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10 JUL -8 PT 39

SENATE

S. No. 999

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Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Article 13, Section 12 of the 1987 Constitution provides that the State shall establish undertake appropriate health manpower development and research, responsive to the country's health needs and problems.

One of the areas which needs a comprehensive research is the disease on diphtheria. Diphtheria is a contagious, airborne, toxin-producing infection caused by C-diphtheriae. It is characterized by the formation of a gray resistant pseudo-membrane in the lining of the mucous membrane of the upper respiratory tract as well as in the tonsils. Certain forms of the disease may be fatal. The global mortality rate for diphtheria is 5 to 10% and may reach 20% among children under age five and adults over 40.

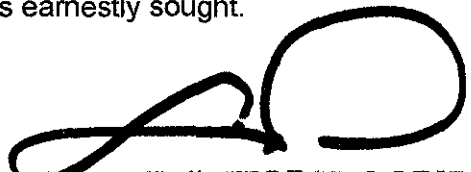
The organism is transmitted from person to person through exposure to respiratory secretions or fluid from infected skin. The incubation period ranges from one to six days. In respiratory tract infections, the main symptoms are sore throat and fever, sometimes accompanied by nausea, vomiting, headache, and swelling of the neck. A distinctive grayish membrane, which is particularly characteristic of diphtheria, may develop in the throat or other areas of the oral cavity and may obstruct breathing. Other complications may include nerve weakness (neuropathy), inflammation of the heart (myocarditis), or pneumonia.

Diphtheria is an infectious disease spreading from person to person by respiratory droplets from the throat through coughing and sneezing. The disease normally breaks out 2 to 5 days after infection. Diphtheria usually affects the tonsils, pharynx, larynx and occasionally the skin. The disease can be fatal - between 5% and 10% of diphtheria patients die, even if properly treated. Untreated, the disease claims even more lives.

High-risk countries for diphtheria include Algeria, Egypt, most countries in sub-Saharan Africa, Brazil, Dominican Republic, Ecuador, Haiti, Afghanistan, Bangladesh, Myanmar, Cambodia, China, India, Indonesia, Iran, Iraq, Laos, Mongolia, Nepal, Pakistan, Philippines, Syria, Thailand, Turkey, Vietnam, Yemen, Albania, and all countries of the former Soviet Union.

This proposed measure seeks to provide and comprehensive program for health research on diphtheria disease in the country and provide and national comprehensive information and education drive to inform the general public of the nature and mode of infection of the disease.

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



MANUEL "LITO" M. LAPID
Senator

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SENATE

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Introduced by Senator Manuel "Lito" M. Lapid

**AN ACT
ESTABLISHING A HOLISTIC RESEARCH AND DEVELOPMENT
PROGRAM ON DIPHTHERIA DISEASE, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSE**

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

SECTION 1. Short Title. - This Act shall be known as the "***Diphtheria
Research and Development Act of 2010.***"

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to protect and promote the right to health of the people to full, healthy and holistic development and the right to self-determination. As such, the State shall promote an environment conducive to the development of all its citizens to become, to the best of their potentials, independent, self-reliant and productive members of society.

Towards this end, the State commits itself to the establishment of institutional mechanisms to provide quantitative and qualitative research on diphtheria that is responsive to the country's health needs.

SEC. 3. Definition of Terms. - For purposes of this Act, the following terms shall be defined as follows:

(a) "***Committee***" refers to the Committee on Diphtheria Research.

(b) "***Diphtheria***" is a contagious, airborne, toxin-producing infection caused by C-diphtheriae. It is characterized by the formation of a gray resistant pseudo-membrane in the lining of the mucous membrane of the upper respiratory tract as well as in the tonsils. Diphtheria is an infection of the respiratory tract or skin caused by a bacterium known as *Corynebacterium Diphtheriae*. The organism is transmitted from person to person through exposure to respiratory secretions or fluid from infected skin. The incubation period ranges from one to six days. In respiratory tract infections, the main symptoms are sore throat and fever, sometimes accompanied by nausea, vomiting,

headache, and swelling of the neck. A distinctive grayish membrane, which is particularly characteristic of diphtheria, may develop in the throat or other areas of the oral cavity and may obstruct breathing.

