

9 MAY 13 12:51

SENATE

S. No. **3236**

RECEIVED BY

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Section 15 of Article II of the 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill the health consciousness among them.

Data from the World Health Organization (WHO) show that prostate cancer is the sixth most common form of malign tumors among men, killing one almost every 19 minutes. It is one of the top five cancers among men in the Philippines.

Prostate cancer is the most common form of disease in men – after lung cancer. In the Philippines, some 2,026 are reported to have the disease in 1998. Of this total, more than 25% (588) died. According to the Philippine Cancer Control Program of the Department of Health (DOH), four cases are detected each day.

Not too many Filipinos know they are suffering from the disease – until it is too late. Medical studies have shown that only one in 10 men with prostate symptoms will have cancer, and the rest, the cause of symptoms is usually a non-cancerous enlargement know as benign prostatic hypertrophy (BHP). Benign enlargement of the prostate gland tends to occur at the same age as prostate cancer, but there is no evidence that one leads to another. The risk of prostate cancer increases with age. Most – more than 80 percent – of the men diagnosed with prostate cancer are older. Historically, most men found out that had prostate cancer when it was advanced, and they died a few years later. This explains why the average age of death from prostate cancer is so near the average age of diagnosis.

Like most cancers, prostate cancer can be cured if detected early. For this reason, doctors emphasize early screening. One screening method is the digital rectal examination (DRE). Most prostate cancer begin in the part of the prostate gland that can be reached by a rectal exam. This exam also helps to detect early rectal tumors.

Despite the availability of early detection screening methods in the Philippines, most Filipino males still don't undergo these screenings. As such, there is a need to provide information, education and communication (IEC) campaign to educate the general public on the benefits of availing these early detection screening procedures for prostate cancer.

By passing this landmark piece of legislation, our government recognizes the daily plight of our hundreds of families struggling every day with family members with prostate cancer, and once and for all acknowledge prostate cancer as a health issue in the country.

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




MANUEL "LITO" M. LAPID
Senator

9 MAY 13 P3:00

SENATE

S. No. 3236

RECEIVED BY: 

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT

INSTITUTING A COMPREHENSIVE NATIONAL SCREENING PROGRAM TO COMBAT PROSTATE CANCER, IMPLEMENTING A NATIONWIDE INFORMATION, EDUCATION, COMMUNICATION (IEC) CAMPAIGN, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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 "**Comprehensive Prostate Cancer Early Detection and Prevention Act**".

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, including the rights of persons with prostate cancer 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 persons with prostate cancer to become independent, self-reliant and productive members of society.

Towards this end, the State commits itself to the establishment of institutional and social mechanisms to support persons with prostate cancer. The State shall institutionalize a holistic program for persons with prostate cancer for purposes of empowering and providing them quality of life.

SEC. 3. Epidemiological Surveillance Programs. - The National Institute of Health (NIH) of the Department of Health (DOH) is hereby mandated to conduct an annual epidemiological survey program to determine the extent and total incidence and prevalence of persons with prostate cancer in the country in order for the government to provide the necessary health interventions to address the needs faced by persons with prostate cancer.

The NIH is mandated to coordinate with the Department of Health (DOH) in the conduct of epidemiological research on the issued concerning prostate cancer in the country. The NHI shall carry out a program to expand and intensify research to develop innovative advanced imaging technologies to prostate cancer detection, diagnosis, and treatment comparable to state-of-the-art mammography technologies.

The NIH is mandated to strengthen its research focus concerning prostate cancer, including a renewed investment into clinical research and expanded research into the link between environmental factors with prostate cancer, and continued investigations into causation, diagnosis, early detection and treatment for prostate cancer.

SEC. 4. National Program for Prostate Cancer Awareness, Education, Screening, Prevention and Rehabilitation. – The DOH is hereby mandated to implement a comprehensive and nationwide program on prostate cancer screening, prevention and rehabilitation.

Towards this end, the DOH is hereby mandated to implement the following objectives:

- a) to promote public awareness, education and information on issues concerning the disease;
- b) to establish sustainable networks of support group for families of persons with the disease;
- c) to provide referral services to patients and identify appropriate educational and medical expertise and facilities suited to the needs of the patients;
- d) to combat the spectrum of disorders related to the disease 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 prostate cancer;
- f) to receive donations and grants from local and international donor institutions, foundations, and multilateral and bilateral foreign donor agencies involved in the prevention, cure and rehabilitation of persons with prostate cancer;
- 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 persons with prostate cancer; and
- h) to network with other organizations, institutions and professionals working for the promotion of legislation and public programs for afflicted persons.

