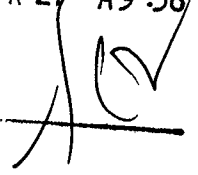


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

20 APR 27 A9:58

RECEIVED BY: 

SENATE
S.B. No. 1440

Introduced by **SENATOR RICHARD J. GORDON**

AN ACT
CREATING THE PHILIPPINE CENTER FOR DISEASE CONTROL AND
PREVENTION, DEFINING ITS POWERS AND FUNCTIONS, , AND FOR
OTHER PURPOSES

EXPLANATORY NOTE

The outbreak of the disease caused by the 2019 novel Corona Virus (2019-nCoV), now officially called by the World Health Organization, as the CoronaVirus Disease, 2019 or "COVID-19," has infected more than 2.7 million people in the world and killed more than 190,000. In the Philippines, there are almost 7,000 confirmed cases of COVID-19 and 462 have died from the disease. This is a dire reminder that communicable and infectious diseases and public health threats respect no borders. As such, it is timely and in the nation's interest for the Philippines to join the global fight in combating infectious diseases and other potential health threats, by creating an independent and competent national Center for Disease Control and Prevention.

The Covid-19 is only the latest public health challenge that the Department of Health (DOH) has had to face in the past year. In 2019, the country was besieged by various disease outbreaks, including dengue, diphtheria, measles and polio. The recent onslaught of communicable diseases in the country have resulted to high and alarming morbidity and mortality rate:

a) Measles - On February 2019, DOH declared a measles outbreak in various regions in the country. From January to October 2019, reported cases of measles is 42, 200 cases of measles. 560 Filipinos have died

due to measles complications. About 80% of the people affected by the measles outbreak were children aged 4 years or younger.

b) Dengue - In August 2019, DOH declared a national dengue epidemic. From January to November 2019, DOH reported that more than a total of 371,717 dengue cases have been reported from January to November 2019, including the 1,407 deaths. Almost half of the people who died of the disease were children between 5 and 9 years of age.

c) Polio - On 19 September 2019, an outbreak of polio was declared in the Philippines, 19 years after the country was declared polio free. Children aged 5 years old and below in the Philippines are at risk of lifelong paralysis because of this outbreak.

d) Diphtheria - From January to October 2019, more than 200 cases of diphtheria, a bacterial infection affecting the nose and the throat, have been reported, 47 of which have resulted to death.

The recent outbreaks, as well as the Government's response to the threat of 2019-nCoV, highlight the lack of preparedness and capability of our public health units to effectively prevent and control possible epidemic of communicable diseases. These units – the Disease Prevention and Control Bureau, Epidemiology Bureau and the Research Institute for Tropical Medicine, which are sub-units of DOH, lack the capacity to undertake the range of research, leadership and management, as well the adequate facilities needed to control communicable diseases. Although, the Department of Health's earnest efforts is recognized, there is a clear and vital need to reform the Government's reactive approach and current policies on disease threats and control of infectious diseases.

However, the world today is not only combatting new infectious diseases, it is also witnessing an ever-increasing range of other of global health threats such as chronic diseases, bio-terrorism, etc. Consequently, the public is increasingly demanding that the government come up with fundamental solutions to address such global and local health threats. Accordingly, the public's expectations are growing for the government's crucial role in increasing health security.

With the foregoing in mind, a national Center for Disease Control ("CDC") is urgently needed to serve as an authoritative and independent decision-making body that will lead and coordinate the Government's prompt and effective public health response to manage diseases and other public

health threats, including outbreaks of emerging and re-emerging infectious diseases.

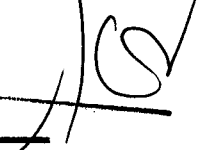
This bill seeks to establish a Philippine Center for Disease Control and Prevention, which shall be the principal health protection agency of the Philippines tasked to prevent, protect and manage the spread of diseases and other health threats originating domestically and internationally. Under this bill, the CDC shall be country's epidemiology and surveillance body sufficiently funded and equipped with bio-safety level 2-4 laboratories.

The bill also aims to provide effective measures to control and prevent diseases, which include engaging in global and local health surveillance of current and emerging/re-emerging infectious diseases.

In view of the foregoing, the approval of this bill is urgently sought.



RICHARD J. GORDON

20 APR 27 A 9:58
RECEIVED BY: 

SENATE
S.B. No. 1440

Introduced by **SENATOR RICHARD J. GORDON**

AN ACT
CREATING THE PHILIPPINE CENTER FOR DISEASE CONTROL AND
PREVENTION, DEFINING ITS POWERS AND FUNCTIONS, AND FOR
OTHER PURPOSES

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

CHAPTER I
TITLE AND GUIDING PRINCIPLES

SECTION 1. Title. – This Act shall be known as the “Philippine Center for Disease Control and Prevention Act” or the “Philippine CDC Act.”

