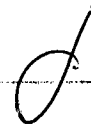


SENATE
S. B. No. 1416



Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
AMENDING REPUBLIC ACT NO. 11332, OTHERWISE KNOWN AS THE
"MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH
EVENTS OF PUBLIC HEALTH CONCERN ACT", AND FOR OTHER PURPOSES

EXPLANATORY NOTE

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

In 2018, Republic Act No. 11332 was enacted in an effort to protect the people from public health threats through the efficient and effective disease surveillance of notifiable diseases including emerging and re-emerging infectious diseases, diseases for elimination and eradication, epidemics and health events including chemical, radio-nuclear and environmental agents of public health concern and provide an effective response system.

However, the definition of a disease under R.A. No. 11332 is limited only to "an illness due to a specific toxic substance, occupational exposure or infectious agent, which affects a susceptible individual, either directly or indirectly, as from an infected animal or person, or indirectly through an intermediate host, vector, or the environment," while an infectious disease only pertains to "a clinically manifested disease of humans or animals resulting from an infection."

This bill seeks to include pneumonia in the definition of a disease provided under R.A. No. 11332. According to the American Lung Association, anyone can get pneumonia. It's commonly a complication of a respiratory infection—especially the flu—but there are more than 30 different causes of the illness. While its symptoms may present itself to be initially mild, such as cough, fever, and shortness of breath, causing people to easily dismiss it as a common cold, pneumonia has been consistently listed by the Philippine Statistics Authority (PSA) as the fourth (4th) leading cause of death in the country since 2013, reaching to fifty seven thousand eight hundred nine (57, 809) in 2016, nearly ten (10) percent of five hundred eighty two thousand one hundred eighty three (582,183) registered deaths that year. In 2017, Research Institute for Tropical Medicine (RITM) Director and Acute Respiratory Infection (ARI) Research Group member Dr. Socorro Lupisan also confirmed that although “not many are aware, [but] pneumonia is the number one killer of children. It remains to be one of the top five causes of deaths among children, worldwide and also here in the Philippines.”

More specifically, various respiratory infections caused by the sub-mutations of the coronavirus are also categorically included in the definition of a disease, such as the Severe Acute Respiratory Syndrome (SARS), the Middle East Respiratory Syndrome (MERS), and the Coronavirus 2019 (COVID-19).

Just last 11 March 2020, the World Health Organization (WHO) declared COVID-19 as a pandemic, which means that the disease has spread all over the world and has already affected a large portion of the population. To date, there are already thirteen thousand sixty nine (13,069) deaths and over three hundred eight thousand five hundred sixty four (308,564) cases of COVID-19 worldwide. In the country, there have been twenty five (25) deaths and three hundred eighty (380) confirmed cases, with these numbers increasing exponentially by the minute.

Due to the magnitude of casualties, the number of people affected and the loss of lives that could have been saved through early detection and treatment, pneumonia

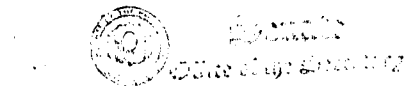
as well as severe respiratory infections caused by the coronavirus should be categorically included in the definition of a disease under R.A. No. 11332.

Just a few days ago, the Philippine Heart Association announced that a young cardiologist died in the fight against COVID-19, citing that one of the patients he was treating withheld his travel history, which could have been relevant for the expired doctor to make a proper diagnosis and prevented the spreading of the virus, leading to his untimely death and the aggravation of cases of other patients.

This bill thus seeks to penalize persons who are suspected of or who are already identified as having a notifiable disease and withhold, misdeclare, or misrepresent material information relevant to health workers in making proper diagnosis and treating them accordingly.

For the above-mentioned reasons, the passage of this bill is earnestly sought.


IMEE R. MARCOS



SENATE
S. B. No. 1416

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AN ACT
AMENDING REPUBLIC ACT NO. 11332, OTHERWISE KNOWN AS THE
"MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH
EVENTS OF PUBLIC HEALTH CONCERN ACT", AND FOR OTHER PURPOSES

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

1 **Section 1.** Section 3(a) of Republic Act No. 11332 is hereby amended to read as
2 follows:

3 "Section 3. Definition of Terms. -As used in this Act:

4 (a) Disease refers to an illness due to a specific toxic substance,
5 occupational exposure or infectious agent, which affects a susceptible
6 individual, either directly or indirectly, as from an infected animal or person,
7 or indirectly through an intermediate host, vector, or the environment.
8 **THIS INCLUDES A COMPLICATION DUE TO RESPIRATORY**
9 **INFECTION THAT OVERPOWERS THE IMMUNE SYSTEM AND**
10 **CAUSES THE INFLAMMATION OF THE AIR SACS OF ONE OR BOTH**
11 **LUNGS, REGARDLESS OF THE CAUSE, AND ARE HIGHLY**
12 **CONTAGIOUS, COMMONLY KNOWN AS PNEUMONIA, AS WELL AS**
13 **THE SEVERE ACUTE RESPIRATORY SYNDROME (SARS), MIDDLE**
14 **EAST RESPIRATORY SYNDROME (MERS), AND THE CORONAVIRUS**

1 which are inconsistent with the provisions of this Act are hereby repealed or modified
2 accordingly.

3 **SEC. 4. *Separability Clause.*** - If any part, section or provision of this Act is held invalid or
4 unconstitutional, other provisions not affected thereby shall remain in full force and effect.

5 **SEC. 5. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in
6 the Official Gazette or in a newspaper of general circulation.

Approved,