The DOH shall carry out a program on prostate cancer which shall educate and inform males who are forty (40) years of age or older on the need to periodically undergo physical examination for such cancer, including education on the frequency and type of such examinations that are that are appropriate for various age groups of

such men and to educate males on the availability and appropriateness of procedures for detecting the cancer in its early stages, including the procedure known as prostate ultrasound.

The national campaign shall include the development and distribution of written educational materials, and the development and placing of public service announcements that are intended to encourage men to seek prostate cancer screening and to create awareness on the need for improved imaging technologies for prostate cancer detection and minimally invasive treatment.

The DOH shall carry out research to develop an improved prostate cancer screening blood test using in-vitro detection.

In developing the national campaign under this Act, the DOH shall recognize and address racial, cultural and ethnic disparities in the incidences of prostate cancer and mortality rates with respect to such disease.

SEC. 5. *Programs and Services for Prostate Cancer Disease Prevention.* - The programs and services that will be provided by the Department of Health (DOH) shall include, among others, the following:

- a) Orientation and Counseling Services for families of newly diagnosed persons;
- b) Establishment of Family Support Networks and Sibling Program for families of afflicted persons to seek psycho-social support for the various problems faced by the patients;
- c) Establishment of National and Regional Referral Services where the DOH will update a list of health care institutions concerned with the care and rehabilitation of patients with prostate cancer;
- d) Publication of reading materials, manuals and easily readable instruction materials for the disease's early detection, prevention, rehabilitation and care;
- e) The conduct of continuing education, information and training programs and lectures on the proper handling of afflicted persons;
- f) The establishment of a databank and information and monitoring system (IMS) on the demographic, socio-economic and incidence and prevalence of afflicted persons in the country; and
- g) The conduct of continuing education/training of families, teachers, therapists and caregivers of persons with prostate cancer through seminars, conventions and other forms of tri-media educational tools.

SEC. 6. *Early Identification and Intervention for Persons with Prostate Cancer.* – The DOH is hereby mandated to establish a program for early identification, screening and detection of persons with prostate cancer.

SEC. 7. *Technical Assistance and Grants.* - The DOH shall establish a program to award grants to non-profit private entities and private health providers to enable such entities to test alternative outreach and education strategies to increase awareness and knowledge with respect to the need for prostate cancer screening and improved imaging technologies.

SEC. 8. *Prostate Cancer Early Detection and Screening Fees.* – The Philippine Health Insurance Corporation (PHIC) shall include the cost of early detection and screening programs for prostate cancer as one of the available benefits to its members.

The early detection and screening tests fee shall be applied to, among others, testing costs, education, follow-up and readable overhead expenses. These early detection and screening are designed to identify persons who should receive more intensive diagnosis or assessment in order to improve the health and well-being of the patient.

SEC. 9. *National Awareness Week for Prostate Cancer Prevention.* - In order to mainstream the issues and concerns of patients with prostate cancer, the first week of June of every year is hereby declared as the “***Prostate Cancer Awareness Week***”. This week shall be celebrated nationwide so that stakeholders all over the nation can celebrate and increase public awareness on the prevalence and incidence of prostate cancer in the country. The week-long activity will be spearheaded by the Department of Health (DOH).

SEC. 10. *Confidentiality of Medical Information for Persons with Prostate Cancer.* - To ensure that the early detection, screening tests, vaccination, medical treatment and rehabilitation of persons with prostate cancer is implemented subject to all other rights guaranteed by the Constitution, the Department of Health (DOH), in consultation with the Department of Justice (DOJ), shall formulate the pertinent implementing rules and regulations to ensure the confidentiality of the medical records in order to protect the unwarranted intrusion into the privacy of the patient.

SEC. 11. *Reporting Requirement.* – Within two (2) years from the date of effectivity of this Act, the DOH shall make a report to both Houses of Congress on the results of the studies conducted by the Department for policy implication, *in aid of*

legislation, in order to address the increasing incidence and prevalence of prostate cancer in the country.

SEC. 12. *Appropriation.* – The amount necessary to carry out the provisions of this Act shall be included and incorporated in the annual general appropriations of the Department of Health (DOH) and the National Institute of Health (NIH).

SEC. 13. *Implementing Rules and Regulations (IRR).* - Within six (6) months from the date of effectivity of this Act, the DOH, in consultation with the DWSD and DOJ shall promulgate necessary implementing rules and regulations to implement the provisions of this Act.

SEC. 14. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations or parts thereof not consistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 15. *Separability Clause.* - If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

SEC. 16. *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,