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State:

- (a) To protect and promote the right to health of the people and instill health consciousness among them;
- (b) To adopt, support, establish and maintain an effective health mechanism responsive to the country’s health, needs, emergency and other emerging health problems;
- (c) To ensure the health and wellbeing of Filipinos and protect them from infectious diseases, chronic diseases and other public health threats;

- 1 (d) To prevent the emergence and transmission of serious and
- 2 communicable diseases;
- 3 (e) To provide a framework for control and prevention of diseases in the
- 4 country; and
- 5
- 6 (f) To establish a health protection agency that will increase the health
- 7 security of the Filipinos and protect them from diseases and other
- 8 public health threats, domestically and internationally.
- 9

10 In the implementation of the foregoing, the Government shall devote
11 significant material and institutional resources to provide for an effective disease
12 control and prevention program through a high-level public institution imbued
13 with the capacity, competence and authority to confront global and local public
14 health risks.

15 .

16 **SEC. 3. Objectives.** – The objective of this Act is to:

17

- 18 (a) Protect the Filipino people from the impact of communicable and
- 19 non-communicable diseases of public health importance;
- 20
- 21 (b) Maintain the highest state alertness to detect and respond to disease
- 22 outbreaks, public health disasters, mass morbidity and mortality due
- 23 to pathogenic, chemical or biological agents;
- 24
- 25 (c) Develop and coordinate capabilities measures and activities to
- 26 control outbreaks and mitigate the health impact of public health
- 27 disasters;
- 28
- 29 (d) Develop and coordinate an information network for the reporting
- 30 notification of communicable and chronic diseases;
- 31
- 32 (e) Develop and make accessible guidelines and standards for relevant
- 33 public health activities at all levels in the country;
- 34
- 35 (f) Communicate information to the public on the need to protect
- 36 themselves from public health threats as well as health professional
- 37 on the need to safely manage their patients and protect themselves;
- 38 and
- 39

- 1 (g) Lead the country's implementation of International Health
2 Regulations and coordinate its participation in international disease
3 prevention and control activities by establishing and maintaining
4 close communication and collaboration with relevant international
5 health organizations, as well as other foreign States.
6

7 **CHAPTER II**
8 **DEFINITION OF TERMS**

9 **SEC. 4. *Definition of Terms*** – As used in this Act, the following terms
10 shall mean:

- 11
- 12 (a) **Apprehension** – the temporary taking into custody of an individual
13 or group for purposes of determining whether quarantine, isolation,
14 or conditional release is warranted.
15
- 16 (b) **Communicable / Infectious diseases** – infectious diseases or
17 illnesses due to infectious agents or their toxic products, which may
18 be transmitted from a reservoir to a susceptible host either directly as
19 from an infected person or animal or indirectly through the agency of
20 an intermediate plant or animal host, vector, or the inanimate
21 environment.
22
- 23 (c) **Detention** – the temporary holding of a person, ship, aircraft, or
24 other carrier, animal, or thing in such place and for such period of
25 time as may be determined by the Executive Director.
26
- 27 (d) **Disease** – an illness due to a specific toxic substance, occupational
28 exposure or infectious agent, which affects a susceptible individual,
29 either directly or indirectly, as from an infected animal or person, or
30 indirectly through an intermediate host, vector, or the environment.
31
- 32 (e) **Disease control** – the reduction of disease incidence, prevalence,
33 morbidity or mortality to a locally acceptable level as a result of
34 deliberate efforts and continued intervention measures to maintain
35 the reduction.
36
- 37 (f) **Disease surveillance** – the ongoing systematic collection, analysis,
38 interpretation, and dissemination of outcome-specific data for use in
39 the planning, implementation, and evaluation of public health

1 practice. A disease surveillance system includes the functional
2 capacity for data analysis as well as the timely dissemination of these
3 data to persons who can undertake effective prevention and control
4 activities;

5
6 (g) **Disinfection** – the killing of infectious agents or inactivation of their
7 toxic products outside the body by direct exposure to chemical or
8 physical agents.

9
10 (h) **Disinfestation** – any chemical or physical process serving to
11 destroy or remove undesired small animal forms, particularly
12 arthropods or rodents, present upon the person, the clothing, or the
13 environment of an individual, or upon animals and carriers.

14
15 (i) **Emerging or re-emerging infectious diseases** – are diseases
16 that have recently appeared within a population or those whose
17 incidence or geographic range is rapidly increasing or threatens to
18 increase in the near future, that:

- 19 (1) have not occurred in humans before;
20 (2) have occurred previously but affected only small numbers of
21 people in isolated areas;
22 (3) are caused by previously undetected or unknown infectious
23 agents;
24 (4) are due to mutant or resistant strains of a causative organism or
25 bacteria; and
26 (5) Re-emergence of agents whose incidence of disease had
27 significantly declined in the past, but whose incidence of disease
28 has reappeared.

