


8 MAR 13 1987

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SENATE

S. B. No. 2126

**INTRODUCED BY SENATOR ALAN PETER "COMPAÑERO" S.
CAYETANO**

EXPLANATORY NOTE

The 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them. Pursuant to the constitutional mandate the government plans and implements health and medical programs. However, this effort is hampered by the high cost of medical care and the lack of information dissemination on health issues. Further, it cannot be denied that exorbitant fees are charged for laboratory tests needed to accurately diagnose the patient's illnesses. Thus, those who are financially incapable are discouraged to seek medical consultation in hospitals and clinic.

To resolve the aforementioned predicament, the government should address the rising costs of medical expenses by ensuring the availability of free diagnostic examinations, access to medical facilities and medicines. Only then can indigent patients be relieved of their health-related problems.

A closer look at medical practices in our country would reveal that patients do not record their medical history or that reliance is solely on the records of the clinic or hospital they go to. Access, therefore, to their medical records in cases of emergencies or travel is not readily available.

The patient's medical history is essential in providing healthcare information. It is the patient's record of all the check-ups he had in the past, the treatment availed of and the medications prescribed and taken. Before a doctor can give sound medical advice and prescribe proper medication to the patient, it helpful sometimes and necessary to know the medical history of the patient.

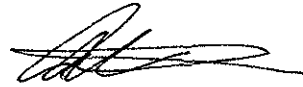
Also, medical data recorded in the health passport cautions the patient to be aware of his congenital or hereditary illness consistent with the saying that to be forewarned is to be forearmed. Hence, an individual can make the necessary preparations to prevent further complication of his illness. In addition, couples will know the medical history of his or her partner and give them the chance to take steps to ensure the health of their children.

The importance of diagnostic tests may be emphasized by the fact that many suffer from misdiagnosed illnesses due to the absence of proper information. Through these tests, illnesses, medication and other medical procedures are accurately determined. Recording of the results of these tests to one's health passport will guide physicians in making proper diagnosis, give other physicians a better perspective of the medical history of the patient, and prevent duplication of tests being done on the same patient.

To use the health passport, all the patient has to do, is to present it whenever he/she avails of the medical services of any public hospital, clinic or other medical institutions. This document also intends to assist the doctor examining the patient's medical condition, either in private or public hospitals/clinics, etc.

For these reasons, it is the intent of this bill that all individuals shall be issued a health passport that shall contain their medical history and other medical relevant data which will also serve as their own medical records which would be handy in emergency situations, as well as insure that all the benefits given under the "Health Passport Program" are provided. Further, provision on free diagnostic tests to all qualified Filipino citizens shall be afforded accordingly.

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



ALAN PETER "COMPAÑERO" S. CAYETANO
Senator

8 MAR 13 2016

FOURTEENTH CONGRESS OF THE REPUBLIC }
OF THE PHILIPPINES }
First Regular Session }

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SENATE

S. B. No. 2126

**INTRODUCED BY SENATOR ALAN PETER "COMPAÑERO" S.
CAYETANO**

AN ACT

**ESTABLISHING THE NATIONAL HEALTH PASSPORT SYSTEM AND
PROVIDING FREE DIAGNOSTIC TESTS IN GOVERNMENT HOSPITALS
AND APPROPRIATING FUNDS THEREFORE**

SECTION 1. Short Title. - This Act shall be known as the "*Health Passport System Act*".

SECTION 2. Declaration of Policy – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Free medical care shall be provided to the underprivileged and that their needs shall be prioritized.

Also, the State recognizes the need to 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 costs.

SECTION 3. National Health Passport System – Consistent with the above policies, the Department of Health in coordination with the local government units, shall undertake the implementation of the National Health Passport System and providing thereby free medical and dental diagnostic tests.

