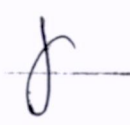


SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

'19 JAN 29 A10 :24

RECEIVED



SENATE

Committee Report No. 582

Prepared and submitted jointly by the Committees on Health and Demography, and Finance JAN 29 2019

Re: Senate Bill No. 2186

Recommending its approval in substitution of Senate Bill Nos. 1647 and 1864, taking into consideration House Bill No. 7134.

Sponsor: **Senator Joseph Victor G. Ejercito**

MR. PRESIDENT:

The Committees on Health and Demography, and Finance to which were referred Senate Bill No. 1647, introduced by Senator Joseph Victor G. Ejercito, Joel Villanueva and Maria Lourdes Nancy S. Binay, entitled:

**AN ACT
PROVIDING POLICIES AND PRESCRIBING PROCEDURES ON SURVEILLANCE AND RESPONSE TO NOTIFIABLE DISEASES, EPIDEMICS, AND HEALTH RELATED EVENTS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 3573 ENTITLED, 'AN ACT PROVIDING FOR THE PREVENTION AND SUPPRESSION OF DANGEROUS COMMUNICABLE DISEASES AND FOR OTHER PURPOSES', AND APPROPRIATING FUNDS THEREFOR**

Senate Bill No. 1864, introduced by Senator Risa Hontiveros, entitled:

**AN ACT
PROVIDING POLICIES AND PRESCRIBING PROCEDURES ON SURVEILLANCE AND RESPONSE TO NOTIFIABLE DISEASES, EPIDEMICS, AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN,**

AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE ACT NO. 3573 ENTITLED, AN ACT PROVIDING FOR THE PREVENTION AND SUPPRESSION OF DANGEROUS COMMUNICABLE DISEASES AND FOR OTHER PURPOSES

and House Bill No. 7134, introduced by Representatives Angelina Tan, Linabelle Ruth R. Villarica, Alfredo A. Garbin, Jr., Pablo C. Ortega, et. al., entitled:

**AN ACT
PROVIDING POLICIES AND PRESCRIBING PROCEDURES ON SURVEILLANCE AND RESPONSE TO NOTIFIABLE DISEASES, EPIDEMICS, AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE ACT NO. 3573, OTHERWISE KNOWN AS THE LAW ON REPORTING OF COMMUNICABLE DISEASES**

have considered the same and have the honor to report back to the Senate with the recommendation that the attached Senate Bill No. 2186, prepared by the Committees, entitled:

**AN ACT
PROVIDING POLICIES AND PRESCRIBING PROCEDURES ON SURVEILLANCE AND RESPONSE TO NOTIFIABLE DISEASES, EPIDEMICS, AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE ACT NO. 3573, OTHERWISE KNOWN AS THE "LAW ON REPORTING OF COMMUNICABLE DISEASES"**

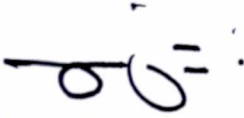
be approved in substitution of Senate Bill Nos. 1647 and 1864, taking into consideration House Bill No. 7134 with Senators Ejercito, Villanueva, Binay and Hontiveros as authors thereof.

RESPECTFULLY SUBMITTED:

Chairpersons:




LOREN B. LEGARDA
Committee on Finance
*Member, Committee on Health
and Demography*



JOSEPH VICTOR G. EJERCITO
Committee on Health and
Demography
*Vice-Chairperson, Committee on
Finance*


Vice Chairpersons:




CYNTHIA A. VILLAR
Committee on Finance

GREGORIO B. HONASAN II
Committee on Health and Demography
Member, Committee on Finance

PANFILO M. LACSON
Committee on Finance



RISA HONTIVEROS
Committee on Health and Demography
Member, Committee on Finance



PAOLO BENIGNO "BAM" AQUINO IV
Committee on Finance

SONNY ANGARA
Committee on Finance
*Member, Committee Health and
Demography*

Members:

