RESOLUTION

URGING THE SENATE COMMITTEE ON HEALTH AND DEMOGRAPHY AND OTHER APPROPRIATE SENATE COMMITTEES TO REVIEW AND CONDUCT AN INQUIRY IN AID OF LEGISLATION REPUBLIC ACT NO. 6675 OTHERWISE KNOWN AS *THE GENERICS ACT OF 1988* PARTICULARLY SECTION 6(B) CONCERNING THE CONSENT MANDATED BY LAW FOR MEDICAL PRACTITIONERS TO INCLUDE IN THEIR PRESCRIPTIONS BRANDED DRUGS AND MEDICINES WITH THE END-IN-VIEW OF DETERMINING THE ALLEGED ILL-EFFECTS THAT RENDERED THE SUBJECT LAW INEFFECTIVE AND AMEND THE SAME IF WARRANTED

WHEREAS, Republic Act No. 6675 otherwise known as the Generics Act of 1988 was hailed as a landmark legislation that laid the groundwork for establishing a local drug industry in the country;

WHEREAS, it allows the production of unbranded drugs but using the same active ingredients and processes the way branded drugs are being manufactured, thus providing greater access to quality but affordable medicines;

WHEREAS, one of the more significant provisions of said Act is Section 6(b) that requires practitioners in the field of medicine to prescribe generic medicines to their patients. It reads:

> "All medical, dental and veterinary practitioners, including private practitioners, shall write prescriptions using the generic name. The brand name may be included if so desired."

WHEREAS, this indicates that while the law compels medical practitioners to issue generic medicines to their patients, it also allows them to continue prescribing the branded equivalent of their choice;

WHEREAS, *the consent provided by law as stipulated in the* second sentence of Section 6(b), apparently negates its true intention that resulted into a deliberate neglect or non-compliance by several doctors which in effect caused the crippling of this piece of legislation;

WHEREAS, even the Department of Health which is one of the frontliners in pursuing this government's thrust have expressed disappointment over this provision as it impinges the full and effective implementation of said policy;

WHEREAS, studies show that only 10 to 15 percent of Filipinos procure unbranded, counterpart drugs which only accounts for a measly 10 to 20 percent share of the total medicines market in the country where the remainder is cornered by multinational companies;

WHEREAS, health analysts disclose that the resultant low purchases of generic drugs are attributed to the public perception and wrong assumption that cheap medication is unsafe and ineffective compared to those that are branded and more notably, the continued neglect by medical practitioners of their mandate who should have been the main agents to make this law effective in the first place;

WHEREAS, the Department of Health (DOH) affirmed that there are already 13,500 village pharmacies nationwide that provide generic medicines but if the agency fails to come up with a comprehensive and effective campaign that would cleanse the public's negative perception concerning generic drugs , all this will be put into naught;

WHEREAS, the DOH should also intensify their monitoring of doctors, medical institutions and the like who contravenes this State policy and slap punitive actions against them with stiffer penalties;

WHEREAS, the recent passage of Republic Act No. 9502 or the Cheaper Medicines Act of 2008 is a welcome development for consumers considering that it will cut into half at the onset, 16 of the most expensive drugs as well as empowering the government to regulate prices of drugs and medicines in the country;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to urge the Senate Committee on Health and Demography and other appropriate Senate Committees to review and conduct an inquiry in aid of legislation into the alleged ineffectiveness of Republic Act No. 6675 or the Generics Act of 1988 due to Section 6(b) which provides that medical practitioners are allowed to prescribe branded medicines to their patients and determine the ill-effects of this provision and amend the same if necessary.

Adopted,

MANNY VILLAR