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

RECEIVED BY: _____

SENATE

P.S. Resolution No 100

Introduced by SENATOR LUISA "LOT" P EJERCITO ESTRADA

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON HEALTH AND
DEMOGRAPHY TO INVESTIGATE, IN AID OF LEGISLATION,
THE ALLEGED USE OF EXPIRED DRUGS AND MEDICINES IN
MILITARY HOSPITALS BY THE ARMED FORCES OF THE PHILIPPINES

WHEREAS, the Constitution provides:

Art. 2, Sec 15 The State shall protect and promote the right to health
of the people and instill health consciousness among them.

Art. 16, Sec 5, para. (3) Professionalism in the armed forces
and adequate remuneration and benefits of its members shall be a prime
concern of the State . . .

WHEREAS, the Philippine Daily Inquirer, dated 1 November 2004, page 1, in an
article entitled "AFP Defends Use of Expired Drugs", reported that AFP information
officer Lt. Col Buenaventura Pascual said "that medicines kept at the Fort Bonifacio
General Hospital were still efficacious and could still be used on patients even if they had
expired six months ago",

WHEREAS, the newspaper stated "quoting a pharmaceutical company which he
said had donated the drugs, Pascual said some of the medicine in the military stockpile
could still be administered even if they already expired last January" and that he "issued
the statement in the wake of allegations that drugs which had lapsed their expiry periods
were being prescribed for soldiers wounded in action";

WHEREAS, it was also reported that Bureau of Food and Drugs (BFAD) Executive Director Leticia Gutierrez said she was surprised by news that the Army's hospital was administering expired antibiotics to wounded soldiers, saying "They are not supposed to do that because that is against the law. We will send inspectors to check on this",

WHEREAS, the article stated that Pascual "clarified that the spoiled drugs were not the main issue in the relief of Col. William Yu, the hospital's commanding general, but Yu's alleged misappropriation of funds from the Philippine Health Insurance Corp. and the use of bogus receipts for medical supplies";

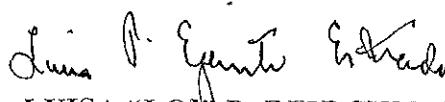
WHEREAS, it was reported that "a nurse from the Army hospital said in a radio interview that she and her colleagues were instructed to administer expired injectable antibiotics to wounded soldiers and post-surgery patients",

WHEREAS, the BFAD which defines the "expiry date of a medicine as the date after which the drug is not expected to retain its claimed safety, efficacy and quality or potency, or after which it is not permissible to sell, dispense or use the product", also claimed that "in worst cases, taking expired medicines can form toxic by-products, such as nitrogen-containing compounds, in the body, which could be potentially harmful",

WHEREAS, in view of these allegations, there is a need to determine whether or not the military hospitals of the AFP did, indeed, used expired drugs and medicines on its patients,

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Senate, to direct the Senate Committee on Health and Demography to investigate, in aid of legislation, the alleged use of expired drugs and medicines in military hospitals by the Armed Forces of the Philippines.

Adopted


LUISA "LOI" P. EJERCITO ESTRADA
Senator