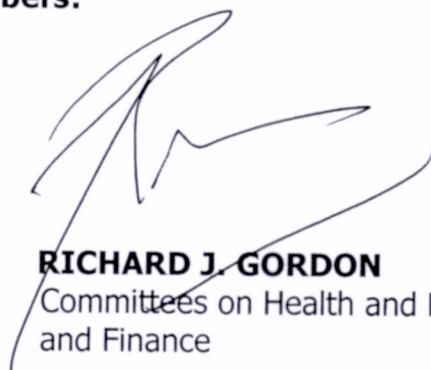
GRACE POE

Committee on Finance



RICHARD J. GORDON

Committees on Health and Demography;
and Finance



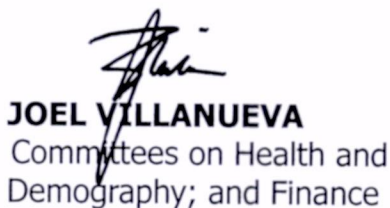
WIN GATCHALIAN

Committee on Finance



JOEL VILLANUEVA

Committees on Health and
Demography; and Finance



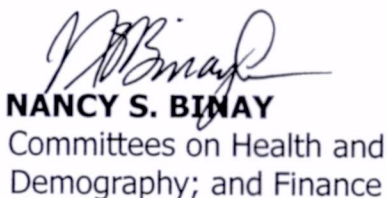
AQUILINO "KOKO" PIMENTEL III

Committee on Finance



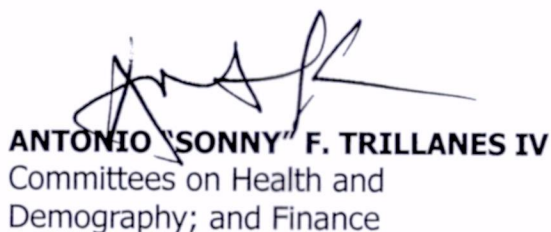
NANCY S. BINAY

Committees on Health and
Demography; and Finance



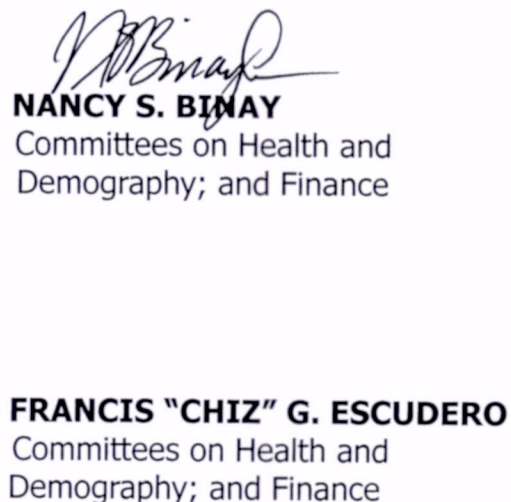
ANTONIO "SONNY" F. TRILLANES IV

Committees on Health and
Demography; and Finance



FRANCIS "CHIZ" G. ESCUDERO

Committees on Health and
Demography; and Finance



FRANCIS "KIKO" N. PANGILINAN

Committee on Finance



LEILA M. DE LIMA

Committee on Health and Demography



Ex-Officio Members:



FRANKLIN M. DRILON
Minority Leader



JUAN MIGUEL "MIGZ" F. ZUBIRI
Majority Leader

RALPH G. RECTO
Senate President Pro-Tempore

VICENTE C. SOTTO III
Senate President

'19 JAN 29 AIO :24

SENATE

S.B. No. 2186

RECEIVED



(In substitution of S.B. Nos. 1647 and 1864, taking into consideration House Bill No. 7134)

Prepared and submitted jointly by the Committees on Health and Demography, and Finance with Senators Ejercito, Villanueva, Binay and Hontiveros as authors thereof

AN ACT
PROVIDING POLICIES AND PRESCRIBING PROCEDURES ON SURVEILLANCE AND RESPONSE TO NOTIFIABLE DISEASES, EPIDEMICS, AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE ACT NO. 3573, OTHERWISE KNOWN AS THE "LAW ON REPORTING OF COMMUNICABLE DISEASES"