SECTION 4. Definition and Purpose – The Health Passport shall be the mobile record booklet of the patient containing, among others, the following;

- a. patient’s medical and dental history as recorded by the physician, dentist or authorized health professionals;
- b. medical and dental test results;
- c. diagnosis;
- d. medicines and medical treatment availed of;

- e. basic medical data,
- f. information on all medical and health related benefits provided by laws; and
- g. information regarding the patient's medical rights and privileges under passport system.

The Health Passport shall serve as the patient's official recognition that he could avail of the free medical and dental diagnostic tests in government hospitals subject to the requirements to be set by the Department of Health and the local government units where passport holder resides.

SECTION 5. *Authority to Access Passport* – Access by proper medical authorities to the data recorded therein shall be made upon the passport holder's prior consent. In the absence of the relatives, the physician in charge of the patient shall be authorized to review the patient's passport.

SECTION 6. *Scope of the Health Passport Program* – All Filipino citizens shall be entitled to a health passport, which shall be used whenever a patient avails of medical and dental check-ups or treatment provided in government or private medical institutions.

The parents or guardians of children born after the effectivity of this Act shall be required to enroll their children in the health passport program. The health passport shall be employed to record the child's initial medical check-up including the necessary immunization. Failure provide the child with medical check ups and immunization shall constitute an evidence of violation of the provisions of Article VI, Section 10 of Republic Act No. 7610, otherwise known as the Anti-Child Abuse Act.

The Department of Health is hereby mandated to issue the guidelines for the medical and dental check-ups and the immunization of children.

SECTION 7. *Qualification for Free Diagnostic Tests* – Filipino citizens, whose family income is below the poverty threshold of the region where the applicant resides as set by the National Statistics Office, are qualified to avail of the free medical and dental diagnostic tests.

The Department of Health and local government units may, however, set additional qualifications or lower the minimum requirements as to who among the holders could avail of the free medical and dental diagnostic tests. If a holder is qualified to avail of the privilege, the same shall be indicated in their respective health passports.

The free medical and dental diagnostic tests shall be available in any government hospital nationwide, without prejudice to future programs to include private medical institutions.

SECTION 8. *Medical Services Included in the Program* – In addition to free medical and dental consultations available in government medical and dental institutions, health passport holders qualified to avail of the free medical and

dental diagnostic tests may also avail of free medicine in the medical institution concerned, subject to availability.

Medicine to be availed of shall be limited to those prescribed by the physicians as a result of the patient's diagnostic tests performed in the same medical institution.

SECTION 9. *Procedure* – The City, Municipality and/or Barangay together with the DSWD shall be responsible for the evaluation of the applicants for the free medical and dental diagnostic tests. Those qualified shall then be recommended to the primary medical institution of the local government unit concerned (e.g. district hospital, provincial hospital or regional hospital) for the issuance of the health passports.

Those who want to obtain the health passport without availing the privilege of free medical and dental diagnostic tests may directly secure the same from the aforementioned medical institutions or the Local government Units implementing the program.

SECTION 10. *Senior Citizens Privileges* – All privileges granted to senior citizens under the Senior Citizen's Act and other laws shall also apply to senior citizens with health passports. Medical institutions shall give priority to senior citizens on their needs for medicines.

SECTION 11. *Implementing Agency* – The Department of Health shall promulgate the implementing rules and regulations necessary to carry out the provisions of this Act, and administer this program in coordination with the local government units concerned and other agencies whose functions are bound to affect the implementation of this system.

In this connection, the Department of Health is hereby mandated to conduct further study on this system. The Department shall also assess the capabilities of the health institutions in the local government units as well as the availability of laboratory apparatuses to put into service the provisions of this Act.

SECTION 12. *Separability Clause* – If any provision or part of this Act shall be held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

SECTION 13. *Repealing Clause* – Any law, decree, presidential decree, executive or administrative order, rule or regulation inconsistent with this Act is hereby repealed, amended, or modified accordingly.

SECTION 14. *Effectivity* – This Act shall take effect after fifteen (15) days following the completion of its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,