

THIRTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

'04 JUN 30 P2:24

SENATE

RECEIVED BY: 

S.B. No. 195

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Introduced by **SENATOR LUISA "LOI" P. EJERCITO ESTRADA**

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EXPLANATORY NOTE

The Constitution Article 13, Section 12 mandates the State to undertake appropriate health manpower development and research, responsive to the country's health needs and problems.

Breast implants have been widely suspected to increase the risk of a range of problems, including cancer, connective tissue disease, implant rupture and hematoma. Despite reports and conjectures showing adverse health impacts of breast implants, there are still women who consider having breast implants.

Women need complete and accurate information about the potential health risks and advantages of breast implants, in order to know what to expect if they choose implant surgery.

This bill seeks to promote research to identify and evaluate the health effects of breast implants, and to ensure that women and their doctors receive accurate information about such implants.

In consideration thereof, early approval of this bill is highly recommended.

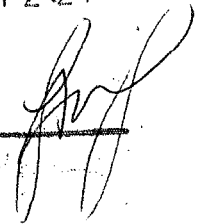
  
**LUISA "LOI" P. EJERCITO ESTRADA**  
Senator

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AN ACT  
IDENTIFYING AND PROMOTING RESEARCH ON HEALTH IMPLICATIONS OF  
BREAST IMPLANTS

*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 "Breast Implant Research and Information Act."

SEC. 2. **Declaration of Policy.** -The Constitution Article 13, Section 12 mandates the State to undertake appropriate health manpower development and research, responsive to the country's health needs and problems. Taking into account this mandate, the State shall promote research to identify and evaluate the health effects of breast implants and to ensure that women and their doctors receive accurate information about such implants.

SEC. 3. **Definition of Terms.**- For purposes of this Act, the term:

- (a) "Secretary" shall refer to the Secretary of the Department of Health;
- (b) "Breast implants" refer to implants filled with silicone gel saline or a combination of the two;
- (c) "Committee" refers to the Committee on Breast Implant Research.

SEC. 4. **Breast Implant Research.**- The Secretary shall conduct or support research to expand the understanding of the health implications of breast implants. Such research shall:

- a. if determined to be scientifically appropriate, include a multidisciplinary, clinical, case-controlled study of women with breast implants;
- b. involve women who have had such implants in place for at least 8 years, focus on atypical disease presentation, neurological dysfunction and immune system irregularities; and

- c. evaluate to what extent if any, their health differs from a woman who has or has not had breast implant.

**SEC. 5. Committee On Breast Implant Research.** - To assist the Secretary in receiving accurate and complete information about the risks of breast implants, there shall be established a committee to be known as the Committee on Breast Implants, to ensure the strategic management, communication, and oversight of the policy formation, research and activities of the government regarding breast implants.

**SEC. 6. The Committee shall be composed of nine (9) members: -**

- a. Two (2) representatives from the Department of Health;
- b. One (1) representative of any other agencies necessary to accomplish the purpose of the Committee;
- c. Four (4) physicians or practitioners with established credentials in the area of breast implants; and
- d. Two (2) women who have or have had breast implants to be appointed by the President of the Philippines.

The Secretary shall act as the chair of the Committee. He shall convene meetings of the Committee, not less than twice each year, and compile information for the consideration of the full Committee at such meetings.

**SEC. 7. Meetings.**- The meetings of the Committee shall be open to the public and public witnesses shall be given the opportunity to speak and make presentations at such meetings. Each member shall make a presentation to the full Committee at each meeting concerning the activities conducted by such member.

**SEC. 8. Term of Office.** - Members shall be appointed by the Secretary for a term of three (3) years. Of those first appointed, three (3) members shall serve for three (3) years, three (3) members for two (2) years, and the last three (3) members for one (1) year.

Any vacancy in the membership of the Committee shall be filled in the same manner as the original appointment.

Any member of the Committee may be removed for cause in accordance with procedures established by the Committee.

**SEC. 9. Functions.** - The Committee shall have the following functions:

- a. advise the Secretary on appropriate research activities to be undertaken by the Office with respect to research on the health impacts of breast implants;
- b. report to the Secretary on such research;
- c. provide recommendations to the Secretary regarding activities of the Committee;
- d. prepare a report regarding the activities of the Committee;
- e. ensure that materials concerning breast implants provided by the Department are available, up to date, and responsive to reports of problems with breast implants, and that timely aggregate data concerning such reports shall be made available to the public upon request and consistent with existing confidentiality standards.

**SEC. 10. Appropriations.**- To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the amount necessary for the continuous operation of the research shall be included in the annual appropriation of the Department of Health.

**SEC. 11. Separability Clause.**- If any provision, or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SEC. 12. Repealing Clause.** - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

**SEC.13. Effectivity Clause.**- This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

*Approved,*