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

- 1 **SECTION 1. *Short Title.*** – This Act shall be known as the "*Mandatory*
2 *Reporting of Notifiable Diseases and Health Events of Public Health Concern Act*".
- 3 **SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State
4 to protect and promote the right to health of the people and instill health
5 consciousness among them. It shall endeavor to protect the people from public
6 health threats through the efficient and effective disease surveillance of notifiable
7 diseases including emerging and re-emerging infectious diseases, diseases for
8 elimination and eradication, epidemics, and health events including chemical, radio-
9 nuclear and environmental agents of public health concern and provide an effective
10 response system in compliance with the 2005 International Health Regulations (IHR)

1 of the World Health Organization (WHO). The State recognizes epidemics and other
2 public health emergencies as threats to public health and national security, which
3 can undermine the social, economic, and political functions of the State.

4 The State also recognizes disease surveillance and response systems of the
5 Department of Health (DOH) and its local counterparts, as the first line of defense to
6 epidemics and health events of public health concern that pose risk to public health
7 and security.

8 **SEC. 3. *Definition of Terms.*** – As used in this Act:

9 (a) *Disease* refers to an illness due to a specific toxic substance, occupational
10 exposure or infectious agent, which affects a susceptible individual, either directly or
11 indirectly, as from an infected animal or person, or indirectly through an
12 intermediate host, vector, or the environment;

13 (b) *Disease control* refers to the reduction of disease incidence, prevalence,
14 morbidity or mortality to a locally acceptable level as a result of deliberate efforts
15 and continued intervention measures to maintain the reduction;

16 (c) *Disease surveillance* refers to the ongoing systematic collection, analysis,
17 interpretation, and dissemination of outcome-specific data for use in the planning,
18 implementation, and evaluation of public health practice. A disease surveillance
19 system includes the functional capacity for data analysis as well as the timely
20 dissemination of these data to persons who can undertake effective prevention and
21 control activities;

22 (d) *Emerging or re-emerging infectious diseases* refer to diseases that (1)
23 have not occurred in humans before; (2) have occurred previously but affected only
24 small numbers of people in isolated areas; (3) have occurred throughout human
25 history but have only recently been recognized as a distant disease due to an
26 infectious agent; (4) are caused by previously undetected or unknown infectious
27 agents; (5) are due to mutant or resistant strains of a causative organism; and (6)
28 once were major health problems in the country, and then declined dramatically, but
29 are again becoming health problems for a significant proportion of the population;

30 (e) *Epidemic /outbreak* refers to an occurrence of more cases of disease than
31 normally expected within a specific place or group of people over a given period of
32 time;

1 (f) *Epidemiologic investigation* refers to an inquiry to the incidence,
2 prevalence, extent, source, mode of transmission, causation of, and other
3 information pertinent to a disease occurrence;

4 (g) *Health event of public health concern* refers to either a public health
5 emergency or a public health threat due to biological, chemical, radio-nuclear and
6 environmental agents;

7 (h) *Infectious disease* refers to a clinically manifested disease of humans or
8 animals resulting from an infection;

9 (i) *Mandatory reporting* refers to the obligatory reporting of a condition to
10 local or state health authorities, as required for notifiable diseases, epidemics or
11 public health events of public health concern;

12 (j) *Notifiable disease* refers to a disease that, by legal requirements, must be
13 reported to the public health authorities;

14 (k) *Public health authority* refers to the DOH (specifically the Epidemiology
15 Bureau, Disease Prevention and Control Bureau, Bureau of Quarantine and
16 International Health Surveillance, Health Emergency Management Bureau, Food and
17 Drug Administration, government hospitals, Research Institute of Tropical Medicine
18 and other National Reference Laboratories, and DOH Regional Offices), the local
19 health office (provincial, city or municipality), or any person directly authorized to
20 act on behalf of the DOH or the local health office;