29
30 (j) **Epidemic/outbreak** – an occurrence of disease in in excess of
31 normal expectancy within a specific place or group of people over a
32 given period of time;

33
34 (k) **Epidemiological investigation** - refers to an inquiry to the
35 incidence, prevalence, extent, source, mode of transmission,
36 causation of, and other information pertinent to a disease
37 occurrence;
38

- 1 (l) **Epidemiology** – the study of the distribution and determinants of
2 health-related states or events (including disease), and the
3 application of this study to the control of diseases and other health
4 problems;
- 5
- 6 (m) **Executive Director** – refer to the Executive Director of the CDC.
- 7
- 8 (n) **Isolation** – the separation of an individual or group reasonably
9 believed to be infected with a quarantinable communicable disease
10 from those who are healthy to prevent the spread of the
11 quarantinable communicable disease.
- 12
- 13 (o) **Health event of public health concern/Public health even** -
14 refers to either a public health emergency or a public health threat
15 due to biological, chemical, radio-nuclear and environmental agents;
- 16
- 17 (p) **Notifiable disease** – a disease that, by legal requirements, must be
18 reported to the public health authorities.
- 19
- 20 (q) **Public health emergency** – refers to an occurrence or imminent
21 threat of an illness or health condition that:
- 22 (1) Is caused by any of the following:
- 23 (i) Bio terrorism;
- 24 (ii) (Appearance of a novel or previously controlled or
25 eradicated infectious agent or biological toxin;
- 26 (iii) A natural disaster;
- 27 (iv) A chemical attack or accidental release;
- 28 (v) A nuclear attack or accident; or
- 29 (vi) An attack or accidental release of radioactive materials; and
- 30 (2) Poses a high probability of any of the following:
- 31 (i) A large number of deaths in the affected population;
- 32 (ii) A large number of serious injuries or long-term disabilities in
33 the affected population;
- 34 (iii) Widespread exposure to an infectious or toxic agent that
35 poses a significant risk of substantial harm to a large number
36 of people in the affected population;
- 37 (iv) International exposure to an infectious or toxic agent that
38 poses a significant risk to the health of citizens of other
39 countries; or

- 1 (v) Trade and travel restrictions.
- 2
- 3 (r) **Port** – means any place in the Philippines and any navigable river or
- 4 channel leading to such place under the Revised Charter of the
- 5 Philippine Ports Authority and includes an airport.
- 6
- 7 (s) **Public health threat** – any situation or factor that may represent a
- 8 danger to the health of the people due to biological, chemical, radio-
- 9 nuclear and environmental agents.
- 10
- 11 (t) **Public health prevention measures** –the assessment of an
- 12 individual through non-invasive procedures and other means, such as
- 13 observation, questioning, review of travel documents, records
- 14 review, and other non-invasive means, to determine the individual's
- 15 health status and potential public health risk to others.
- 16
- 17 (u) **Quarantine** – the compulsory detention in isolation or separation of
- 18 an individual or group reasonably believed to have been exposed to
- 19 a quarantinable communicable disease, but who are not yet ill, from
- 20 others who have not been so exposed, to prevent the possible
- 21 spread of the quarantinable communicable disease.
- 22
- 23 (v) **Response** – refers to the implementation of specific activities to
- 24 control further spread of infection, outbreaks or, epidemics and
- 25 prevent re-occurrence. It includes verification, contact tracing, rapid
- 26 risk assessment, case measures, treatment of patients, risk
- 27 communication, conduct of prevention activities, and rehabilitation.
- 28

29 **CHAPTER III**

30 **CREATION AND FUNCTIONS**

31 **OF A NATIONAL CENTER FOR DISEASE**

32 **CONTROL AND PREVENTION**

33

34 **SEC. 5. *Creation of the Philippine Center for Disease Control and***

35 ***Prevention.*** – (a) There is hereby created an independent body to be known as

36 the Philippine Center for Disease Control and Prevention, hereinafter referred to

37 as "CDC".

38

1 (b) The CDC shall be the country's epidemiology and surveillance body
2 sufficiently funded and equipped with bio-safety level 2 to 4 laboratories.

3
4 (c) The CDC shall be the principal agency tasked to identify, assess
5 and communicate current and emerging threats to human health posed by
6 diseases of national and international importance and other health risks of public
7 concern.

8
9 (d) The CDC shall carry out activities for the prevention and control of
10 communicable diseases for promotion of public health.

11
12 (e) The CDC shall be attached to the Department of Health for policy
13 and program coordination.

