

OFFICE OF THE SECRETARY

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

MAY 13 19 11

SENATE  
S. No. 2275

RECEIVED BY: *AD*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Drug overdose (or simply overdose or OD) is the ingestion or application of a drug or other substance in quantities greater than are recommended or generally practiced.\* Overdoses of drugs or chemicals can be either accidental or intentional. Drug overdoses occur when a person takes more than the medically recommended dose. However, some people may be more sensitive to certain medications so that the high end of the therapeutic range of a drug may be toxic for them. One the other hand, illicit drugs, used to get high, may be taken in overdose amounts when a person's metabolism cannot detoxify the drug fast enough to avoid unintended side effects.†

Thus, whether intentional or accidental, one thing is clear with regard to overdoses: they are preventable. Hence, this bill seeks to prevent deaths caused by drug overdose by requiring the Secretary of Health to study and submit a report to Congress on the incidence of drug overdose and what strategies could be undertaken to prevent such overdose from happening to other people. Because of the necessity of such information regarding drug overdose, this bill likewise seeks to penalize certain persons who unlawfully withhold or fail to disclose information regarding drug overdose deaths.

*ac*  
*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

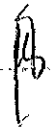
\* [http://en.wikipedia.org/wiki/Drug\\_overdose](http://en.wikipedia.org/wiki/Drug_overdose)  
† [http://www.emedicinehealth.com/drug\\_overdose/article\\_em.htm](http://www.emedicinehealth.com/drug_overdose/article_em.htm)

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1 AN ACT  
2 TO PREVENT DEATHS CAUSED BY DRUG OVERDOSE

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

5 SECTION 1. *Short Title.* – This Act shall be known as “Drug Overdose Prevention Act of  
6 2008.”

7 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote the general  
8 welfare of the people. Pursuant to this policy, this Act seeks to prevent deaths caused by drug  
9 overdose by requiring the Secretary of Health to submit a report to Congress relating to the  
10 prevalence of drug overdose incidents, trends in drug overdose incidents and strategies for  
11 addressing such drug overdose incidents.

12 SECTION 3. *Definition of Terms.* – For the purposes of this Act, the term:

13 (A) “Department” means the Department of Health; and

14 (B) “Overdose” means the ingestion or application, whether intentional or accidental, of a  
15 drug or other substance in quantities greater than are recommended or generally practiced.

16 (C) “Secretary” means the Secretary of Health.

17 SECTION 4. *Reporting Requirements.* – (A) The Secretary shall publish, based on  
18 information collected pursuant to the Act, findings on nationwide drug overdose trends that  
19 reviews overdose death rates and other information to ascertain changes in the cause and rates of  
20 fatal drug overdoses for an appropriate period of time. The report shall also provide  
21 information on interventions that would be effective in reducing the rate of drug overdose.

22 (B) The report shall include, at a minimum the following information:

- 1 (1) Trends in drug overdose deaths;
- 2 (2) Trends in emergency room utilization for the treatment of drug overdose;
- 3 (3) Trends in utilization of pre-hospital and emergency services and the cost of
- 4 emergency services utilization for drug overdose;
- 5 (4) Suggested improvements in data collection; and
- 6 (5) A description of education efforts and other interventions that would be
- 7 effective in reducing the rate of drug overdose.

8 SECTION 5. *Advice Regarding Drug Overdose.* – The Secretary shall, as needed,  
9 provide advice to appropriate municipal, city or provincial officials with regard to drug overdose,  
10 including:

- 11 (A) The prevalence of drug overdose incidents;
- 12 (B) Trends in drug overdose incidents; and
- 13 (C) Strategies for addressing drug overdose in their jurisdiction.

14 SECTION 6. *Mandatory Disclosure of Death by Drug Overdose.* – Where a death is  
15 caused by a drug overdose, such information shall be indicated by the parent, spouse, child,  
16 sibling or next of kin of the overdose victim, including any related or specific information  
17 concerning the drug or drugs responsible for the death, and any other information related to the  
18 overdose death as the Secretary shall require.

19 SECTION 7. *Unlawful Withholding or Failure to Disclose Drug Overdose Information;*  
20 *Violation; Penalties.* – (A) It shall be unlawful for such parent, spouse, child, sibling or next of  
21 kin to knowingly withhold, or fail to disclose, such information relating to the fact of the victim's  
22 drug overdose, information concerning the drug or drugs responsible for the death, and other  
23 information relating to the overdose death.

24 (B) It shall likewise be unlawful for the hospital, health care facility, attending physician,  
25 or medico-legal in possession of such information to withhold or fail to disclose such when filing  
26 a report of the overdose victim's death. Such report shall be mandatory and the Secretary shall

1 promulgate rules and regulations within ninety (90) days from the passage of this Act regarding  
2 the filing of such report.

3 (C) Any person convicted for unlawful withholding or failure to disclose information  
4 required in the preceding paragraph shall be penalized with a fine of One Hundred Thousand  
5 Pesos (P100,000.00) to not more that Five Hundred Thousand Pesos (P500,000.00).

6 SECTION 8. *Separability Clause.* – If any provision or part hereof, is held invalid or  
7 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
8 valid and subsisting.

9 SECTION 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
10 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent  
11 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

12 SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
13 publication in at least two (2) newspapers of general circulation.

14 Approved,

/rgs