21 (l) *Public health emergency* refers to an occurrence or imminent threat of an
22 illness or health condition that:

23 (1) Is caused by any of the following:

24 (i) Bioterrorism;

25 (ii) Appearance of a novel or previously controlled or eradicated
26 infectious agent or biological toxin;

27 (iii) A natural disaster;

28 (iv) A chemical attack or accidental release;

29 (v) A nuclear attack or accident; or

30 (vi) An attack or accidental release of radioactive materials; and

31 (2) Poses a high probability of any of the following:

- 1 (i) A large number of deaths in the affected population;
- 2 (ii) A large number of serious injuries or long-term disabilities in the
- 3 affected population;
- 4 (iii) Widespread exposure to an infectious or toxic agent that poses a
- 5 significant risk of substantial harm to a large number of people in the
- 6 affected population;
- 7 (iv) International exposure to an infectious or toxic agent that poses a
- 8 significant risk to the health of citizens of other countries; or
- 9 (v) Trade and travel restrictions;

10 (m) *Public health threat* refers to any situation or factor that may represent a
11 danger to the health of the people; and

12 (n) *Response* refers to the implementation of specific activities to control
13 further spread of infection, outbreaks or epidemics and prevent re-occurrence. It
14 includes verification, contact tracing, rapid risk assessment, case measures,
15 treatment of patients, risk communication, conduct of prevention activities, and
16 rehabilitation.

17 **SEC. 4. Objectives.** – This Act shall have the following objectives:

18 (a) To continuously develop and upgrade the list of nationally notifiable
19 diseases and health events of public health concern with their corresponding case
20 definitions and laboratory confirmation;

21 (b) To ensure the establishment and maintenance of relevant, efficient and
22 effective disease surveillance and response system at the national and local levels;

23 (c) To expand collaborations beyond traditional public health partners to
24 include others who may be involved in the disease surveillance and response, such
25 as agricultural agencies, veterinarians, environmental agencies, law enforcement
26 entities, and transportation and communication agencies, among others;

27 (d) To provide accurate and timely health information about notifiable
28 diseases, and health-related events and conditions to citizens and health providers
29 as an integral part of response to public health emergencies;

30 (e) To establish effective mechanisms for strong collaboration with national
31 and local government health agencies to ensure proper procedures are in place to
32 promptly respond to reports of notifiable diseases and health events of public health

1 concern, including case investigations, treatment, and control and containment,
2 including follow-up activities;

3 (f) To ensure that public health authorities have the statutory and regulatory
4 authority to ensure the following:

5 (1) Mandatory reporting of reportable diseases and health events of public
6 health concern;

7 (2) Epidemic/outbreaks and/or epidemiologic investigation, case investigations,
8 patient interviews, review of medical records, contact tracing, specimen
9 collection and testing, risk assessments, laboratory investigation, population
10 surveys, and environmental investigation;

11 (3) Quarantine and isolation; and

12 (4) Rapid containment and implementation of measures for disease prevention
13 and control;

14 (g) To provide sufficient funding to support operations need to establish and
15 maintain epidemiology and surveillance units at the DOH, health facilities and local
16 government units; efficiently and effectively investigate outbreaks and health events
17 of public health concern; validate, collect, analyze and disseminate disease
18 surveillance information to relevant agencies or organizations; and implement
19 appropriate response;

20 (h) To require public and private physicians, allied medical personnel,
21 professional societies, hospitals, clinics, health facilities, laboratories, pharmaceutical
22 companies, private companies and institutions, workplaces, schools, prisons, ports,
23 airports, establishments, communities, other government agencies, and non-
24 government organizations to actively participate in disease surveillance and
25 response; and

26 (i) To respect to the fullest extent possible, the rights of people to liberty,
27 bodily integrity, and privacy while maintaining and preserving public health and
28 security.

