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SENATE

S. NO. 3071

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

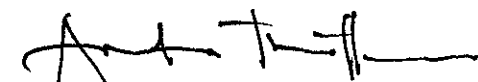
Article II, Section 15 of the Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them. In pursuit of this policy, it is the objective of the Philippine Health Insurance Corporation (PhilHealth) to continuously endeavor to improve its benefit package to meet the needs of its members. It is in this light that this bill seeks to provide coverage for the diagnostic services for breast and cervical cancer.

Breast cancer and cervical cancer are the leading causes of cancer and cancer deaths in Filipino women. The Philippines is ranked first in breast cancer incidence in Asia and has a higher prevalence rate than those in several Western countries, including Spain, Italy, and most Eastern European countries. Based on the most recent data, relative survival rates for women diagnosed with breast cancer are: 88 percent at 5 years after diagnosis, 80 percent after 10 years, 71 percent after 15 years and 63 percent after 20 years. From 1990 to 2002, death rates have decreased. The decline has been attributed to both improvements in breast cancer treatment and early detection.¹

Cervical cancer, also known as cancer of the cervix, is the second leading cause of death among Filipino women. According to the 2005 Philippine Cancer Facts and Estimates, 7,277 new cases and 3,807 deaths due to cervical cancer were estimated to have occurred. This meant that there were approximately 10 Filipino women dying each day due to cervical cancer. This is mainly due to late detection and lack of awareness of the disease among Filipino women.²

Based on the above data, it is safe to deduce that there is a direct correlation between the time of detection and the odds for survival of women afflicted with these killer diseases. Thus, it is but urgent to include the periodic diagnostic services for breast cancer and cervical cancer in the benefit package under the PhilHealth. The intent of this measure rests on the premise that preventive and promotive health services are essential for reducing the need and spending for personal health services.

In view of the foregoing, immediate approval of this measure is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ *Breast Cancer Fact Sheet*. Information Retrieved from: <http://www.gsk.com.ph/breastcancer.html>. Retrieved on 9 February 2009.

² Information retrieved from: <http://www.doh.gov.ph/node/1972>. Retrieved on 9 February 2009.

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AN ACT
TO REQUIRE THAT THE PHILIPPINE HEALTH INSURANCE CORPORATION
PROVIDE COVERAGE FOR THE DIAGNOSTIC SERVICES FOR BREAST AND
CERVICAL CANCER, PROVIDING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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 “*Breast and Cervical Cancer*
2 *Protection Act.*”

3
4 **SEC. 2. *Declaration of State Policy.*** – It is hereby declared the policy of the State to
5 adopt an integrated and comprehensive approach to health development which shall endeavor to
6 make essential goods, health and other social services available to all the people at affordable
7 cost. Priority for the needs of the underprivileged, sick, elderly, disabled, women and children
8 shall be recognized.

9
10 **SEC. 3. *Breast and Cervical Cancer Diagnostic Coverage.*** – The National Health
11 Insurance Corporation (hereinafter referred to as Philhealth) is hereby directed to include
12 mandatory periodic diagnostic services for breast cancer and cervical cancer in its benefit
13 package. The expenses for the mandatory diagnostic services shall be covered by Philhealth.

14 The diagnostic services shall include but not be limited to Clinical Breast Cancer (CBE)
15 and Mammogram Examination for breast cancer; and Pap Smear Testing for cervical cancer,
16 whichever is applicable as determined by the physician.

1 **SEC. 4. *Periodic Exam.*** – The mandatory diagnostic examination shall be done once a
2 year, or as often as may be necessary as determined by the Department of health (DOH).

3
4 **SEC. 5. *Funding.*** – The amount necessary for the effective implementation of this Act
5 shall be based on the evaluated and adjusted cost-sharing schedule and cost containment feature
6 of the PhilHealth, as determined by the same on the basis of applicable actuarial studies.

7
8 **SEC. 6. *Implementing Rules.*** – The Department of Health (DOH) and PhilHealth shall
9 promulgate the rules and regulations necessary for the effective enforcement of the provisions of
10 this Act.

11
12 **SEC. 7. *Separability Clause.*** If any provision or part hereof is held invalid or
13 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
14 *valid and subsisting.*

15
16 **SEC. 8. *Repealing Clause.*** Any law, presidential decree or issuance, executive order,
17 letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the
18 provisions of this Act, is hereby repealed, modified, or amended accordingly.

19
20 **SEC. 9. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its complete
21 publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,