

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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20 MAR 10 P3:34

SENATE
S. B. No. 1408

RECEIVED BY

Introduced by Senator Francis "Tol" N. Tolentino

AN ACT
STRENGTHENING THE CAPACITY OF THE DEPARTMENT OF HEALTH IN THE
DETECTION AND CONTAINMENT OF INFECTIOUS DISEASES, INCLUDING
THE QUARANTINE OF INFECTED PERSONS AND LOCKDOWN OF INFECTED
AREAS, AMENDING REPUBLIC ACT NO. 9271, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The State has the duty and the obligation to protect and promote the right to health of the people.

As of March 9, 2020, there are 110,098 reported COVID-19 coronavirus cases in 51 countries worldwide, resulting to the death of 3,831 people.

The Philippines has not been spared from this infectious disease, having a total of 35 confirmed COVID-19 coronavirus cases, as of March 10, 2020, including 1 which resulted to death. There currently around 700 patients under observation, of which 48 are admitted and 149 are home quarantined.

On March 7, 2020, the Department of Health confirmed the first case of local transmission in the country. In response and in anticipation of probable sustained community transmission, DOH has raised the COVID-19 Alert System to Code Red sublevel 1, which means that 100% of hospital personnel shall report for duty in the facility to render medical and other services. Furthermore, the DOH has recommended to the Office of the President the declaration of Public Health Emergency which will facilitate mobilization of resources and ease processes, including procurement of critical logistics and supplies and intensifying reporting and quarantine measures.

On March 8, 2020, the President signed Proclamation No. 922 which declared the Philippines under the State of Public Health Emergency which ordered all government agencies and LGUs were enjoined to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the COVID-19 threat.


Just as how viruses are incessantly changing due to genetic mutation, we, as a nation, must also adapt and change our DNA on how we combat infectious diseases.

Section 6, Article III of the 1987 Constitution provides that the right to travel may be impaired in the interest of national security, public safety, or public health, as may be provided by law.

At present, the Department of Health, through the Bureau of Quarantine, has the regulatory capacity over incoming and outgoing vessels and aircraft, cargoes, passengers, crews, and all personal effects to prevent the introduction, transmission or spread of public health emergencies of international concern.

This measure seeks to expand the power of the Department of Health to include the authority, in times of public health emergencies, to lockdown infected areas, to suspend classes, to designate hospitals as a facility for referral of persons under investigation, so as to contain infectious diseases wherever its incidence may have occurred, and not just limited to those that travelled through vessels and aircraft.

For the protection and promotion of the right to health of the Filipino people, the passage of the bill is earnestly sought.


FRANCIS "TOL" N. TOLENTINO
Senator



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

1 Section 1. Title. – This Act shall be known as the "Health Emergency Lockdown Act."

2 Sec. 2. Section 3 of Republic Act No. 9271 is hereby amended as follows:

3 "SEC. 3. Jurisdiction and Functions of the Bureau. - The examination at ports
4 of entry and exit in the Philippines of incoming and outgoing vessels and
5 aircraft, the necessary surveillance over their sanitary conditions, as well as
6 over their cargoes, passengers, crews, and all personal effects, ~~{and the}~~
7 issuance of quarantine certificates, bills of health, or other equivalent
8 documents, **LOCKDOWN OF CERTAIN AREAS, AND SUSPENSION OF**
9 **CLASSES DURING HEALTH EMERGENCIES** shall be vested in and be
10 conducted by the Bureau. This Bureau shall have authority over incoming and
11 outgoing vessels both domestic and foreign, including those of the army and
12 navy, their wharfage and anchorage, and over aircraft and airports, **AS WELL**
13 **AS OVER LOCAL GOVERNMENT UNITS, SCHOOLS AND HOSPITALS**

1 insofar as it is necessary for the proper enforcement of the provisions of this
2 Act."