(c) "Secretary" shall refer to the Secretary of the Department of Health;

SEC. 4. Comprehensive Research on Diphtheria Disease. - The Secretary of the Department of Health (DOH) is hereby mandated to conduct a comprehensive research and information drive on incidence and prevalence of diphtheria disease in the country. The Department is also mandated to support medical and epidemiological research activities to expand the knowledge and understanding of diphtheria disease in the country.

The DOH is mandated to strengthen its research focus concerning diphtheria, including a renewed investment into basic and clinical research, expanded research into the link between environmental factors and the disease, and continued investigations into causation, diagnosis, early detection and treatment for diphtheria disease. Such factors that will be studied shall also include, among others, infection and immune function, hormones and reproductive factors, genetic factors, gastro-intestinal factors, socio-demographic factors, and others.

SEC. 5. Committee on Diphtheria Research. - To assist the Secretary in receiving accurate and complete information about diphtheria, its symptoms, origin, classification, prevention and treatment, there is hereby established a Committee, to be known as the Committee on Diphtheria Disease, to ensure the strategic management, communication, and oversight of the policy formation, research, and activities of the government regarding the disease.

The objectives of the Committee on Diphtheria Research shall endeavor to:

- a) to promote public awareness, education and information on issues concerning diphtheria;
- b) to establish sustainable networks of support group for families of afflicted persons;
- c) to provide referral services to patients with diphtheria and identify the appropriate educational and medical expertise and facilities suited to the needs of the patient;
- d) to combat the spectrum of medical problems related to diphtheria through screening, education, early intervention, prompt referrals for treatment and services;
- e) to undertake research and/or collaborate with other entities on research activities regarding the prevalence of the disease in the Philippines;

f) to receive donations and grants from international donor institutions, foundations, and multilateral and bilateral foreign donor agencies involved in research, prevention, cure and rehabilitation of persons with diphtheria;

g) to provide the avenue for exchange of information, exchange programs and sharing of best practices on issues relating to the early detection, prevention, cure, treatment and rehabilitation of afflicted patients; and

h) to ensure that materials concerning the disease are available, up to date, and responsive to reports of problems with diphtheria, and that timely aggregate data concerning such reports shall be made available to the public upon request and consistent with existing confidentiality standards.

SEC. 6. Composition. - The Committee on Diphtheria Research shall be composed of the following members:

- (a) One (1) representative from the Department of Health (DOH);
- (b) One (1) representative from the National Institute of Health (NIH);
- (c) One (1) representative from the duly accredited drug and vaccine manufacturers and distributors;
- (d) One (1) representative from the duly accredited association of hospitals in the Philippines;
- (e) One (1) representative from the duly accredited association of medical doctors in the Philippines; and
- (f) One (1) representative from the non-governmental organizations (NGOs) involved in the advocacy for the prevention, cure and rehabilitation of persons with autism.

The Secretary of the Department of Health shall seat as the Chairperson for the Committee on Diphtheria Research.

SEC. 7. Meetings. – The Committee on Diphtheria Research shall meet at least once a month upon a three-day notice signed by the two (2) Chairpersons or as often as necessary upon the written request signed by two-thirds (2/3) of its members.

The presence of a majority of the members of the Committee shall constitute a quorum in order for it to conduct its business.

The meetings of the Committee shall be open to the public and public witnesses shall be given the opportunity to speak and make presentations at such meetings.

Each member shall make a presentation to the full Committee at each meeting concerning the activities conducted by such member.

SEC. 8. *Early Identification and Intervention for Persons with Diphtheria Disease.* – The DOH is hereby mandated to establish a program for early identification, screening and detection of persons with diphtheria disease.

SEC. 9. *Prevention of Conflict of Interest in the Research Process.* - Within six (6) month from the date of effectivity of this Act, the DOH shall issue the necessary standards, guidelines and regulations in order to ensure that there is no conflict of interest between the research agenda of the researchers and the drug manufacturers or government agencies promoting the widespread usage of a particular vaccine or medicine for the treatment and rehabilitation of persons with diphtheria disease.

The DOH shall ensure the timely publication and dissemination of information of these guidelines and regulations in order to ensure that the various health providers and stakeholders all over the country are adequately informed.

SEC. 10. *Appropriations.* - To carry out the provisions of this Act, the funds necessary to implement the provisions of this Act shall be incorporated in the annual general appropriations of the Department of Health (DOH).

SEC. 11. *Separability Clause* - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 12 *Repealing Clause* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this act is hereby repealed, modified or amended accordingly.

SEC. 13. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from the date of its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,