14
15
16 **SEC. 6. *Functions.*** – The CDC shall have the following functions:

17
18 (a) Prevent, detect, monitor and control diseases of national and
19 international public health importance, including emerging and re-
20 emerging diseases;

21
22 (b) Maintain active surveillance of diseases through epidemiologic and
23 laboratory investigations and data collection, analysis, and distribution,

24
25 (c) Develop, maintain and coordinate systems of and database for
26 epidemiological surveillance, in order to detect public health threats,
27 guide health interventions and set public health priorities;

28
29 (d) Investigate disease outbreaks and other threats to public health;

30
31 (e) Develop and maintain a network of reference and specialized
32 laboratories for pathogen detection, disease surveillance and outbreak
33 response;

34
35 (f) Strengthen diagnostic capacity for and laboratory surveillance of
36 infectious diseases;

37
38 (g) Develop and maintain guidelines and processes for specimen
39 collection and transportation to reference laboratories;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

- (h) Conduct, collate, synthesize and disseminate public health research to inform policy and guide on diseases of public health importance, and put in place a national public health research agenda and databases;
- (i) Maintain a Registry of Notifiable Diseases, which shall be published and updated online;
- (j) Strengthen national health information systems to support prevention and control measures of communicable diseases;
- (k) Provide information to the public through multiple platforms on diseases and public health events;
- (l) Coordinate the operationalization of, and ongoing international health regulations, including regional disease surveillance and control activities and lead the collaboration with global health agencies;
- (m) Provide support and coordinate the control of national and trans-border responses to mass public health emergencies, such as mass casualties, floods, nuclear, biological, and chemical terrorism, disease outbreaks and heavy metal poisoning;
- (n) Develop and maintain a communication network with all public health institutions, with roles in mitigating the impact of diseases;
- (o) Provide scientific guidelines for local production of vaccines and other biological agents, such as diagnostic kits, sera and anti-sera, food science and nutritional products, and other elated substances useful for health services, through locally developed technology or technology transfer;
- (p) Provide support to the Department of Health for the development of evidence-based guidelines and policies, as well as the implementation of programmes relating to disease prevention and control, in line with international guidelines and recommendations;

- 1 (q) Provide guidance, technical and logistic support to the Local
2 Governments preventing and managing the emergence and
3 transmission of communicable diseases;
4
- 5 (r) Provide technical support to relevant government institutions on
6 environmental health activities, as it relates to disease prevention,
7 control and emergency disaster response;
8
- 9 (s) Provide technical support for health disaster risk-reduction and
10 management in collaboration with other major stockholders in the
11 country;
12
- 13 (t) Implement relevant decisions and regulations of the Department of
14 Health as regards to disease control, prevention and disaster
15 management;
16
- 17 (u) Recommend to the Secretary of Health the parameters for the
18 declaration of the existence of an epidemic;
19
- 20 (v) Set the standards and the process for the establishment of
21 Epidemiology and Surveillance Units, as required under Section 8 of
22 Republic Act No. 11332, and assist DOH-retained hospitals, local
23 health facilities and private hospitals and laboratories in establishing
24 ESUs and assess their performance
25
- 26 (w) Lead the training of field epidemiologists through the Philippine Field
27 Epidemiology Training Programme; and
28
- 29 (x) Perform such function as may mandated by law or duly delegated by
30 relevant authorities, as well as those that may be necessary or
31 expedient for the performance of its functions under this Act.
32

33 CDC shall submit an annual detailed costed work plans relating to its
34 functions to the Secretary of Health for approval.
35

36 **SEC. 7. Powers.** – The CDC shall have the following powers:
37

- 38 (a) Lead the response to disease outbreaks, public health emergencies
39 and disasters in order to minimize the impact on health;

- 1
- 2 (b) Obtain or require submission of information, data, clinical samples and
- 3 report on diseases of public health relevance and control of public
- 4 health events, including communicable diseases, emergencies and
- 5 disasters within Philippines;
- 6
- 7 (c) Develop and enforce the use of standards, protocols and guidelines for
- 8 disease prevention and control, including diagnostics, disease
- 9 detection and reporting in compliance with international best
- 10 practices;
- 11
- 12 (d) Collaborate with the Ports and Airports Health Services Division of the
- 13 Department of Health to operate quarantine services, including
- 14 inspection, isolation, detection and management of quarantine
- 15 stations at points of entry into the Philippines to prevent the entry of
- 16 communicable diseases from foreign countries into and within the
- 17 Philippines;
- 18
- 19 (e) Implement and coordinate disease detection, prevention and control
- 20 activities, including international health regulations, surveillance,
- 21 disease preparedness and response, capacity building for health
- 22 workers, research and ethical standards as it relates to disease of
- 23 public health importance;
- 24
- 25 (f) Coordinate relevant health sectors on the preparation and response to
- 26 public health emergencies and disasters in the country, including
- 27 networking and liaising with relevant establishments within and
- 28 outside the Philippines pursuant to the functions of CDC;
- 29
- 30 (g) Accredite Epidemiology and Surveillance Units based on the standards
- 31 set by CDC; and
- 32
- 33 (h) Perform such acts as may be necessary for or incidental to discharge
- 34 its functions under this Act.
- 35

36 **CHAPTER IV**

37 **OPERATIONAL STRUCTURE,**

38 **MANAGEMENT AND STAFF OF THE CENTER**

39

1 **SEC. 8. *Local Centers and Field Offices.*** The Center shall have local
2 centers and field offices with concomitant laboratories with at least bio-safety
3 levels 2 , 3 and 4 (BSL 2, BSL 3 and BSL 4) geographically dispersed across the
4 Philippines.

