

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



Senate  
Office of the Secretary

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SENATE  
S. B. No. 3005

RECEIVED BY: *J.*

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
TO PROVIDE SURVEILLANCE RESEARCH AND SERVICES AIMED AT  
THE PREVENTION OF BIRTH DEFECTS

EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides: "The State shall protect and promote the right to health of the people and instill health consciousness among them."

Article 13, Section 11 also provides: "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers."

Around the world, birth defects are the leading cause of death among infants. Prevention efforts are slowed by lack of information about the number or causes of birth defects. Outbreaks of birth defects may go undetected because surveillance and research efforts, if any, are underdeveloped and poorly coordinated. Moreover, our people have the wrong attitude when we speak of birth defects.

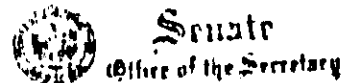
In complying with the mandate of the Constitution to protect and promote the health of the people, this bill is brought forth to reduce if not stop the occurrence of birth defects.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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<sup>1</sup> This bill was first filed in the Thirteenth Congress, First Regular Session.

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*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 “Birth Defects  
2 Prevention Act.”

3 SECTION 2. *Declaration of Policy.* — It is the policy of the State, consistent with  
4 the Constitution, to protect and promote the right to health of the people and instill  
5 health consciousness among them. Towards this end, the State shall establish regional  
6 centers that will monitor the incidents of birth defects and their prevention.

7 SECTION 3. *Definition of Terms.* — For purposes of this Act, the terms:

8 (1) “Birth defect” shall also mean congenital defect or congenital  
9 malformation, which mean a defect or disorder occurring before or at the time of birth.

10 (2) “Committee” shall mean the Advisory Committee to be established by the  
11 Secretary of Health.

12 (3) “Regional Surveillance and Prevention Centers” shall refer to a local  
13 health center designated by the Secretary of Health to monitor and prevent birth defects.  
14 Only one local health center in a region shall be designated as a Regional Surveillance and  
15 Prevention Center.

16 (4) “Secretary” shall mean the Secretary of the Department of Health.

1           SECTION 4. *Establishment of Regional Surveillance and Prevention Center.* –

2   The Secretary of the Department of Health shall designate a health center in each region  
3   which shall –

4           (1)   Monitor birth defects within their region;

5           (2)   Conduct research and studies regarding the prevention of birth defects;

6           (3)   Collect and analyze data and information on the number, incidence,  
7   correlates, and causes of birth defects and including information regarding the gender of  
8   the person afflicted with the defect;

9           (4)   Report and record birth defects statistics from birth certificates, infant  
10   death certificates, hospital records or other sources; and

11          (5)   Such other duties and functions as the Secretary may see fit for the  
12   surveillance and prevention of birth defects.

13           SECTION 5. *National Birth Defects Surveillance and Prevention Program.* – In

14   order to consolidate the effort against birth defects, the Regional Surveillance and  
15   Prevention Centers shall submit a report to the Secretary once a year containing the  
16   statistics on birth defects and the prevention program undertaken for the period.

17          Based on the report of the Regional centers and the recommendation of the  
18   Advisory Committee, the Department of Health shall make a National Birth Defects  
19   Surveillance and Prevention Program that will cover the next year or until another  
20   program is made and implemented.

21           SECTION 6. *Advisory Committee.* – The Secretary shall establish an Advisory  
22   Committee for Birth Defects Prevention.

23           SECTION 7. *Composition.* – The Committee shall be composed of nine (9)  
24   members appointed by the Secretary including:

25          (1)   Two (2) health professionals who are not employees of the Philippine

1 Government who have expertise in issues related to prevention of or care for children  
2 with birth defects;

3 (2) Two (2) representatives from the Philippine Medical Association;

4 (3) Two (2) representatives of the local health centers of the Department of  
5 Health; and

6 (4) Three (3) members of the general public of whom at least two (2) shall be  
7 parents of children with birth defects or person having birth defects.

8 SECTION 8. *Functions of the Advisory Committee.* – With respect to the birth  
9 defect prevention, the Committee shall-

10 (1) make recommendations regarding the prevention, research, and intervention  
11 priorities;

12 (2) study and recommend ways to prevent birth defects with emphasis on  
13 emerging technologies;

14 (3) identify annually the important areas of government and non-government  
15 cooperation needed to implement prevention strategies and review and recommend  
16 policies and guidance related to birth defects research and prevention.

17 SECTION 9. *Term of Office.* – Members of the Committee shall be appointed for a  
18 term of office of three (3) years, except that of the members first appointed, three (3)  
19 shall be appointed for a term of one (1) year, three (3) shall be appointed for a term of  
20 two (2) years and three (3) shall be appointed for a term of three (3) years, as determined  
21 by the Secretary.

22 SECTION 10. *Meetings.* – The Committee shall meet not less than four (4) times a  
23 year or at the call of the chairperson appointed by the Secretary from the members of the  
24 Committee.

1           SECTION 11. *Compensation.* – Members of the Committee shall be compensated  
2 at a rate equivalent to an employee of the National Government occupying a Salary  
3 Grade 25 position.

4           SECTION 12. *Prevention Strategies.* – After due consultation with the  
5 Committee, the chairman shall develop, evaluate and implement prevention strategies  
6 designed to reduce the occurrence of birth defects.

7           SECTION 13. *Public Information and Public Education Programs.* – The  
8 Secretary through the local health centers shall inform and educate the public of the  
9 causes, incidents and the effects of birth defects. Among others, the Secretary shall  
10 adopt programs aimed at the prevention of alcohol and illegal drug use during pregnancy  
11 and the promotion of the use of folic acid vitamin supplements for women of childbearing  
12 age.

13           SECTION 14. *Authority for Awards.* – The Secretary may grant monetary and  
14 technical aid to hospitals, universities, private and non-profit entities engaged in research  
15 and prevention of birth defects to reduce the incidence and effects of birth defects.  
16 Provided that hospitals, universities, private and non-profit entities shall submit an  
17 application in the form prescribed by the Secretary. The application must contain the  
18 following assurances:

19           (1) the hospital, university or entity shall collect and analyze birth defects data  
20 and report its findings to the Secretary;

21           (2) and the hospital, university or entity shall coordinate its effort with that of  
22 the National Government in preventing birth defects.

23           SECTION 15. *Appropriations.* – To carry out the provisions of this Act, such sum  
24 as may be necessary is hereby authorized to be appropriated from the National Treasury.

1 Thereafter, the sums necessary for the continuous operation of the centers shall be  
2 included in the annual appropriations of the Department of Health.

3 SECTION 16. *Separability Clause.* – If any provision, or part hereof, is held  
4 invalid or unconstitutional, the remainder of the law or the provision not otherwise  
5 affected shall remain valid and subsisting.

6 SECTION 17. *Repealing Clause.* – Any law, presidential decree or issuance,  
7 executive order, letter of instruction, administrative order, rule or regulation contrary to  
8 or inconsistent with, the provisions of this Act is hereby repealed, modified or amended  
9 accordingly.

10 SECTION 18. *Effectivity Clause.* – This Act shall take effect fifteen (15) days  
11 after its publication in at least two (2) newspapers of general circulation.

Approved.

/at30Oct2015