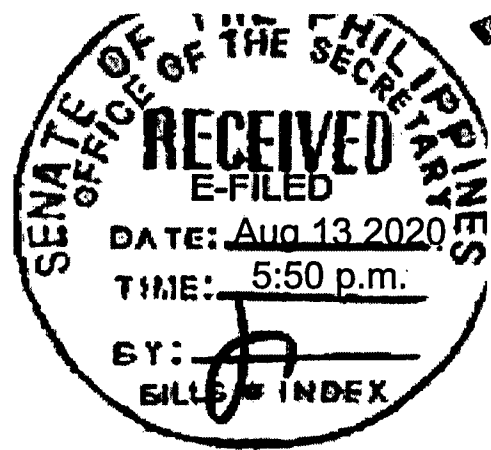


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
S.B. No. 1773

Introduced by **Senator Richard J. Gordon**

**AN ACT
ESTABLISHING THE ONE PATIENT- ONE ELECTRONIC MEDICAL RECORD
SYSTEM IN THE PHILIPPINES THEREBY CREATING THE OFFICE OF THE
NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

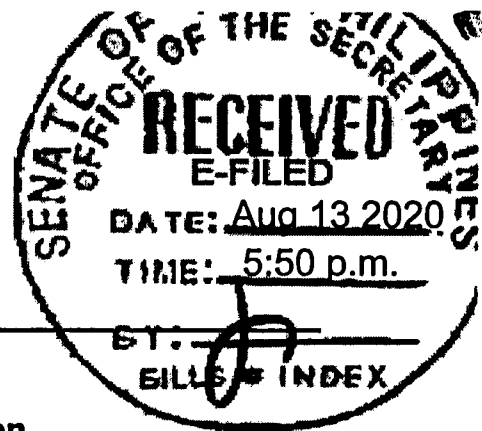
Article II, Section 15 of the 1987 Constitution provides that "the State shall protect and promote the right to health of the people and instill health consciousness among them." The Constitution likewise mandates under Article XIII, Section 11 that "the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost..."

In furtherance of the aforesaid constitutional mandate, this bill pushes for the development of the health system in the Philippines by institutionalizing the One Patient- One Electronic Medical Record System. One Patient-One Electronic Medical Record System provides that each patient in the Philippines will have only one electronic medical record containing the history of his/her medical conditions and treatments made thereto which can be accessible at any health care facility in the country. Through this system, patient medical records will no longer be scattered in different health care providers, thus aiding in accuracy in patient diagnosis and treatment through full disclosure of patient medical history to health care professionals. It improves health care quality, reduces medical errors, reduces health disparities, and advances the delivery of patient-centered medical care. It also reduces health care costs resulting from inefficiency.

This system can also be an effective anti-fraud tool for Philhealth, SSS and GSIS by providing these agencies information necessary to verify claims, thereby facilitating millions of pesos in savings from anti-fraud verifications. For the above-mentioned benefits, immediate passage of this bill is earnestly sought.


RICHARD J. GORDON
Senator

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

1 **SECTION 1. Declaration of Policy.**- It is hereby declared the policy of the State
2 to establish a competent, reliable, efficient, integrated and centralized nationwide
3 health information technology system that allows for the electronic use of patient
4 health record system, that can be accessible to the patient and his/her healthcare
5 professional as needed anywhere in the country. This system shall ensure the
6 following:

- 7 1.) Accurate and appropriate information to help guide medical decisions at the
8 time and place of care is provided;
- 9 2.) Early detection, prevention, and management of chronic diseases is promoted;
- 10 3.) Health care quality is improved and patient-centered medical care is advanced
11 by reducing medical errors and medical disparities in the diagnosis and
12 treatment of patients;
- 13 4.) Health care cost resulting from inefficiency, medical errors, inappropriate and
14 duplicative care is reduced;
- 15 5.) Coordination of care and information among hospitals, laboratories, physician
16 offices, and other entities is improved through an effective infrastructure for
17 the secure and authorized exchange of health care information;
- 18 6.) Patient's health information is secured and protected, and in accordance with
19 applicable law;
- 20 7.) Public health activities are improved and early identification and rapid response
21 to public health threats and emergencies are facilitated;
- 22 8.) Health and clinical research and health care quality are facilitated;
- 23 9.) Fraud in the use of government social insurance systems such as the
24 Philhealth, SSS and GSIS is averted.

25 **SEC. 2. Institutionalization of the One Patient- One Electronic Medical**
26 **Record System.** There shall be established in the Philippines the One Patient-One
27 Electronic Medical Record System, which is a centralized electronic patient health

1 record system to be managed by the Office of the National Coordinator for Health
2 Technology of the Department of Health.

