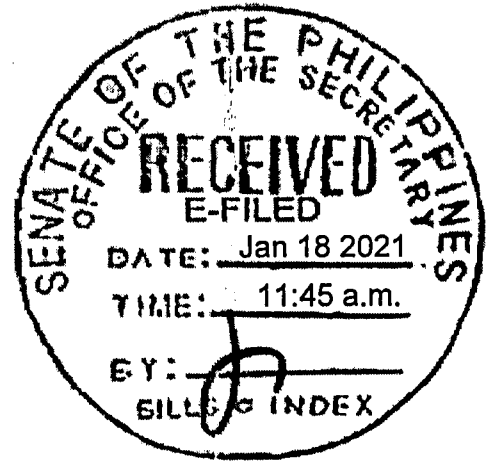


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
S.B. No. 1987



Introduced by SENATOR RICHARD J. GORDON

AN ACT

EXPANDING THE POOL OF VACCINATORS TO INCLUDE ALLIED HEALTH PROFESSIONALS AND NON-MEDICAL PROFESSIONALS AND STUDENTS OF SUCH PROFESSIONS TRAINED AS VACCINATORS BY THE DEPARTMENT OF HEALTH IN ORDER TO IMPLEMENT THE NATIONAL PROGRAM FOR VACCINATION IN TIMES OF EPIDEMICS, PANDEMICS, NATIONAL HEALTH EMERGENCIES AND OTHER CIRCUMSTANCES AUTHORIZED BY THE SECRETARY OF HEALTH, AMENDING FOR THIS PURPOSE SECTIONS 11 AND 12 OF REPUBLIC ACT NO. 2382 ALSO KNOWN AS "THE MEDICAL ACT OF 1959", AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The continuous and unabated spread of COVID-19 can only be stopped by the development of a proper vaccine that can help the population in achieving 'Herd Immunity'. According to the World Health Organization (WHO), "'Herd immunity', also known as 'population immunity', is the indirect protection from an infectious disease that happens when a population is immune either through vaccination or immunity developed through previous infection. WHO supports achieving 'herd immunity' through vaccination, not by allowing a disease to spread through any segment of the population, as this would result in unnecessary cases and deaths."¹

With the development of a number of vaccines for the prevention of COVID-19 disease, countries are faced with the daunting challenge of administering the vaccine to a record number of people. The Philippines has to vaccinate an unprecedented number of 50 Million to 70 Million people to be able to achieve herd immunity. This is especially challenging since our own Department of Health (DOH) has a woeful performance in immunization. It has been failing to meet its immunization targets year by year. In its Expanded Program on Immunization, DOH targets 95% of child population and yet only manages to achieve the following:

¹ <https://www.who.int/news-room/q-a-detail/herd-immunity-lockdowns-and-covid-19>

2016- 70%
2017- 67%
2018- 66%
2019- 69%

In its proposal to vaccinate 50M -70M people of the COVID-19 vaccine, DOH plans to develop 4,512 delivery sites for vaccination and each one would have three vaccination teams. Thus, we will have 13,536 vaccination teams. Each team will have six members, only one of which will be a vaccinator who is either a doctor, nurse or a midwife. 300 people may be vaccinated per day per vaccination site. Multiply 300 people with 4,512 vaccination sites, it will yield 1,353,600 people vaccinated per day.

During the hearing October 15, 2021 hearing of the Committee of the Whole, Senator Gordon questioned the Department of Health's (DOH) capability to conduct the vaccination program with only 617,239 health care workers to participate in the campaign based on the department's data.

Of the 617,239, 73,836 are from private health institutions, 64,998 from public health facilities, 29,000 are DOH-employed, 30,629 are hired by the local government units (LGU), 194,269 are contact tracers, 207,320 are barangay health workers, while 17,034 are social workers.

In view of the limited number of doctors, nurses and midwives that will aid in the COVID-19 vaccination program, this bill aims to expand the pool of vaccinators of the DOH by training other professionals such as dentists, veterinarians, medical technologists and even those without medical background to be vaccinators. By expanding the manpower of the DOH in its COVID-19 vaccination program, it is hoped that the target of vaccinating 50M to 70M people of COVID-19 vaccine will be achieved.

