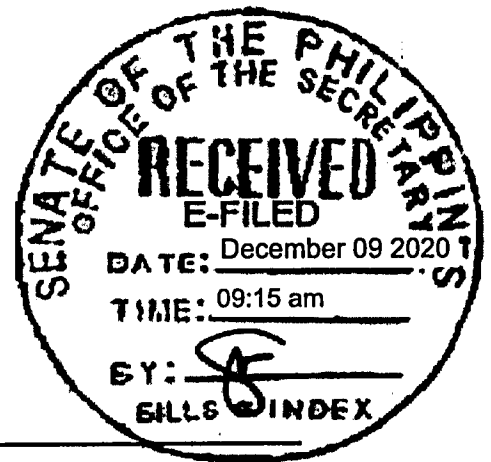


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

SENATE  
S. No. 1942



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Introduced by SENATOR LEILA M. DE LIMA

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**AN ACT  
PROVIDING FREE COVID-19 VACCINES TO ALL FILIPINOS AND  
ESTABLISHING A SAFE AND EFFICIENT SYSTEM OF DISTRIBUTION  
AND DELIVERY**

**EXPLANATORY NOTE**

According to the World Health Organization (WHO), vaccination “has greatly reduced the burden of infectious diseases. Only clean water, also considered to be a basic human right, performs better.”<sup>1</sup> In fact, human vaccines, “with their exquisite antigenic specificity, have greatly helped to eliminate or dramatically abate the incidence of a number of historical and current plagues, from smallpox to bacterial meningitis.”<sup>2</sup> The WHO has stressed the vital role that immunization through vaccination plays, to wit:

**Immunization is a global health and development success story, saving millions of lives every year.** Vaccines reduce risks of getting a disease by working with your body’s natural defenses to build protection. When you get a vaccine, your immune system responds.

**Immunization is a key component of primary health care and an indisputable human right.** It’s also **one of the best health investments money can buy.** Vaccines are also **critical to the prevention and control of infectious-disease outbreaks.** They underpin global health security and will be a

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<sup>1</sup> Bulletin of the World Health Organization. (February 2008). *Vaccination greatly reduces disease, disability, death and inequity worldwide.* Retrieved on 05 December 2020, from: <https://www.who.int/bulletin/volumes/86/2/07-040089/en/>  
<sup>2</sup> Cassone, A. and Rappuoli R. (18 May 2010). *Universal Vaccines: Shifting to One for Many.* Retrieved on 05 December 2020, from: <https://mbio.asm.org/content/mbio/11/1/e00042-10.full.pdf>

vital tool in the battle against antimicrobial resistance.<sup>3</sup>  
(Emphasis supplied)

The Global Vaccine Action Plan of the 65<sup>th</sup> World Health Assembly on 26 May 2012 recognized “the importance of immunization as one of the most cost-effective interventions in public health”, and “should be recognized as a core component of the human right to health.”<sup>4</sup> Additionally, with universal vaccination, the benefits not only far outweigh the costs as the long-term effects prove to be cost-effective and efficient. The cost of universal vaccination may seem too high on its face, but could later on be the very tool that will help the government to save more money in order to create and institutionalize more programs for the welfare of all.

The WHO concluded that the benefits of vaccination “extend beyond prevention of specific diseases in individuals. They enable a rich, multifaceted harvest for societies and nations. Vaccination makes good economic sense, and meets the need to care for the weakest members of societies”, and that a “comprehensive vaccination programme is a cornerstone of good public health and will reduce inequities and poverty.”

Any responsible government must heed the aforementioned findings on the efficacy of vaccination in not only mitigating the spread of diseases, but in promoting public health for all. Thus, we must act and invest urgently to implement and maintain one of the core solutions in outpacing this pandemic: a well-prepared, systematic, safe, and effective vaccination program for all Filipinos.

For the past few months, the executive branch reported that we have continued negotiations with pharmaceutical companies for the supply of at least 14 specific COVID-19 vaccines for our local use. However, its vaccination plan leaves much to be desired. In a statement, Secretary Carlito Galvez Jr., the Philippines’ vaccine czar, has said that the country will now have to fight for the remaining percentage of future COVID-19 vaccine supplies as eighty percent of the global market had already been bought up by rich countries.<sup>5</sup> Amidst this challenge, it must be emphasized: any delayed response in securing vaccine supplies should no longer be excused – especially as new suppliers with equally good efficacy rates have emerged.