3 The Office of the National Coordinator for Health Technology in coordination with
4 the Department of Information and Communications Technology ("DICT") shall make
5 and implement such programs as may be necessary to enable the One Patient-One
6 Electronic Medical Record System available in the entire country, even in remote
7 areas with limited access to internet services.

8 All health care providers and health care professionals keeping medical records of
9 their patients shall migrate to electronic/digital format copies of such records and
10 integrate the same to the system provided for by the Office of the National
11 Coordinator for Health Technology. The National Coordinator shall issue IT
12 Certifications to health care providers and health care professionals of their
13 compliance to the One Patient-One Electronic Medical Record System of the Office of
14 the National Coordinator for Health Technology. Issuance of the IT Certification by
15 the National Coordinator shall mean that the electronic patient record system of the
16 health care providers and health care professionals are compatible and are integrated
17 into the One Patient-One Electronic Medical Record System.

18 The Office of the National Coordinator for Health Technology shall in partnership
19 with the Philippine Health Insurance Corporation ("Philhealth"), Social Security
20 System ("SSS") and Government Service Insurance System ("GSIS") make available
21 to Philhealth, SSS and GSIS such information as may be necessary to verify claims
22 for benefits before it, in accordance with the Data Privacy Act.

23 All persons filing their respective claims with Philhealth, SSS and GSIS consents
24 to the use of the data contained in the One Patient-One Electronic Medical Record
25 System pertaining to them for verification purposes upon filing of their application for
26 such claims/benefits.

27 **SEC. 3. Office of the National Coordinator for Health Information**
28 **Technology.** There shall be created within the Department of Health, the Office of
29 the National Coordinator for Health Information Technology headed by a National
30 Coordinator who shall be appointed by the Secretary of Health and shall report
31 directly to the Secretary.

32 The National Coordinator shall be a Filipino Citizen and shall be of known
33 competence, probity, integrity and recognized expertise in information systems,
34 management, medicine or law. He shall be a career official who passed the merit and
35 fitness test of the Civil Service Commission.

36 The National Coordinator shall perform the following:

- 37 1. Coordinate health information policy and programs of the Department of Health
38 with those of other relevant agencies of the government with the goal of
39 avoiding duplication of efforts and of helping to ensure that each agency
40 undertakes health information activities primarily within the areas of its greatest
41 expertise and technical capability and in a manner towards a coordinated
42 national goal.

- 1 2. Become the leading member in the establishment and operations of the Health
2 Information Technology Policy and Standards Committee ("HIT Policy and
3 Standards Committee);
- 4 3. Prepare the National Health IT Strategic Plan in consultation with the
5 appropriate national agencies and various stakeholders;
- 6 4. Maintain and frequently update an Internet website on which there is posted
7 information on the work, schedules, reports, recommendations, updates on the
8 implementation of the National Health IT Strategic Plan, issued Certifications,
9 and other information to ensure transparency in promotion of a nationwide
10 health information technology infrastructure;
- 11 5. Establish a governance mechanism for the national health information network;
- 12 6. Establish a program for voluntary certification of health information technology
13 as being in compliance with the applicable certification criteria issued by the
14 Office of the National Coordinator for Health Technology of the Department of
15 Health.

16 **SEC. 4. National Health IT Strategic Plan.** The National Coordinator shall
17 after due consultation and in collaboration with appropriate government agencies and
18 private sector stakeholders formulate the National Health IT Strategic Plan. The
19 National Strategic Plan shall identify specific objectives, milestones and metrics and
20 provide measurable outcome goals in the implementation of the One Patient-One
21 Electronic Medical Record System. Specifically, the National Health IT Strategic Plan
22 shall provide the following:

- 23 1. Full implementation and utilization of electronic health record for each patient
24 in the Philippines in 2030;
- 25 2. Electronic exchange and use of health information integration of healthcare
26 providers and professionals of such information;
- 27 3. Incorporation of privacy and security protections for the electronic exchange
28 of individual's individually identifiable health information;
- 29 4. Provision of security methods to ensure appropriate authorization and
30 electronic authentication of health information;
- 31 5. Methods to foster the public understanding of health information technology;
- 32 6. Specification on the framework for coordination and flow of recommendations
33 and policies among the Secretary, the National Coordinator, the HIT
34 Information Technology Policy and Standards Committee and other health
35 information exchanges and other relevant entities;
- 36 7. Strategies to enhance the use of health information technology information
37 technology in improving the quality of health care, reducing medical errors,
38 reducing health disparities, improving public health, increasing prevention and
39 coordination with community resources, and improving the continuity of care;
- 40 8. Specific plans for ensuring that populations with unique needs, such as
41 children, are appropriately addressed in the technology design, as appropriate,
42 which may include technology that automates enrollment and retention for
43 eligible individuals.