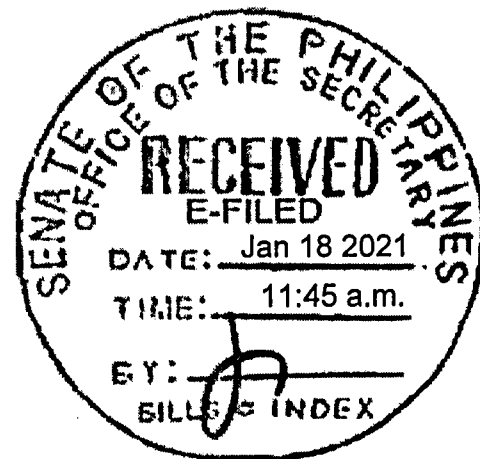
For this purpose, immediate passage of this bill is earnestly being sought.


RICHARD J. GORDON
Senator

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1.** Declaration of Policy.- It is hereby the policy of the State to aid the
2 Department of Health in meeting its targets in its vaccination program in times of
3 epidemic, pandemic, national health emergencies and such other circumstances
4 authorized by the Secretary of Health by expanding the pool of vaccinators that will
5 assist in its vaccination program.

6

7 For this purpose, vaccinators in a National Immunization Program shall no longer be
8 limited to doctors, nurses and midwives but shall be open to other professions such
9 as dentists, veterinarians, medical technologists, pharmacists, psychologists, and
10 other allied health professionals and non-medical professionals and students of such
11 professions as may be determined by the Secretary of Health provided that that they
12 be given the appropriate training, certification and authority by the Department of

1 Health and that they will perform their duties under the supervision of a duly registered
2 physician, and for a limited period only contingent upon the existence of the national
3 health emergency for which it is called.

4 **SEC. 2.** Power of the Secretary of Health to call on additional vaccinators- The
5 Secretary of Health in times of epidemic, pandemic, national health emergencies or
6 when the government is in danger of not meeting its target in its yearly immunization
7 program due to acute shortage of vaccinators, may issue an order for a definite period,
8 requiring the service, training and certification of additional vaccinators such as
9 dentists, veterinarians, medical technologists pharmacists, psychologists, and other
10 allied health professionals and non-medical professionals and students of such
11 professions, who shall perform their duties as vaccinators under the supervision of a
12 duly-licensed physician, for a limited period contingent upon the existence of the
13 national health emergency declared by the Secretary of Health and subject to such
14 other limitations that the Secretary of Health may provide.

15 **SEC. 3.** Section 11 of Republic Act No. 2382 also known as "The Medical Act of 1959"
16 is hereby amended to read as follows:

17 **Section 11. Exemptions.** The preceding section shall not be construed to
18 affect (a) any medical student duly enrolled in an approved medical college
19 or school under training, serving without any professional fee in any
20 government or private hospital, provided that he renders such service under
21 the direct supervision and control of a registered physician; (b) any legally
22 registered dentist engaged exclusively in the practice of dentistry; (c) any
23 duly registered masseur or physiotherapist, provided that he applies
24 massage or other physical means upon written order or prescription of a
25 duly registered physician, or provided that such application of massage or
26 physical means shall be limited to physical or muscular development; (d)
27 any duly registered optometrist who mechanically fits or sells lenses,
28 artificial eyes, limbs or other similar appliances or who is engaged in the
29 mechanical examination of eyes for the purpose of constructing or adjusting
30 eye glasses, spectacles and lenses; (e) any person who renders any service
31 gratuitously in cases of emergency, or in places where the services of a duly
32 registered physician, nurse or midwife are not available; (f) any person who
33 administers or recommends any household remedy as per classification of
34 existing Pharmacy Laws; ~~and~~ (g) any psychologist or mental hygienist in
35 the performance of his duties, provided such performance is done in
36 conjunction with a duly registered physician[-]; AND (H) ANY DENTISTS,
37 VETERINARIANS, MEDICAL TECHNOLOGISTS, PHARMACISTS,
38 PSYCHOLOGISTS, NURSES, MIDWIVES AND OTHER ALLIED HEALTH
39 PROFESSIONALS AND NON-MEDICAL PROFESSIONALS AND STUDENTS OF
40 SUCH PROFESSIONS SPECIFICALLY TRAINED AND AUTHORIZED BY THE
41 SECRETARY OF HEALTH TO BECOME VACCINATORS IN TIMES OF AN

1 EPIDEMIC, PANDEMIC, NATIONAL HEALTH EMERGENCY AND OTHER
2 CIRCUMSTANCES AS MAY BE DECLARED BY THE SECRETARY OF HEALTH.
3

4 **SEC. 4.** Section 12 of Republic Act No. 2382 also known as "The Medical Act of 1959"
5 is hereby amended to read as follows:

6 **Section 12.** *Limited practice without any certificate of*
7 *registration.* Certificates of registration shall not be required of the following
8 persons:

9 (a) Physicians and surgeons from other countries called in consultation
10 only and exclusively in specific and definite cases, or those attached to
11 international bodies or organization assigned to perform certain definite
12 work in the Philippines provided they shall limit their practice to the specific
13 work assigned to them and provided further they shall secure a previous
14 authorization from the Board of Medical Examiners.

