



'19 JUL 11 P 4:09

SENATE

S. B. No. 398

RECEIVED

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

AN ACT
EXPANDING THE COVERAGE OF THE MANDATORY BASIC IMMUNIZATION PROGRAM AND PROVIDING A SYSTEM IN THE DETERMINATION OF OTHER TYPES OF VACCINE-PREVENTABLE DISEASES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10152, OTHERWISE KNOWN AS THE "MANDATORY INFANTS AND CHILDREN HEALTH IMMUNIZATION ACT OF 2011"

EXPLANATORY NOTE

The 1987 Philippine Constitution mandates the right of every Filipino to health. It enunciates the policy that "the State shall protect and promote the health of the people and instill health consciousness among them." Furthermore, it provides the adoption by the State of an "integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services accessible to all the people at affordable cost"

To support these goals, several policies and laws have been passed. These include Republic Act No. 10152 which mandates mandatory infants and children health immunization. This proposed measure seeks to include in the coverage of mandatory immunization the following vaccine-preventable diseases:

1. Rotavirus which is the most common cause of potentially fatal severe diarrhea among children worldwide. The virus kills at least 3,500 infants and young children in the country each year;

2. Japanese Encephalitis (JE) which is a mosquito-borne viral disease and is the leading cause of viral encephalitis (inflammation of the brain) in Asia. Children are most at risk of JE, with cases recorded in every region in the country;
3. Pneumococcal Conjugate Vaccine (PCV) which is a vaccine against pneumonia to prevent one of the most common causes of mortality among children less than five years old; and
4. Human Papilloma Virus which a well-established cause of cervical cancer, and thus preventable by using vaccine.

Furthermore, RA 10152 empowered the Secretary of the Department of Health (DOH) to determine other types of vaccine-preventable diseases, thereby giving the DOH Secretary unfettered discretion to expand the list of vaccines to be included in the National Immunization Program. However, when the Dengvaxia controversy erupted last year, the power of the DOH Secretary to overrule reservations of the Formulary Executive Committee (FEC) was brought into the spotlight. The FEC is a panel of top Filipino experts tasked to identify the diseases for which medicines need to be included in the formulary based on a continuing review of disease statistics from public and private hospitals.

To address this concern of having one individual decide on a matter as vital as the health of our children, this bill also proposes to limit the discretion of the Secretary of Health by requiring the recommendations of the FEC and the National Immunization Committee prior to the determination of new vaccines to be included in the National Immunization Program.

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



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

1 **SECTION 1.** Section 3 of Republic Act No. 10152 is hereby amended to read
2 as follows:

3 "Section 3. *Coverage.* - The mandatory basic immunization for all infants and
4 children provided under this Act shall cover the following vaccine-preventable
5 diseases:

- 6 (a) Tuberculosis;
- 7 (b) Diphtheria, tetanus and pertussis;
- 8 (c) Poliomyelitis;
- 9 (d) Measles;
- 10 (e) Mumps;
- 11 (f) Rubella or German measles;
- 12 (g) Hepatitis-B;
- 13 (h) H. Influenza type B (HIB); [and]

14 **(I) ROTAVIRUS;**

15 **(J) JAPANESE ENCEPHALITIS;**

1 (K) PNEUMOCOCCAL CONJUGATE VACCINE (PCV);

2 (L) HUMAN PAPILLOMA VIRUS (HPV); AND

3 (M) Such other types as may be determined by the Secretary of Health in a
4 department circular[.] IN ACCORDANCE WITH THE
5 RECOMMENDATIONS OF THE FORMULARY EXECUTIVE COUNCIL
6 (FEC) AND THE NATIONAL IMMUNIZATION COMMITTEE (NIC)
7 CREATED AS AN ADVISORY GROUP TO PROVIDE TECHNICAL
8 SUPPORT TO THE SETTING OF A DOH POLICY DIRECTION ON
9 THE NATIONAL IMMUNIZATION PROGRAM (NIP).

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11
12 **SEC. 2.** A new section to be numbered as Section 7 is hereby added after
13 Section 6 of the same Act to read as follows:

14 "SEC. 7. **ANNUAL REPORT.** – THE DOH SHALL SUBMIT TO THE
15 OFFICE OF THE PRESIDENT OF THE PHILIPPINES, THE SENATE
16 COMMITTEE ON HEALTH AND DEMOGRAPHY, AND THE HOUSE OF
17 REPRESENTATIVES COMMITTEE ON HEALTH ON OR BEFORE THE END OF
18 DECEMBER OF EVERY YEAR, OR UPON REQUEST OF ANY OF THE
19 AFORESAID COMMITTEES OF CONGRESS, A REPORT GIVING A DETAILED
20 ACCOUNT OF THE STATUS OF THE IMPLEMENTATION OF THIS ACT."

21
22 **SEC. 3.** Sections 7, 8, 9, 10 and 11 of the same Act are hereby renumbered
23 as Sections 8, 9, 10, 11 and 12, respectively.

24
25 **SEC. 4.** This Act shall take effect fifteen (15) days after its publication in the
26 *Official Gazette* or in a newspaper of general circulation.

Approved,