29 **SEC. 5. Notifiable Diseases and Health Events of Public Health**
30 **Concern.** – The Epidemiology Bureau under the DOH shall regularly update and
31 issue a list of nationally notifiable diseases and health events of public health
32 concern with their corresponding case definitions. The selection and the deletion of

1 diseases and health events of public health concern shall be based on criteria
2 established by the DOH.

3 **SEC. 6. Mandatory Reporting of Notifiable Diseases and Health**
4 **Events of Public Concern.** – The DOH, through the Epidemiology Bureau, shall
5 issue the official list of institutionalized public health information system, disease
6 surveillance and response systems for mandatory reporting of notifiable diseases
7 and health events of public concern provided in Section 5 of this Act. This official list
8 shall include the Field Health Service Information System (FHSIS), the Philippine
9 Integrated Disease Surveillance Response (PIDSRS) System with its Case-based
10 Surveillance and Event-based Surveillance, and other duly institutionalized public
11 health disease surveillance and response systems of the DOH.

12 Under this Act:

13 (a) The DOH and its local counterparts are mandated to implement the
14 mandatory reporting of notifiable diseases and health events of public health
15 concern.

16 (b) The DOH and its local counterparts shall establish and maintain functional
17 disease surveillance and response systems, which include coordination mechanisms,
18 implementation protocols for reporting and response, measures for data security and
19 confidentiality, and procedures and provision to ensure safety of personnel
20 conducting disease surveillance and response activities;

21 (c) All public and private physicians, allied medical personnel, professional
22 societies, hospitals, clinics, health facilities, laboratories, institutions, workplaces,
23 schools, prisons, ports, airports, establishments, communities, other government
24 agencies, and non-government organizations are required to accurately and
25 immediately report notifiable diseases and health events of public health concern as
26 issued by the DOH;

27 (d) Data collection, analysis, and the dissemination of information from official
28 disease surveillance and response systems can only be done by authorized personnel
29 from the DOH and its local counterparts and may only be used for public health
30 concern purposes only; thus, should be exempted in the provision of Data Privacy
31 Act on accessibility of data;

1 (e) To perform their disease surveillance and response functions, authorized
2 health personnel from the DOH and its local counterparts have the statutory and
3 regulatory authority to enforce the following:

4 (1) Establishment of public health information system disease surveillance and
5 response systems in private and public facilities deemed necessary to protect the
6 health of the population in coordination with the DOH-Epidemiology Bureau;

7 (2) Mandatory reporting of notifiable diseases and health events of public
8 health concern;

9 (3) Conduct of epidemic/outbreak and epidemiologic investigations, case
10 investigations, patient interviews, review of medical records, contact tracing,
11 collection, storage, transport and testing of samples and specimen, risk
12 assessments, laboratory investigation, population surveys, and environmental
13 investigation;

14 (4) Rapid containment, quarantine and isolation, disease prevention and
15 control measures, and product recall;

16 (5) Response activities for events of public health concern;

17 (f) The DOH and its local counterparts shall ensure that all surveillance and
18 response officers have adequate capacity for mandatory reporting of notifiable
19 diseases, risk assessment, epidemiology, disease surveillance, and response to
20 epidemics and health events of public health concern. It shall also ensure that the
21 safety and protection of all personnel directly involved in surveillance and response
22 activities are upheld; and

23 (g) All personnel of the DOH and its local counterparts, and all other
24 individuals or entities involved in conducting disease surveillance and response
25 activities shall respect, to the fullest extent possible, the rights of people to liberty,
26 bodily integrity, and privacy while maintaining and preserving public health and
27 security.

28 **SEC. 7. Declaration of Epidemic or Public Health Emergency.** – The
29 Secretary of Health shall have the authority to declare epidemics of national and/or
30 international concerns except when the same threatens national security. In which
31 case, the President of the Republic of the Philippines shall declare a State of Public

1 Health Emergency and mobilize governmental and non-governmental agencies to
2 respond to the threat.

3 Provincial, city or municipal health offices may only declare a disease
4 outbreak within their respective localities provided the declaration is supported by
5 sufficient scientific evidence based on disease surveillance data, epidemiologic
6 investigation, environmental investigation, and laboratory investigation.