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<sup>3</sup> World Health Organization. *Vaccines and immunization*. Retrieved on 05 December 2020, from: [https://www.who.int/health-topics/vaccines-and-immunization#tab=tab\\_1](https://www.who.int/health-topics/vaccines-and-immunization#tab=tab_1)  
<sup>4</sup> Sixty-fifth World Health Assembly. (26 May 2012). *Global vaccine action plan*. Retrieved from: [https://apps.who.int/gb/ebwha/pdf\\_files/WHA65/A65\\_R17-en.pdf?ua=1](https://apps.who.int/gb/ebwha/pdf_files/WHA65/A65_R17-en.pdf?ua=1)  
<sup>5</sup> The Straits Times. (03 December 2020). *Rich Nations already secured 80% of global Covid-19 vaccine supply: Philippine virus chief*. Retrieved on 05 December 2020, from: <https://www.straitstimes.com/asia/se-asia/rich-nations-already-secured-80-percent-of-global-covid-19-vaccine-supply-philippine>

A concrete plan of action that will universally promote the right of all Filipinos to health is vital in winning this battle against COVID-19. A vaccination plan that is inclusive will be an instrument to create herd immunity in a country of more than 100 million. Vaccination is an important tool in promoting herd immunity because vaccinated people are protected from getting the disease in question and passing it on, breaking any chains of transmission.<sup>6</sup> Recognizing that vaccination, along with herd immunity, is essential in winning over the virus, Japan already secured the future of its people by passing into law a measure that will provide COVID-19 vaccinations free of charge in their country.<sup>7</sup>

Anticipating the arrival of these vaccines subject to trials and local evaluation soonest, this representation believes the need to guarantee free vaccination for all Filipinos whose right to health should not be diminished by belatedly acting on the health crisis. As hopes grow for the early arrival of vaccines in the country, we must be prepared and guarantee our people the safe and efficient distribution of the vaccine to all Filipinos, especially the priority and vulnerable sectors of our society. It cannot be overemphasized: vaccine coverage is as important as vaccine efficacy.

We must include in this policy elements of informed consent and allow persons to choose which accredited COVID-19 vaccine to receive and the institutions from which to receive them.

This bill likewise mandates the creation of a database to ensure the tracking of vaccination recipients in case of problems that may arise after the administration of the vaccines.

Immediate passage of this bill is earnestly sought.

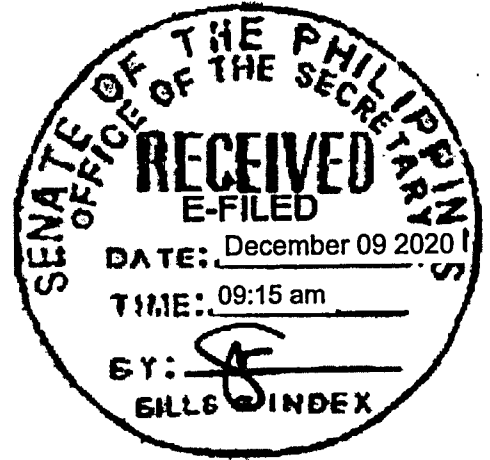
  
DEILA M. DE LIMA

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<sup>6</sup> World Health Organization. (15 October 2020). *Coronavirus disease (COVID-19): Herd immunity, lockdowns and COVID-19*. Retrieved on 05 December 2020, from: <https://www.who.int/news-room/q-a-detail/herd-immunity-lockdowns-and-covid-19>

<sup>7</sup> The Japan Times. (02 December 2020). *Japan OKs free COVID-19 vaccines for nation*. Retrieved on 05 December 2020, from <https://www.japantimes.co.jp/news/2020/12/02/national/free-coronavirus-vaccines/>

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**AN ACT  
PROVIDING FREE COVID-19 VACCINES TO ALL FILIPINOS AND  
ESTABLISHING A SAFE AND EFFICIENT SYSTEM OF DISTRIBUTION  
AND DELIVERY**

*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 “Libreng Bakuna Kontra  
2 COVID-19 Para sa Lahat ng Pilipino Act.”

3           Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect and  
4 promote the right to health of the people. Pursuant to this policy, this Act seeks to  
5 safeguard the health of all Filipinos by allocating funds and mandating our country’s  
6 health system to offer vaccines against the Coronavirus disease (COVID-19), free of  
7 charge, that has broad clinical and socio-economic benefits.

