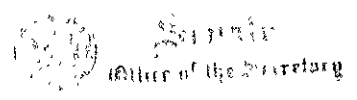


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )



15 JUL 15 P 2:44

SENATE  
S. No. 2854

RECEIVED BY: *J*

---

Introduced by Senator Miriam Defensor Santiago

---

AN ACT  
TO PREVENT DRUG OVERDOSE RELATED DEATHS

EXPLANATORY NOTE

Drug overdose is the ingestion or application of a drug or other similar substance in quantities greater than are recommended or generally practiced.<sup>1</sup> Overdose of drugs or chemicals can be either accidental or intentional. Drug overdoses occur when a person takes more than the medically recommended dose. However, some people may be more sensitive to certain medications so that the high end of the therapeutic range of a drug may be toxic for them. On the other hand, illicit drugs, used to get high, may be taken in overdose amounts when a person's metabolism cannot detoxify the drug fast enough to avoid unintended side effects.<sup>2</sup>

Thus, whether intentional or accidental, one thing is clear with regard to overdoses: they are preventable. Hence, this bill seeks to prevent deaths caused by drug overdose by requiring the Secretary of Health to study and submit a report to Congress on the incidence of drug overdose and what strategies could be undertaken to prevent such overdose from happening to other people. Because of the necessity of such information regarding drug overdose, this bill likewise seeks to penalize certain persons who unlawfully withhold or fail to disclose information regarding drug overdose deaths.<sup>3</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
ff

---

<sup>1</sup> URL <[http://en.wikipedia.org/wiki/Drug\\_overdose](http://en.wikipedia.org/wiki/Drug_overdose)>  
<sup>2</sup> URL <[http://www.emedicinehealth.com/dmg\\_overdose/article\\_em.htm](http://www.emedicinehealth.com/dmg_overdose/article_em.htm)>  
<sup>3</sup> This bill was originally filed in the Fourteenth Congress, First Regular Session.

SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )

Office of the Secretary

15 JUL 15 P2:44

SENATE  
S. No. **2854**

RECEIVED BY: 

---

Introduced by Senator Miriam Defensor Santiago

---

AN ACT  
TO PREVENT DRUG OVERDOSE RELATED DEATHS

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

1 SECTION 1. *Short Title.* – This Act shall be known as “Drug Overdose  
2 Prevention Act.”

3 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote the  
4 general welfare of the people. Pursuant to this policy, this Act seeks to prevent deaths  
5 caused by drug overdose by requiring the Secretary of Health to submit a report to  
6 Congress relating to the prevalence of drug overdose incidents, trends in drug overdose  
7 incidents and strategies for addressing such drug overdose incidents.

8 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

9 (A) “Department” means the Department of Health; and

10 (B) “Overdose” means the ingestion or application, whether intentional or  
11 accidental, of a drug or other substance in quantities greater than are recommended or  
12 generally practiced.

13 (C) “Secretary” means the Secretary of Health.

14 SECTION 4. *Reporting Requirements.* – (A) The Secretary shall publish bi-  
15 annually, findings on nationwide drug overdose trends that reviews overdose death rates  
16 and other information to ascertain changes in the cause and rates of fatal drug overdoses

1 for an appropriate period of time, based on information collected pursuant to the Act,  
2 The report shall also provide information on interventions that would be effective in  
3 reducing the rate of drug overdose.

4 (B) The report shall include, at a minimum the following information:

5 (1) Trends in drug overdose deaths;

6 (2) Trends in emergency room utilization for the treatment of drug  
7 overdose;

8 (3) Trends in utilization of pre-hospital and emergency services and the  
9 cost of emergency services utilization for drug overdose;

10 (4) Suggested improvements in data collection; and

11 (5) A description of education efforts and other interventions that would be  
12 effective in reducing the rate of drug overdose.

13 SECTION 5. *Advice Regarding Drug Overdose.* – The Secretary shall provide an  
14 annual advisory to municipal, city, and provincial official, which shall contain:

15 (A) The prevalence of drug overdose incidents;

16 (B) Trends in drug overdose incidents; and

17 (C) Best practices and strategies for addressing drug overdose in their jurisdiction.

18 SECTION 6. *Mandatory Disclosure of Death by Drug Overdose.* – Where a death  
19 is caused by a drug overdose, such information shall be reported by the examining  
20 physician or the person who supplies information for the death certificate, including any  
21 related or specific information concerning the drug or drugs responsible for the death, and  
22 any other information related to the overdose death as the Secretary shall require.

23 SECTION 7. *Unlawful Withholding or Failure to Disclose Drug Overdose*  
24 *Information; Violation; Penalties.* – (A) It shall be unlawful for a parent, spouse, child,  
25 sibling or next of kin to knowingly withhold, or fail to disclose, any information relating

1 to the incident of drug overdose, information concerning the drug or drugs responsible for  
2 the death, and other information relating to the death caused by drug overdose.

3 (B) It shall likewise be unlawful for the hospital, health care facility, attending  
4 physician, or medico-legal in possession of such information to withhold or fail to  
5 disclose such when filing a report of the overdose victim's death. Such report shall be  
6 mandatory and the Secretary shall promulgate rules and regulations within ninety (90)  
7 days from the passage of this Act regarding the filing of such report.

8 (C) Any person convicted for unlawful withholding or failure to disclose  
9 information required in the preceding paragraph shall be penalized with a fine of Fifty  
10 Thousand Pesos (₱50,000.00) to not more than Five Hundred Thousand Pesos  
11 (₱500,000.00).

12 SECTION 8. *Separability Clause.* – If any provision of this Act is held invalid or  
13 unconstitutional, the same shall not affect the validity and effectivity of the other  
14 provisions hereof.

15 SECTION 9. *Repealing Clause.* – All laws, decrees, orders, and issuances, or  
16 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
17 repealed, amended or modified accordingly.

18 SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days  
19 after its publication in the *Official Gazette* or in two (2) newspapers of general  
20 circulation.

Approved,

/apm10July2015