

SENATE

S. NO. 377

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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**Explanatory Note**

In 2007, the Department of Health reported that 70 percent or 58 million Filipinos had already been exposed to the Hepatitis B virus.<sup>1</sup> Of the said number, 10 to 12 percent or 7 million are chronically infected, and 30 percent or 2.1 million will develop liver ailments when they hit the age of 30 to 50.<sup>2</sup>

It is further established that Hepatitis B virus can be transmitted not only through contaminated blood or blood products, but also from an infected pregnant mother to her newborn, the probability of the latter is as high as 20 to 30 percent (20%-30%). Most Hepatitis B carriers are ignorant of their condition because symptoms are not manifest. Accordingly, the early prevention of the disease is still the best protection that may be given a child. Studies have shown that a routine Hepatitis B vaccination of all newborn, immediately within twelve (12) hours from birth, is the best opportunity to prevent unrecognized perinatal transmission of the virus and has been recommended by the World Health Organization.

Thus, this bill advocates the mandatory immunization of infants to include BCG vaccination against tuberculosis; inoculation against diphtheria, tetanus and pertussis; oral poliomyelitis immunization; protection against measles; immunization against hepatitis-B; immunization against rubella; H. Influenza type B (HIB); and such other basic immunization services for infants as determined by the Secretary of Health. Vaccination, when administered early in life has a high percentage rate of success. As in any other disease, prevention and early detection are the keys to saving lives.

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

  
ANTONIO "SONNY" F. TRILLANES IV  
Senator

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<sup>1</sup> Perry Gil S. Mallari, "Beware of Hepa-B!"

<http://www.manilatimes.net/national/2007/feb/03/yehey/life/20070203lif1.html> (accessed 12 March 2009).

<sup>2</sup> *Ibid.*

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AN ACT

**PROVIDING FOR MANDATORY HEPATITIS-B VACCINATION OF ALL INFANTS WITHIN A REASONABLE PERIOD OF TIME AFTER BIRTH, AND OTHER VACCINE PREVENTABLE DISEASES**

*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 “*Mandatory Infant-Health*  
2    *Immunization Act of 2010*”.

3  
4           **SEC. 2. Declaration of Policy.** – In accordance with Section 15, Article II of the  
5    Constitution, it is hereby declared to be the policy of the State to take a proactive role in the  
6    preventive health care of infants. Towards this end, the State shall adopt a comprehensive,  
7    mandatory and sustainable immunization program for hepatitis-B and other vaccine-preventable  
8    diseases for all infants.

9  
10          **SEC. 3. Coverage.** – Hepatitis-B vaccine shall be administered by any duly licensed  
11    physician, nurse or midwife to all infants born in hospitals, health infirmaries, health centers or  
12    lying-in centers with obstetrical and pediatric services, whether public or private, within twenty-  
13    four (24) hours from complete delivery: *Provided, however,* That in cases of infants born in  
14    places other than the above where the services of a physician or nurse is not immediately  
15    available, any duly licensed physician, nurse or midwife who delivers, or assists in the delivery  
16    of, the newborn shall be responsible for administering the vaccine to the latter.

1           The mandatory immunization under this Act shall cover the following vaccine-  
2 preventable diseases:

3 (a) BCG vaccination against tuberculosis;

4 (b) Inoculation against diptheria, tetanus and pertussis;

5 (c) Oral poliomyelitis immunization;

6 (d) Protection against measles;

7 (e) Immunization against hepatitis-B;

8 (f) Immunization against rubella;

9 (g) H. Influenza type B (HIB); and

10 (h) Such other basic immunization services for infants as determined by the Secretary of Health  
11 in a department circular: *Provided*, That children who were not vaccinated of any or all of the  
12 above vaccine-preventable diseases have five (5) years from the effectivity of this Act to get free  
13 vaccination from any government hospital or health center: *Provided, further*, That, at the time  
14 of vaccination, the child is below eight (8) years old.

15

16           **SEC. 4. *Follow-up Vaccination for Hepatitis-B.*** – The infant shall be given a second  
17 shot of the hepatitis-B vaccine six (6) weeks after the first dose. Subsequently, a third dose shall  
18 be administered to the infant fourteen (14) weeks after the first shot.

19           The second and third shots shall be given at the local health center or at any government  
20 hospital in the barangay, municipality or city where the infant resides: *Provided*, That the parents  
21 or legal guardian of the infant shall have the option to take the child, at their own expense, to a  
22 private hospital or medical clinic for purposes of follow-up vaccination.

23

24           **SEC. 5. *Vaccination Fees.*** – All expenses for newborn hepatitis-B immunization  
25 administered in public health facilities shall be fully subsidized by the government. Those  
26 administered in private health facilities shall be shouldered by the parents or legal guardian of

1 the newborn: *Provided*, That private facilities shall be encouraged to develop a scheme for  
2 providing partial subsidy, depending on the financial status of the parents or legal guardian.

3  
4 **SEC. 6. *Obligation to Inform.*** – Any physician, nurse, midwife, nursing aide or  
5 traditional birth attendant who delivers or assists in the delivery of a newborn shall, prior to  
6 delivery, inform the parents or legal guardian of the newborn of the availability, nature and  
7 benefits of hepatitis-B immunization at birth. For purposes of this section, the nongovernment  
8 organizations shall formulate and prescribe guidelines on the notification and education relative  
9 to the obligation to inform. The Department of Health (DOH), other government agencies,  
10 nongovernment organizations, professional and academic societies and local government units  
11 shall make available appropriate information materials and shall have a system of distribution to  
12 the public.

13  
14 **SEC. 7. *Continuing Education and Training of Health Personnel.*** – The DOH, with the  
15 assistance of local government units, the academe, professional societies and nongovernment  
16 organizations shall undertake a continuing information, education and training program for all  
17 health personnel on the rationale, benefits and modern procedures for newborn hepatitis-B  
18 immunization and other vaccine-preventable diseases.

19  
20 **SEC. 8. *Implementing Rules and Regulations.*** – The DOH, in consultation with the  
21 National Immunization Committee, shall issue the implementing rules and regulations within  
22 ninety (90) days after the approval of this Act.

23  
24 **SEC. 9. *Appropriations.*** – The amount necessary to carry out the provisions of this Act  
25 shall be taken from the budget of the DOH and shall be immediately included in the following  
26 year's annual General Appropriations Act, and thereafter.

1           **SEC. 10. *Separability Clause.*** – If, for any reason, any part or provision of this Act shall  
2 be declared unconstitutional or invalid, the remaining provisions hereof which are not affected  
3 thereby shall continue to be in full force and effect.

4

5           **SEC. 11. *Repealing Clause.*** – Republic Act No. 7846, entitled “An Act Requiring  
6 Compulsory Immunization Against Hepatitis-B for Infants and Children Below Eight (8) Years  
7 Old, Amending for the Purpose Presidential Decree No. 996, and Appropriating Funds  
8 Therefor”, and Republic Act No. 7392, entitled “An Act Revising Republic Act No. 2644, As  
9 Amended, Otherwise Known as the Philippine Midwifery Act”, are hereby amended  
10 accordingly. All laws, decrees, executive orders, rules and regulations or any part thereof  
11 inconsistent with this Act are hereby repealed, amended or modified accordingly.

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13           **SEC. 12. *Effectivity.*** – This Act shall take effect fifteen (15) days after the date of its  
14 publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,