5
6 **SEC. 9. *Operational Structure.*** Subject to the determination of the
7 Secretary of Health, in consultation with public health experts, the operational
8 structure of CDC may comprise of:

9 (a) Office of the Executive-Director;

10 (b) Divisions headed by Directors:

11 (1) Outbreak and Health Emergencies Preparedness and Response

12 (2) Epidemiology and Surveillance

13 (3) Planning, Research and Statistics

14 (4) Laboratory and Diagnostic Services,

15 (5) Infectious Diseases

16 (6) Non-Infectious Diseases;

17 (7) Finance and Accounts, and

18 (8) Human Resources and Administration.

19
20 (c) Such other departments as may be required for the proper
21 performance and functions of CDC.

22
23 **SEC. 10. *Transfer of Agencies.*** – (a) *Functions and Properties.* The
24 following offices and agencies are hereby abolished and their powers and
25 functions, applicable funds and appropriations, records, equipment and property
26 are transferred to the CDC:

27
28 (1) Disease Prevention and Control Bureau of the Department of
29 Health

30 (2) The Epidemiology Bureau of the Department of Health

31 (3) The Research Institute for Tropical Medicine.

32
33 (b) *Personnel.* Employees of the abolished agencies or offices that occupies
34 non-technical positions shall be transferred to CDC. Officers and employees
35 occupying technical positions must qualify and shall comply with the eligibility
36 requirement set forth in Section 13.

37
38 **SEC.11. *Executive Director.*** – (a) *Appointment.* The CDC shall be
39 headed by an Executive Director, with the rank of Undersecretary, who shall be

- 1 (q) Provide guidance, technical and logistic support to the Local
2 Governments preventing and managing the emergence and
3 transmission of communicable diseases;
4
- 5 (r) Provide technical support to relevant government institutions on
6 environmental health activities, as it relates to disease prevention,
7 control and emergency disaster response;
8
- 9 (s) Provide technical support for health disaster risk-reduction and
10 management in collaboration with other major stockholders in the
11 country;
12
- 13 (t) Implement relevant decisions and regulations of the Department of
14 Health as regards to disease control, prevention and disaster
15 management;
16
- 17 (u) Recommend to the Secretary of Health the parameters for the
18 declaration of the existence of an epidemic;
19
- 20 (v) Set the standards and the process for the establishment of
21 Epidemiology and Surveillance Units, as required under Section 8 of
22 Republic Act No. 11332, and assist DOH-retained hospitals, local
23 health facilities and private hospitals and laboratories in establishing
24 ESUs and assess their performance
25
- 26 (w) Lead the training of field epidemiologists through the Philippine Field
27 Epidemiology Training Programme; and
28
- 29 (x) Perform such function as may mandated by law or duly delegated by
30 relevant authorities, as well as those that may be necessary or
31 expedient for the performance of its functions under this Act.
32

33 CDC shall submit an annual detailed costed work plans relating to its
34 functions to the Secretary of Health for approval.
35

36 **SEC. 7. Powers.** = The CDC shall have the following powers:
37

- 38 (a) Lead the response to disease outbreaks, public health emergencies
39 and disasters in order to minimize the impact on health;

- 1
- 2 (b) Obtain or require submission of information, data, clinical samples and
- 3 report on diseases of public health relevance and control of public
- 4 health events, including communicable diseases, emergencies and
- 5 disasters within Philippines;
- 6
- 7 (c) Develop and enforce the use of standards, protocols and guidelines for
- 8 disease prevention and control, including diagnostics, disease
- 9 detection and reporting in compliance with international best
- 10 practices;
- 11
- 12 (d) Collaborate with the Ports and Airports Health Services Division of the
- 13 Department of Health to operate quarantine services, including
- 14 inspection, isolation, detection and management of quarantine
- 15 stations at points of entry into the Philippines to prevent the entry of
- 16 communicable diseases from foreign countries into and within the
- 17 Philippines;
- 18
- 19 (e) Implement and coordinate disease detection, prevention and control
- 20 activities, including international health regulations, surveillance,
- 21 disease preparedness and response, capacity building for health
- 22 workers, research and ethical standards as it relates to disease of
- 23 public health importance;
- 24
- 25 (f) Coordinate relevant health sectors on the preparation and response to
- 26 public health emergencies and disasters in the country, including
- 27 networking and liaising with relevant establishments within and
- 28 outside the Philippines pursuant to the functions of CDC;
- 29
- 30 (g) Accredite Epidemiology and Surveillance Units based on the standards
- 31 set by CDC; and
- 32
- 33 (h) Perform such acts as may be necessary for or incidental to discharge
- 34 its functions under this Act.
- 35