3 Sec. 3. Section 4 of Republic Act No. 9271 is hereby amended as follows:

4 "SEC. 4. Authority to Promulgate and Enforce Rules and Regulations and
5 Provide Penalties for Their Violations. – (a) The Director of the Bureau with
6 the approval of the Secretary of Health, **AND IN COORDINATION WITH**
7 **THE SECRETARY OF THE INTERIOR AND LOCAL GOVERNMENT**, is
8 authorized to promulgate and enforce rules and regulations as in his
9 judgment are necessary to prevent the introduction, transmission or spread of
10 "public health emergencies of international concern" from foreign countries
11 into the Philippines or ~~[from one (1) domestic seaport/airport to another]~~
12 **FROM ONE LOCAL GOVERNMENT UNIT TO ANOTHER**. For purposes of
13 implementing these regulations, the Director of the Bureau may provide
14 intervention strategies such as health education and advisories, inspections,
15 fumigation, disinfection, pest extermination, vaccination for international
16 travel, medical examination of aliens/foreigners for immigration purposes and
17 destruction of animals or articles found to be infected or contaminated as to
18 be sources of infection to human beings in coordination with other concerned
19 quarantine agencies such as veterinary quarantine, plant quarantine, etc.,
20 **QUARANTINE/LOCKDOWN OF CERTAIN AREAS/LGUs, SUSPENSION**
21 **OF CLASSES, DESIGNATION OF DEDICATED HOSPITALS,**
22 **ENCOURAGE TELECOMMUTING PROGRAMS** and other measures as in
23 his judgment may be necessary.

24 "(b) Regulations prescribed under this section shall provide for the
25 apprehension, detention or surveillance for the purpose of preventing the
26 introduction, transmission or spread of such public health emergencies of
27 international concern as may be specified from time to time in Department
28 Orders by the Secretary of Health upon the recommendation of the
29 international health surveillance, **IN ACCORD WITH THE**

1 **INTERNATIONAL HEALTH REGULATIONS OF THE WORLD HEALTH**
2 **ORGANIZATION.**

3 “(c) Whenever it is deemed necessary for the protection of the public health
4 of the nation from public health emergencies of international concern,
5 immunization and other preventable measures against these diseases shall be
6 mandatory on all persons arriving at any seaport/airport of entry in the
7 Philippines, **AND ON ALL PERSONS IN INFECTED AREAS.**

8 “(d) The Secretary of Health upon the recommendation of the Director of the
9 Bureau may prescribe examination of any individual believed to be infected
10 with a disease of international concern on board vessels and aircraft entering
11 any seaport or airport in the Philippines, **AND IN INFECTED AREAS.** Such
12 rules and regulations may provide that if upon examination, any such
13 individual is found to be infected or has been exposed to infection considered
14 as dangerous contact, he may be isolated aboard a vessel, in a **DEDICATED**
15 hospital with facilities for infectious diseases, at a quarantine station, **A**
16 **QUARANTINE CENTER ESTABLISHED BY THE DOH** or at any isolation
17 facility, and in such a manner as may be proscribed by the said regulations.”

18 Sec. 4. Section 6 of Republic Act No. 9271 is hereby amended as follows:

19 “SEC. 6. Quarantine **CENTERS AND** Stations. - The Director of the Bureau
20 shall control, direct and manage all quarantine **CENTERS**, stations, grounds
21 and anchorages, and designate their boundaries. With the approval of
22 Secretary of Health, he shall establish such additional quarantine **CENTERS**,
23 station, grounds and anchorages if, in his judgment, these are necessary to
24 prevent the introduction of diseases of international concern into the country.
25 The Director, in the same manner may also order the closure of non-
26 functional quarantine stations, grounds and anchorages.”

27 Sec. 5. Detection of Infectious Diseases. – The Research Institute for Tropical
28 Medicine (RITM) shall develop and build the capacity of the nation to detect and

1 identify emerging infectious diseases, as well as the capacity to confirm infection of
2 suspected persons.

3 Sec. 6. Implementing Rules and Regulations. - The DOH and the DILG shall
4 promulgate the implementing rules and regulations of this Act within sixty (60) days
5 after the enactment of this Act.

6 Sec. 7. Separability Clause. - In the event any provision of this Act or the application
7 of such provision to any person or circumstances is declared invalid, the remainder
8 of this Act or the application of said provisions to other persons or circumstances
9 shall not be affected by such declaration.

10 Sec. 8. Repealing Clause. – All acts and regulations not consistent with this Act are
11 hereby amended or repealed.

12 Sec. 9. Effectivity. – This Act shall take effect fifteen (15) days after its publication in
13 at least two (2) national newspapers of general circulation.

Approved,