

IGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



Senate  
Office of the Secretary

**SENATE**  
S. No. 1514

20 MAY -6 P2:06

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RECEIVED BY

Introduced by Senator Francis "Tol" N. Tolentino

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**AN ACT**  
**INSTITUTIONALIZING A NATIONAL TELEMEDICINE SYSTEM**  
**IN THE PHILIPPINES**

EXPLANATORY NOTE

"The State shall protect and promote the right to health of the people and instill health consciousness among them." This has been mandated under Sec. 15 Article II of the Constitution. However, despite the commendable efforts of our health professionals, according to reports by the Department of Health (DOH), in the year 2016, more than 58% of recorded deaths in the country were unattended or that they were not given medical care at any point in time during the course of the illness which directly caused their death. This has probably caused the increase from 4.9% to 5.6% or a jump of 14% of the countries crude death or mortality rate.

The lack of access to healthcare is a serious problem in the country, especially for those living in rural areas. As a matter of fact, in a study from the University of Texas - School of Public Health of a selected town in the Philippines, only 15% of the inhabitants had undergone medical check-up despite the fact that 63% of them had reported a family history of chronic diseases.

The problem is probably not mainly because of the lack of health personnel as according to the DOH report, the Philippines has a huge human reservoir of health personnel. However, they are unevenly distributed in the country and most are concentrated in urban areas such as Metro Manila and other cities.

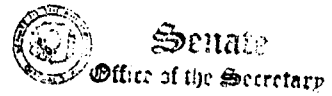
Hence, there is a need to capacitate our health professionals to reach medically underserved Filipinos and in the same way allow all Filipinos to conveniently be able to access necessary health services.

This bill, therefore, seeks to institutionalize a national telemedicine system in the Philippines through the use of information and communications technologies.

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



**FRANCIS "TOL" N. TOLENTINO**



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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 "Telemedicine Act"

2 Sec. 2. *Declaration of Policy* – The State shall protect and promote the right to  
3 health of the people and instill health consciousness among them. Hence, it is the  
4 policy of the state to continuously search for, develop, and utilize innovative ways  
5 and systems to fully protect the health of all Filipinos, from the dense populations of  
6 urban centers to the far-flung and unreachable rural and remote areas.

7 It shall likewise be the policy of the state to encourage and strengthen  
8 initiatives for promoting health in times of emergencies and calamities through the  
9 use of information and communication technology.

10 Sec. 3. *Objectives* – The objectives of the Philippine Telemedicine Act are:

- 11 a. To create an innovative, unified, and comprehensive policy framework  
12 for the practice and development of telemedicine in the country.  
13 b. To provide healthcare services, including consultation, diagnosis,  
14 treatment, and prescription of medicines especially in areas that have

1 inadequate or are far from traditional healthcare institutions and  
2 professionals.

3 c. To allow the use of information and communication technology in the  
4 delivery of healthcare services especially in times of emergencies and  
5 disasters.

6 d. To strengthen the health system and infrastructure of the country that  
7 will enable it to serve all Filipinos and withstand any unforeseen  
8 events.

9 Sec. 4. *Definition of Terms* – For the purposes of this Act, the following  
10 definitions shall apply:

11 a. Telemedicine - also referred to as telehealth or electronic healthcare, is  
12 a system of delivering healthcare services through the use of  
13 information and communications technology as a complement to  
14 traditional healthcare systems. It includes the total management of a  
15 patient's health care from consultation, diagnosis, and treatment to  
16 prescription of medicine and record-keeping. It likewise includes the  
17 education and training of health personnel to capacitate them to use  
18 telemedicine systems as well as the development of applications and  
19 programs for the furtherance of health.

20 b. Information and Communications Technology – includes but is not  
21 limited to:

22 i. Digital interactive video, audio, and/or data transmission;

23 ii. Video or web-conferencing technology;

24 iii. Still image capture or asynchronous store and forward;

25 iv. Modern medical devices for patient care and diagnosis.

26 Sec. 5. *National Telemedicine Council* – A National Telemedicine Council,  
27 hereinafter referred to as "Council", is hereby established and composed of the  
28 following:

29 a. Secretary of the Department of Health, who shall act as Chairman.

30 b. Secretary of the Department of Information and Communication  
31 Technology

32 c. Secretary of the Department of Science and Technology

- 1 d. Secretary of the Department of the Interior and Local Government
- 2 e. President of the Philippine Health Insurance Corporation
- 3 f. Director-General of the Food and Drug Administration
- 4 g. Presidents of Healthcare professional associations such as the
- 5 Philippine Medical Association, Philippine Nurses Association, and the
- 6 Philippine Pharmacists Association
- 7 h. Director of the National Telehealth Center

8 Sec. 6. *Functions of the Council* – The Council, with regard to telemedicine in  
9 the Philippines, shall:

- 10 a. Establish guidelines and regulations on the practice and provision of
- 11 services;
- 12 b. Create a national roadmap for the achievement and furtherance of the
- 13 objectives of this act;
- 14 c. Establish and provide for a mechanism of accreditation for electronic
- 15 healthcare providers;
- 16 d. Establish a national integrated database system for medical
- 17 information;
- 18 e. Establish a system for electronic prescription of medicine;
- 19 f. Spearhead and promote research and development activities;
- 20 g. Capacitate and train existing and new healthcare professionals on the
- 21 provision of health services;
- 22 h. Set quality standards for systems, professionals and services;

23 The Council shall convene as frequently as necessary to perform their  
24 mandated functions.

25 Sec. 7. *Implementing Agency and Secretariat* – The Department of Health shall  
26 be the lead agency in implementing this Act. For this purpose, an Office for  
27 Telemedicine shall be created under the Department which shall serve as the  
28 Secretariat for the Council as well.

29 Sec. 8. *Practice of Medicine* – The provision of Telemedicine services that the  
30 Council shall limit only to registered physicians shall be deemed as acts constituting  
31 practice of medicine, and shall result to the establishment of patient-doctor  
32 relationship among others.

1           Sec. 9. *Emergency* – The Council shall establish special rules and systems for  
2 the enhanced utilization of Telemedicine in times of emergencies and calamities.

3           Sec. 10. *Privacy* – All medical records generated, including records maintained  
4 via video, audio, electronic, or other means acquired through Telemedicine must  
5 conform to the laws regarding the confidentiality of healthcare information of the  
6 patient, rights to medical information, and recordkeeping requirements. Any violation  
7 of this provision shall be penalized to the maximum extent under the law.

8           Sec. 11. *Standard of Care* – the standard of care shall be the same as the  
9 standard of care required in traditional or non-Telemedicine healthcare services.

10          Sec. 12. *Implementing Rules and Regulations* – The Council shall promulgate  
11 the necessary guidelines for the effective implementation of this act within 90 days  
12 from the enactment of this Act.

13          Sec. 13. *Appropriation* – The amount necessary to carry out the provisions of  
14 this Act shall be included in the General Appropriations Act of the year following its  
15 enactment into a law.

16          Sec. 14. *Separability Clause*. – If any provision of this Act is declared  
17 unconstitutional or invalid, other sections or parts thereof not affected thereby shall  
18 remain in full force and effect.

19          Sec. 15. *Repealing Clause*. – All laws, decrees, executive orders, rules and  
20 regulations or parts thereof inconsistent with the provisions of this Act are hereby  
21 repealed or modified accordingly.

22          Sec. 16. *Effectivity Clause*. – This Act shall take effect fifteen (15) days after its  
23 complete publication in the Official Gazette or in at least one (1) newspaper of  
24 general circulation.

          Approved,