36 **CHAPTER IV**

37 **OPERATIONAL STRUCTURE,**

38 **MANAGEMENT AND STAFF OF THE CENTER**

39

1 **SEC. 8. *Local Centers and Field Offices.*** The Center shall have local
2 centers and field offices with concomitant laboratories with at least bio-safety
3 levels 2 , 3 and 4 (BSL 2, BSL 3 and BSL 4) geographically dispersed across the
4 Philippines.

5
6 **SEC. 9. *Operational Structure.*** Subject to the determination of the
7 Secretary of Health, in consultation with public health experts, the operational
8 structure of CDC may comprise of:

9 (a) Office of the Executive-Director;

10 (b) Divisions headed by Directors:

11 (1) Outbreak and Health Emergencies Preparedness and Response

12 (2) Epidemiology and Surveillance

13 (3) Planning, Research and Statistics

14 (4) Laboratory and Diagnostic Services,

15 (5) Infectious Diseases

16 (6) Non-Infectious Diseases;

17 (7) Finance and Accounts, and

18 (8) Human Resources and Administration.

19
20 (c) Such other departments as may be required for the proper
21 performance and functions of CDC.

22
23 **SEC. 10. *Transfer of Agencies.*** – (a) *Functions and Properties.* The
24 following offices and agencies are hereby abolished and their powers and
25 functions, applicable funds and appropriations, records, equipment and property
26 are transferred to the CDC:

27
28 (1) Disease Prevention and Control Bureau of the Department of
29 Health

30 (2) The Epidemiology Bureau of the Department of Health

31 (3) The Research Institute for Tropical Medicine.

32
33 (b) *Personnel.* Employees of the abolished agencies or offices that occupies
34 non-technical positions shall be transferred to CDC. Officers and employees
35 occupying technical positions must qualify and shall comply with the eligibility
36 requirement set forth in Section 13.

37
38 **SEC.11. *Executive Director.*** – (a) *Appointment.* The CDC shall be
39 headed by an Executive Director, with the rank of Undersecretary, who shall be

1 appointed by the President, upon the recommendation of the Secretary of Health,
2 on the basis of technical expertise, academic background and appropriate work
3 experience.

4
5 (b) *Eligibility.* The Executive Director shall be a public health professional
6 with at least 15 years of post-graduate qualification experience in relevant
7 fields of medicine or public health. The Executive Director shall also possess
8 a masteral or PhD degree in Epidemiology or other allied sciences. No
9 person shall be eligible for appointment as Executive Director without
10 satisfactorily passing the examination referred to in Section 13.

11
12 (c) *Powers and functions.* The Executive Director shall perform the
13 following functions and powers:

- 14 (1) Manage and direct the activities of CDC;
- 15 (2) Coordinate CDC response to health emergencies;
- 16 (3) Certify to the existence of an epidemic, which shall be treated as
17 a public health emergency;
- 18 (4) Recommend to the President the exercise of special powers in
19 the case of an epidemic;
- 20 (5) Coordinate international health activities relating to disease
21 prevention and control;
- 22 (6) Liaise with other government agencies, international
23 organizations, including the World Health Organization, learning
24 institutions and other outside groups;
- 25 (7) Appoint employees of CDC in accordance with civil service law,
26 rules and regulations and Section 13 of this Act;

27
28 (d) *Tenure.* To ensure and uphold the independence of CDC, the
29 Executive Director shall have security of tenure and shall not be removed
30 from office unless for cause.

31
32 (e) *Removal.* Notwithstanding the provisions of subsection 11 (d), the
33 Executive Director may be removed from office by the President of the
34 Philippine on the following grounds:

- 35
36 (1) Inefficiency and incompetence in the performance of official
37 duties, *Provided*, that the performance of the Executive Director
38 shall be evaluated by a panel formed for that purpose, which

1 shall be composed of the Chairman of the Civil Service
2 Commission and public health experts; and
3 (2) Inability to discharge the duty of the office, whether arising from
4 the infirmity of the mind or body, grave misconduct or in the
5 public interests, upon the recommendation of the Secretary of
6 Health and the Civil Service Commission.

7
8 **SEC. 12. *Staffing Pattern.*** – The Secretary of Health, in consultation
9 with the public health experts and the Department of Budget and Management
10 (DBM), shall determine the qualification standards, staffing pattern and
11 compensation of the newly created CDC, in accordance with existing laws, rules
12 and regulations.