1 **SEC. 5. Certifications.** The National Coordinator, in consultation with the DICT
2 shall provide for a certification criteria and a program for voluntary certification of
3 health information technology as being in compliance with applicable certification
4 criteria adopted by the National Coordinator in accordance with the National Health
5 IT Strategic Plan. Certification Criteria means the criteria or standards and
6 implementation specifications for health information technology to establish that the
7 technology meets such standards and implementation specifications.

8 Issuance of the Certification by the National Coordinator means compliance under
9 this Section.

10 **SEC. 6. Health Information Technology Policy and Standards**
11 **Committee.** There shall be created the Health Information Technology Policy and
12 Standards Committee (HIT Policy and Standards Committee), which shall make policy
13 recommendations to the National Coordinator relating to the implementation of the
14 One Patient-One Electronic Medical Record System including the implementation and
15 of updating of the National Health IT Strategic Plan. The HIT Policy and Standards
16 Committee shall also recommend to the National Coordinator standards,
17 implementation specifications and certification criteria for the electronic exchange
18 and use of health information in accordance with the National Health IT Strategic
19 Plan.

20 The HIT Policy and Standards Committee is composed of fifteen (15) members,
21 as follows:

- 22 1.) 3 members representing patients and consumers;
- 23 2.) 2 members representing health care providers and professionals;
- 24 3.) 1 member who has expertise in health information privacy and security;
- 25 4.) 1 member who has expertise in improving the health of vulnerable
26 populations;
- 27 5.) 2 members who have expertise in information systems management from
28 the private sector;
- 29 6.) 1 member shall be from the research community;
- 30 7.) 1 member shall represent health plans, insurance or other third-party
31 players;
- 32 8.) 1 member shall represent information technology vendors;
- 33 9.) 2 member shall be experts on information technology from the DICT;
- 34 10.) 1 member shall have expertise in health care quality measurement and
35 reporting.

36 Members to HIT Policy and Standards Committee shall be appointed by the
37 Secretary of Health and shall serve for a period of six (6) years. They shall be entitled
38 to such honorarium as the Secretary of Health may provide, and as approved by the
39 Department of Budget and Management.

40 A majority of the member of the HIT Policy and Standards Committee shall
41 constitute a quorum for purposes of voting, but a lesser number of members may
42 meet and hold meetings.

43

1 **SEC. 7. Linkages with Social Insurance.**

2 The Office of the National Coordinator for Health Information Technology shall
3 make available to the Philippine Health Insurance Corporation, the Social Security
4 System and the Government Service Insurance System, without cost, such data as
5 may be necessary for the validation of member claims made with said agencies.

6 The Office of the National Coordinator for Health Information Technology may,
7 subject to the consent of the patient, enter into agreements with private health and
8 life insurance companies for the sharing of medical information.

9 **SEC. 8. Certification Mandatory for Philhealth Claims for**
10 **Reimbursement.**

11 Philhealth and the Office of the National Coordinator for Health Technology shall
12 endeavor to provide healthcare professionals and Healthcare institutions access to
13 the One Patient-One Electronic Medical Record System.

14 Access by Philhealth to patient medical record under the One Patient-One
15 Electronic Medical Record System is a mandatory requirement prior to payment of
16 Philhealth claims for reimbursements of such patient.

17 Philhealth and the Office of the National Coordinator for Health Information
18 Technology shall provide for such rules as may be followed, that will allow
19 reimbursements in cases where access to One Patient-One Electronic Medical Record
20 System is not possible due to lack of internet access in the area.

21 **SEC. 9. Linkages to Research.**

22 The Department of Health shall utilize the information derived from the data
23 collected by the Office of the National Coordinator for Health Information Technology
24 for research and in the improvement of programs for the improvement of the health
25 of the people.

26 The Philippine Health Insurance Corporation shall make use of the data
27 collected by the Office of the National Coordinator for Health Information Technology
28 in the development of their case rate system.

29 **SEC. 10. Appropriations.-** An initial amount of 50 Million Pesos (Php
30 50,000,000.00) is hereby appropriated under the Department of Health for the
31 implementation of this Act. Thereafter, such amounts as may be necessary for the
32 continued operation of the system shall be continuously appropriated in the budget of
33 the Department of Health.

34 **SEC. 11. Separability Clause.-** The provisions of this Act are hereby declared
35 to be separable, and in the event any one or more of such provisions are held
36 unconstitutional, they shall not affect the validity of other provisions.

37 **SEC. 12. Repealing Clause. —** All laws, executive and administrative orders, or
38 parts thereof, inconsistent with any provision of this Act are hereby repealed or
39 modified accordingly