8           The State shall take a proactive role in the preventive health care of all Filipinos.  
9 Towards this end, the State shall adopt a comprehensive and sustainable  
10 immunization program for COVID-19 for all Filipinos.

11           Sec. 3. *Free and Voluntary COVID-19 Vaccine Program.* – All designated  
12 COVID-19 referral hospitals and tertiary public hospitals shall offer approved COVID-  
13 19 vaccines by the Department of Health (DOH) for free in accordance with the  
14 approved list of social groups and sectors to have priority access to the COVID-19  
15 vaccine.

1           **Sec. 4. Comprehensive COVID-19 Distribution Plan.** – The Inter-Agency Task  
2 Force on Emerging Infectious Diseases (IATF-EID), in coordination with infection  
3 disease experts and concerned public sector representatives, shall prepare and submit  
4 a Comprehensive COVID-19 Distribution Plan that shall ensure the safe, efficient and  
5 effective administration of approved COVID-19 vaccines. Policies that will ensure the  
6 efficient delivery of vaccinations services to all Filipinos shall be a part of the plan,  
7 including but not limited to the following:

- 8           a) The offering of free voluntary vaccination to all Filipinos following a  
9           system of priority targeting taking into consideration frontline and  
10           vulnerable sectors, as well as areas of high incidence of COVID-19  
11           cases;
- 12           b) Ensuring that persons offered vaccination receive information  
13           regarding the risks and benefits of vaccination;
- 14           c) A system for documenting vaccine administration, medical contra-  
15           indications, patient refusals and any post-vaccination adverse events;
- 16           d) Identification of implementing agencies, units, government officials  
17           and personnel; and
- 18           e) The DOH, with the assistance of local government units, academe,  
19           professional societies and non-governmental organizations, shall  
20           undertake continuing information, education and training programs  
21           for all health personnel on the rationale and benefits of as well as  
22           modern procedures for immunization against vaccine-preventable  
23           diseases.

24           The distribution plan shall also take into consideration the efficacy of the  
25 vaccine and the necessity to re-vaccinate as may be necessary.

26           **Sec. 5. Education and Information Campaign.** – All health care practitioners  
27 or health care workers who are administering COVID-19 vaccines shall educate all  
28 patients on the importance of receiving COVID-19 immunization services, as well as  
29 any possible effects of immunization.

30           The DOH, other government agencies, non-government organizations,  
31 professional and academic societies, and local government units shall make available

1 appropriate information materials and shall have a system of its distribution to the  
2 public.

3 The information campaign shall likewise state that all COVID-19 vaccinations  
4 are optional and that persons may avail of the vaccines from non-government  
5 accredited institutions.

6 **Sec. 6. *Informed Consent.*** - The COVID-19 vaccine shall be administered only  
7 upon informed consent of the person to be vaccinated. The persons administering the  
8 vaccine is obliged to inform said persons of the following in relation to the COVID-19  
9 vaccine to be administered:

- 10 1. Brand to be administered;
- 11 2. Nature of the vaccine;
- 12 3. Manner in which the vaccine is administered;
- 13 4. Persons to whom the vaccine is intended;
- 14 5. Persons to whom the vaccine is prohibited or not advised;
- 15 6. Side effects of the vaccine, if any;
- 16 7. Period of efficacy of the vaccine; and
- 17 8. Official DOH and IATF-EID website or social media pages where the  
18 information on the vaccine is available.

19 Parents or legal guardians shall provide the informed consent in cases of minors.

20 **Sec. 7. *Registration and Certification.*** - All recipients of the COVID-19  
21 vaccination shall be issued a certification of COVID-19 immunization upon completion  
22 of the required doses and registered in a centralized government-managed database  
23 which shall be subject to the Data Privacy Act.

24 Production and use of a falsified certification under this Section shall be  
25 punishable under the Revised Penal Code, Title 1, Chapter 1, Section 4 on Falsification  
26 of Legislative, Public Commercial, and Private Documents, and Wireless, Telegraph,  
27 and Telephone Messages.

1           **Sec. 8. Appropriations.** – The amount necessary to carry out the provisions of  
2 this Act shall be charged against the existing realigned appropriations of the 2019,  
3 2020 and 2021 General Appropriations Act for COVID-19 response.

4           **Sec. 9. Repealing Clause.** – All laws, decrees, letters of instruction, resolutions,  
5 orders or parts thereof which are inconsistent with the provisions of this Act are hereby  
6 repealed, modified or amended accordingly.

7           **Sec. 10. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its  
8 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,