13
14 **SEC. 13. *Examination for Appointment and Promotion.*** – (a). The
15 DOH, in consultation with the National Institute for Health-Center for
16 Epidemiology Unit (NIH-CEU) of the University of the Philippines-Manila, other
17 academic institutions and public health experts, is mandated to prescribe and
18 conduct a system of examination of:

19
20 (1) all persons applying for any position requiring technical expertise
21 and special skills to determine their fitness and aptitude to
22 perform the functions or duties of the position applied for.
23 (2) all employees and officers to determine their fitness for
24 promotion to an officer-level position,

25
26 (b) The Executive Directors, Deputy Directors, Officers and technical
27 employees shall only be appointed or promoted upon conferment of eligibility by
28 the Department of Health, which shall be granted after undergoing and passing
29 the examination referred to in subsection 13(a).

30
31 (c) No officer or employee who fails to pass the examination
32 satisfactorily and reported unfit for promotion shall be eligible for appointment or
33 promotion to a managerial/officer level position.

34
35 **CHAPTER V**
36 **LABORATORIES, EMERGENCY OPERATION CENTER AND EARLY**
37 **WARNING AND RESPONSE SYSTEM**
38

1 **SEC. 15. *Biological Laboratories.*** (a) *Establishment.* There shall be
2 established High-Containment Laboratories or Bio-Safety Level 3 and 4 (BSL-3
3 and BSL-4) laboratories that are accessible and concomitant to the CDC national
4 offices and local centers. The State shall endeavor to construct and fund at least
5 one (1) BSL-4 laboratory and at least five (5) BSL-3 laboratories within ten (10)
6 years from the effectivity of this Act. CDC shall also construct, equip and
7 maintain such number of Bio-Safety Level 2 (BSL-2) laboratories as necessary.
8 For this purpose, the CDC may partner with academic institutions, private
9 companies, non-profit institutions, foreign states or international organizations.

10
11 (b) *Funding.* Appropriations for the construction and maintenance of
12 biological laboratories referred to in subsection 15(a) of this Act shall be provided
13 in the General Appropriations Act.

14
15 (c) *Oversight and regulatory functions.* The CDC shall exercise supervisory
16 and oversight functions over bio-safety levels 2 laboratories in the country. High-
17 containment (BSL-3 and BSL 4) laboratories must be registered with and shall be
18 regulated by the CDC.

19
20 **SEC. 16. *Emergency Operation Center.*** – There shall be established
21 a Emergency Operations Center (EOC), which is a central control tower to
22 respond to infectious disease emergencies.

23
24 **SEC. 17. *Early Warning and Response System.*** – The CDC shall
25 operate an Early Warning and Response System, which will ensure that the
26 national government and local government units are able to respond in a timely
27 and coordinated manner to emerging health threats in the country.

28
29 The CDC shall take action to ensure that the early warning and response
30 system is efficiently and effectively linked with other forms of community alert
31 systems.

32
33 **CHAPTER VI**
34 **DISEASE MONITORING AND SURVEILLANCE**

35
36 **SEC. 18. *Public Health Surveillance Programme.*** (a) The Executive
37 Director may, from time to time, institute public health surveillance programmes
38 or undertake epidemiological investigations or surveys of people, animals or

1 vectors in order to determine the existence, prevalence or incidence, or to
2 determine the likelihood of a possible outbreak, of –

- 3
- 4 1. any infectious disease; or
 - 5 2. any other disease which the CDC or the Secretary of Health, by
6 notification in the Official Gazette and in the official website of CDC
7 and the Department of Health, declares to be a disease which this
8 section applies.
- 9

10 (b) For the purpose of any public health surveillance programme,
11 epidemiological investigation or survey under subsection 17(a), the Executive
12 Director may issue an order requiring any person to furnish CDC, within the
13 period stated therein, with –

- 14 1. such information as he may require and
 - 15 2. any sample of any substance or matter in the possession of that
16 person or control of that person, whether taken pursuant to this
17 Act or otherwise, as he may consider necessary or appropriate.
- 18

19 **SEC. 19. *Obligation of Local Government Units*** - Local government
20 units must provide the CDC in a timely manner available health and technical
21 data relevant to the prevention and control of diseases.

