

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

OFFICE OF THE SECRETARY

10 JUL 21 11:19

SENATE  
S. No. 1744

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Introduced by Senator Miriam Defensor Santiago

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### EXPLANATORY NOTE

The Constitution in Article 2, Section 13 provides that:

Section 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

The importance of medical and dental records cannot be overemphasized. These records serve as the basis for treatment and diagnosis of patients. In extreme cases, these records can be used to identify persons who are burned beyond recognition. Even our Labor Code in its Implementing Rules, Section 10 (b) provides that the employer shall maintain a record of all medical examinations, treatments and medical activities given to its employees.

In the Philippines, we do not have a system of keeping track of our people's medical and dental records. Since majority of our people go to elementary and secondary schools, whether private or public, our schools can serve as the database collection center for medical and dental records. This bill aims to address the problem of the absence of sources of medical and dental records of our people.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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<sup>1</sup> This bill was originally filed during the 14<sup>th</sup> Congress 1<sup>st</sup> Regular Session

10 JUL 21 P1:19

SENATE  
S. No. 1744

Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 TO REQUIRE ELEMENTARY AND SECONDARY SCHOOLS  
3 TO HAVE MEDICAL AND DENTAL RECORDS OF THEIR STUDENTS

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

4 Section 1. *Medical and Dental Records Requirement.* - All elementary and secondary  
5 schools, public or private, shall be required to have a database of their students medical and  
6 dental records upon the student's entrance in such schools and upon his or her entry into the  
7 grades prescribed by the Secretary of Health in regulations, provided that such regulations shall  
8 require that the records be updated at least twice during the elementary grades and twice in the  
9 secondary grades. An examination and health history of any child may be required by the local  
10 school authorities at any time in their discretion to promote the educational interests of such  
11 child. The medical and dental records shall be attached in a file that contains the student's  
12 academic records.

13 SECTION 2. *Valid Issuers of Medical and Dental Certificates.* - Each certificate in the  
14 medical and dental records shall be signed by a duly licensed physician, physician assistant, or  
15 nurse practitioner, in case of the medical certificate and a dentist in case of the dental certificate,  
16 who is authorized to practice in the jurisdiction in which the examination was given, provided  
17 that the Secretary of Health has determined that such jurisdiction has standards of licensure and  
18 practice comparable to those of the Philippines.

19 SECTION 3. *When Examination Should be Made.* - Each such certificate shall describe  
20 the condition of the student when the examination was made, which shall not be more than  
21 twelve (12) months prior to the commencement of the school year in which the examination is

1 required, and shall state whether such student is in a fit condition of health to permit his or her  
2 attendance at the public or private schools.

3 SECTION 4. *Source of the Medical and Dental Records.* - The student has the choice of  
4 submitting to the school his medical and dental certificate which came from a legitimate source  
5 as prescribed in the preceding sections or be examined by the medical practitioner assigned in  
6 the school where he is to be enrolled. If such student does not present a health certificate as  
7 required in this section, unless he or she has been accommodated on religious grounds, the  
8 principal or the principal's designee shall cause a notice to be sent to the parents or person in  
9 parental relationship to such student that an examination will be made of such student, as  
10 provided in this Act.

11 SECTION 5. *Respect for Religious Beliefs.* - Notwithstanding the provisions of this Act,  
12 no examinations for a medical or dental certificate or medical or dental history shall be required  
13 where a student or the parent or person in parental relation to such student objects thereto on the  
14 grounds that such examinations or health history conflict with their genuine and sincere religious  
15 beliefs.

16 SECTION 6. *Separability Clause.* - If any provision or part of this Act is held invalid, the  
17 remainder of this Act shall not be affected thereby.

18 SECTION 7. *Repealing Clause.* - All laws, decrees, executive order or rules and  
19 regulations inconsistent with this Act are hereby repealed or modified accordingly.

20 SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
21 publication in the Official Gazette or two (2) newspapers of general circulation.

22 Approved.