7 **SEC. 8. *Establishment of Epidemiology and Surveillance Units.*** –

8 The DOH, in coordination with the local government units, shall ensure that the
9 Epidemiology and Surveillance Units (ESUs) are established and functional in all
10 levels of the DOH and its local counterparts, and in public and private health facilities
11 and laboratories, as well as ports and airports in all provinces, cities and
12 municipalities throughout the country. The ESU shall capture and verify all reported
13 notifiable diseases and health events of public health concern; provide timely,
14 accurate, and reliable epidemiologic information to appropriate agencies; conduct
15 disease surveillance and response activities; coordinate needed response; and
16 facilitate capacity building in the field of epidemiology, disease surveillance and
17 response at the Epidemiology Bureau (EB).

18 All ESUs shall have trained required human resource complement and provision
19 of adequate resources, including equipment, logistics, communication,
20 transportation, laboratory supplies and reagents, personal protective equipment and
21 health insurance, to effectively perform their disease surveillance and response
22 functions.

23 **SEC. 9. *Prohibited Acts.*** – The following shall be prohibited under this Act:

24 (a) Unauthorized disclosure of private and confidential information pertaining
25 to a patient's medical condition or treatment;

26 (b) Tampering of records or intentionally providing misinformation;

27 (c) Non-operation of the disease surveillance and response systems;

28 (d) Non-cooperation of persons and entities that should report and/or respond
29 to notifiable diseases or health events of public concern; and

30 (e) Non-cooperation of the person or entities identified as having the notifiable
31 disease, or affected by the health event of public concern.

1 Disclosure of confidential information will not be considered violation of this act
2 under this Section if the disclosure was made to comply with a legal order issued by
3 a court of law with competent jurisdiction.

4 **SEC. 10. Penalties.** – Any person or entity found to have violated Section 9
5 of this Act shall be penalized with a fine of not less than twenty thousand pesos
6 (P20,000.00) but not more than fifty thousand pesos (P50,000.00) or imprisonment
7 of not less than one (1) month but not more than six (6) months, or both such fine
8 and imprisonment, at the discretion of the proper court.

9 The Professional Regulation Commission shall have the authority to suspend or
10 revoke the license to practice of any medical professional for any violation of this
11 Act.

12 The Civil Service Commission shall have the authority to suspend or revoke the
13 civil service eligibility of a public servant who is in violation of this Act.

14 If the offense is committed by a public or private health facility, institution,
15 agency, corporation, school, or other juridical entity duly organized in accordance
16 with law, the chief executive officer, president, general manager, or such other
17 officer in charge shall be held liable. In addition, the business permit and license to
18 operate of the concerned facility, institution, agency, corporation, school, or legal
19 entity shall be cancelled.

20 **SEC. 11. Appropriations.** – The amount needed for the initial
21 implementation of this Act shall be charged against the current year's appropriations
22 of the DOH. Thereafter, such sums as may be necessary for the continued
23 implementation of this Act shall be included in the annual General Appropriations
24 Act.

25 **SEC. 12. Implementing Rules and Regulations.** – The DOH shall issue the
26 implementing rules and regulations for this Act within one hundred twenty (120)
27 days after the approval of this Act.

28 **SEC. 13. Separability Clause.** – If any part, section or provision of this Act is
29 held invalid or unconstitutional, other provisions not affected thereby shall remain in
30 full force and effect.

31 **SEC. 14. Repealing Clause.** – Act No. 3573, otherwise known as the "Law
32 on Reporting of Communicable Diseases", is hereby repealed. All laws, decrees,

1 orders, issuances and rules and regulations or parts thereof inconsistent with the
2 provisions of this Act are hereby repealed or modified accordingly.

3 **SEC. 15. Effectivity.** – This Act shall take effect fifteen (15) days after its
4 publication in the *Official Gazette* or in a newspaper of general circulation.

5 *Approved,*

6