22

23 **SEC. 20. *Mandatory Reporting of Notifiable Disease and Health***
24 ***Events of Public Health Concern.*** (a) *Transfer of functions.* CDC shall perform
25 the functions and obligations of the Epidemiology Bureau and the Department of
26 Health under Sections 5 and 6 of Republic Act No. 11332, otherwise known as
27 "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health
28 Concern Act"

29

30 (b) *Mandatory reporting.* All public and private physicians, allied
31 medical personnel, professional societies, hospitals, clinics, health facilities,
32 laboratories, institutions, workplaces, schools, prisons, ports, airports,
33 establishments, communities, other government agencies, and NGOs are
34 required to accurately and immediately report notifiable diseases and health
35 events of public health concern to CDC;

36

37 **CHAPTER VII**
38 **MEASURES FOR DISEASE CONTROL AND PREVENTION**

39

1 **SEC. 21. Authority to Promulgate and Enforce Rules and**
2 **Regulations and Provide Penalties for Their Violations.** – The Executive
3 Director is authorized to promulgate and enforce rules and regulations as are
4 necessary to control and prevent diseases within the country and to prevent the
5 introduction, transmission or spread of communicable diseases from foreign
6 countries into the Philippines or from one (1) domestic seaport/airport to another.
7 For purposes of implementing these regulations, the Executive Director may
8 provide public health preventive measures and intervention strategies such as
9 health education and advisories, apprehensions, detention, isolation, quarantine,
10 inspections, fumigation, disinfection, disinfestation, pest extermination,
11 vaccination for international travel, medical examination of aliens/foreigners and
12 destruction of animals or articles found to be infected or contaminated as to be
13 sources of infection to human beings in coordination with other concerned
14 quarantine agencies such as veterinary quarantine, plant quarantine, etc. and
15 other measures as the Executive Director's judgment may be necessary.

16
17 **SEC. 22. Measures in the event of inadequate local control of**
18 **communicable diseases.** –Whenever the Executive Director determines that
19 the measures taken by the health authorities of the Local Government Units are
20 insufficient to prevent the outbreak of an infectious disease or spread of any of
21 the communicable diseases, the Executive Director may take such measures to
22 prevent such spread of the diseases as he/she deems reasonably necessary,
23 including inspection, fumigation, disinfection, sanitation, pest extermination, and
24 destruction of animals or articles believed to be sources of infection.

25
26 **SEC. 23. Quarantine Stations.** — The Executive Director, in
27 coordination with the Bureau of Quarantine, with the approval of the Secretary of
28 Health, may establish such additional quarantine stations, grounds and
29 anchorage if, in the Executive Director's judgement, these are necessary to
30 prevent the introduction of diseases of international concern into the country.
31 The Bureau of Quarantine shall retain its jurisdiction and functions provided
32 under Republic Act No. 9271, otherwise known as "Quarantine Act of 2004."

33
34 **SEC. 24. Special supervision over the Bureau of Quarantine.** –
35 During a Public Health Emergency, in the interest of preventing a disease
36 outbreak, endemic or pandemic, the Bureau of Quarantine shall report directly to
37 the Executive Director. The CDC shall have full access to information in the
38 possession of the Bureau of Quarantine.
39

1 **SEC. 25. *Wakes and disposal of corpses.*** (a) When any person has
2 died whilst being, or suspected of being, a case or carrier or contact of a
3 communicable disease, the Executive Director may impose such conditions
4 necessary for the conduct of the wake of the deceased, or the collection,
5 removal and disposal of the body of that person.

6
7 (b) Any Health Officer of the Department of Health or CDC may take
8 such steps as may be necessary to ensure that the order is complied with.

9
10 **SEC. 26. *Penalties.*** – Any person who violates any regulation prescribed
11 or order issued pursuant this Chapter, or who enters or departs from the limit of
12 any quarantine station, ground or anchorage in disregard of quarantine rules and
13 regulations or without permission of the quarantine officer-in-charge shall be
14 punished by fine of not more than Five Million Pesos (Php 5,000,000.00) or by
15 imprisonment for not more than two (2) years, or both.

16
17 **CHAPTER VIII**
18 **MISCELLANEOUS PROVISIONS**

19
20 **SEC. 27. *Annual Report.*** – CDC shall submit to Congress an annual
21 evaluation of the current and emerging threats to health in the country and
22 recommend such measures and policies as may be necessary to prevent the
23 transmission of communicable diseases

24
25 **SEC. 28. *Appropriations.*** – The amount needed for the initial
26 implementation of this Act shall be taken from the current fiscal year's
27 appropriation of the offices and agency herein absorbed by the CDC. Thereafter,
28 the amount needed for the operation and maintenance of the CDC shall be
29 included in the General Appropriations Act.

30
31 **Section 29. *Separability Clause.*** – If any provision of this Act shall be
32 declared unconstitutional or invalid, the other provisions not otherwise affected
33 shall remain in full force and effect.

34
35 **Section 30. *Repealing Clause.*** – All laws, orders, rules and regulations,
36 other issuances, or parts thereof, inconsistent with any provision of this Act, are
37 hereby repealed or modified accordingly.

1 **Section 31. *Effectivity.*** – This Act shall take effect after fifteen (15)
2 days following its publication in the Official Gazette or in two (2) newspapers of
3 general circulation.
4
5 Approved,