15 (b) Commissioned medical officers of the United States armed forces
16 stationed in the Philippines while rendering service as such only for the
17 members of the said armed forces and within the limit of their own
18 respective territorial jurisdiction.

19 (c) Foreign physicians employed as exchange professors in special
20 branches of medicine or surgery whose service may in the discretion of
21 the Board of Medical Education, be necessary.

22 (d) Medical students who have completed the first four years of medical
23 course, graduates of medicine and registered nurses who may be given
24 limited and special authorization by the Secretary of Health to render
25 medical services during epidemics or national emergencies whenever the
26 services of duly registered physicians are not available. Such authorization
27 shall automatically cease when the epidemic or national emergency is
28 declared terminated by the Secretary of Health.

29 (E) DENTISTS, VETERINARIANS, MEDICAL TECHNOLOGISTS,
30 PHARMACISTS, PSYCHOLOGISTS, NURSES, MIDWIVES AND OTHER
31 ALLIED HEALTH PROFESSIONALS AND NON-MEDICAL PROFESSIONALS
32 AND STUDENTS OF SUCH PROFESSIONS WHO ARE TRAINED AND
33 CERTIFIED AS VACCINATORS BY THE DEPARTMENT OF HEALTH AND
34 AUTHORIZED BY THE SECRETARY OF HEALTH TO BECOME
35 VACCINATORS IN TIMES OF AN EPIDEMIC, PANDEMIC, NATIONAL
36 HEALTH EMERGENCY AND OTHER CIRCUMSTANCES AS MAY BE
37 DECLARED BY THE SECRETARY OF HEALTH, PROVIDED THAT THEY
38 SHALL AT ALL TIMES, IN THE PERFORMANCE OF THEIR DUTIES AS
39 VACCINATORS BE UNDER THE SUPERVISION OF A DULY LICENSED
40 PHYSICIAN; PROVIDED, FURTHER, THAT THIS AUTHORITY TO ACT AS
41 VACCINATORS SHALL BE FOR A LIMITED PERIOD AS SHALL BE

1 DETERMINED BY THE SECRETARY OF HEALTH; PROVIDED, FINALLY,
2 THAT THE AUTHORITY TO ACT AS A VACCINATOR UNDER THIS
3 PROVISION SHALL BE LIMITED TO EXCEPTIONAL CIRCUMSTANCES SUCH
4 AS AN EPIDEMIC, PANDEMIC, NATIONAL HEALTH EMERGENCIES OR
5 WHEN THE GOVERNMENT IS IN DANGER OF NOT MEETING ITS TARGET
6 IN ITS YEARLY IMMUNIZATION PROGRAM DUE TO ACUTE SHORTAGE OF
7 VACCINATORS.
8

9 **SEC. 5.** Appropriations. – Such appropriation necessary to train and accredit additional
10 vaccinators under this Act to address the COVID-19 pandemic shall be included in the
11 appropriations earmarked for the COVID-19 vaccination program.

12 Appropriations for training and accreditation of additional vaccinators for subsequent
13 programs of the Department of Health as declared by the Secretary of Health shall be
14 included in the appropriations of the Department of Health in the General
15 Appropriations Act.

16 **SEC. 6.** Separability Clause. – If any provision or part hereof is held invalid or
17 unconstitutional, the remainder of the law or the provision not otherwise affected shall
18 remain valid and subsisting.

19 **SEC. 7.** Repealing Clause. – All laws, presidential decrees or issuances, executive
20 orders, letters of instruction, administrative orders, rules and regulations contrary to
21 or inconsistent with the provisions of this Act are hereby repealed, modified or
22 amended accordingly.

23 **SEC. 8.** Effectivity. – This Act shall take effect fifteen (15) days after its complete
24 publication in at least two (2) newspapers of general circulation.

25 *Approved,*