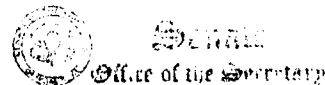


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S. B. No. 1528

20 MAY 13 A9:55

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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

EXPLANATORY NOTE

On March 9, 2020, following the confirmed cases of local transmission of the Corona Virus Disease (COVID-19) in the country, President Rodrigo Duterte formally declared a state of public health emergency in the Philippines through Proclamation No. 922 in order to mobilize government and non-governmental agencies to respond to the outbreak of the COVID-19.

Republic Act No. 11332, otherwise known as the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, provides for mechanisms such as 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 in compliance with the 2005 International Health Regulations (IHR) of the World Health Organization (WHO).

However, despite the continuing government efforts and interventions, the Department of Health and its local counterparts have been struggling from gaps and

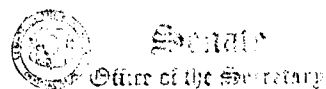
inefficient mechanisms in disease surveillance. Thus, this measure proposes amendments to Republic Act No. 11332 to mandate the Philippine National Police and Armed Forces of the Philippines to assist the DOH in its contact tracing efforts. The bill also seeks to establish sub-national laboratories in all DOH-run hospitals in the country which shall have the capacity to undertake testing, diagnosis, control and prevention of infectious diseases. Moreover, the amendments shall also allow the local government units (LGUs) to establish their own laboratories accredited and approved by the DOH, and mandate all LGUs to establish their own epidemiology and surveillance units.

This proposed measure requires the DOH to issue clear guidelines on the systematic reporting and recording of notifiable diseases and health events of public health concern. Moreover, it shall also require all public and private institutions to provide necessary information in disease surveillance and other epidemiologic investigations.

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


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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EVENTS OF PUBLIC HEALTH CONCERN ACT"

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

- 1 **SECTION 1.** Section 6 of Republic Act No. 11332 is hereby amended to add
2 the following:
3 "**SEC. 6. Mandatory Reporting of Notifiable Diseases and Health Events of Public**
4 **Concern.** – The DOH, through the Epidemiology Bureau, shall issue the official list of
5 institutionalized public health information system, disease surveillance and response
6 systems for mandatory reporting of notifiable diseases and health events of public
7 concern provided in Section 5 of this Act. This official list shall include the Field
8 Health Service Information System (FHSIS), the Philippine Integrated Disease
9 Surveillance Response (PIDSRS) System with its Case-Based Surveillance and Event-
10 based Surveillance, and other duly institutionalized public health disease surveillance
11 and response systems of the DOH.
12 "Under this Act:
13 "xx
14 "(e) To perform their disease surveillance and response functions, authorized health
15 personnel from the DOH and its local counterparts have the statutory and regulatory
16 authority to enforce the following:
17 "xx

1 **"(6) ESTABLISHMENT OF SUB-NATIONAL LABORATORIES IN ALL DOH-**
2 **RUN REGIONAL HOSPITALS IN THE COUNTRY WHICH SHALL HAVE THE**
3 **CAPACITY TO UNDERTAKE TESTING, DIAGNOSIS, CONTROL AND**
4 **PREVENTION OF INFECTIOUS DISEASES. LOCAL GOVERNMENT UNITS**
5 **MAY ALSO ESTABLISH THEIR OWN LABORATORIES AND/OR PARTNER**
6 **WITH PRIVATE HOSPITALS AND LABORATORIES IN THE CONDUCT OF**
7 **INFECTIOUS DISEASE SURVEILLANCE: PROVIDED, THAT THE**
8 **LABORATORIES SHALL BE DULY ACCREDITED AND APPROVED BY THE**
9 **DOH.**

10 "xx

11 **"(H) ALL HOSPITALS, CLINICS, HEALTH FACILITIES, LABORATORIES,**
12 **RESEARCH INSTITUTIONS, WORKPLACES, SCHOOLS, PRISONS, PORTS,**
13 **AIRPORTS, COMMERCIAL ESTABLISHMENTS, AND RESIDENTIAL**
14 **COMMUNITIES ARE REQUIRED TO PROVIDE NECESSARY INFORMATION**
15 **TO AUTHORIZED PERSONNEL OF THE DOH AND OTHER AUTHORIZED**
16 **AGENCIES INCLUDING LOCAL COUNTERPARTS INVOLVED IN DISEASE**
17 **SURVEILLANCE INCLUDING CONTACT TRACING: PROVIDED, THAT SUCH**
18 **REQUIREMENT TO PROVIDE INFORMATION SHOULD BE EXEMPTED IN**
19 **THE PROVISION OF THE DATA PRIVACY ACT ON ACCESSIBILITY OF DATA;**

20 **"(I) THE DOH SHALL ESTABLISH HOTLINES AND OTHER FORMS OF**
21 **ACCESS WHERE THE PUBLIC CAN REPORT NOTIFIABLE DISEASES AND**
22 **HEALTH EVENTS OF PUBLIC HEALTH CONCERN;**

23 **"(J) THE DOH SHALL ISSUE CLEAR GUIDELINES ON THE SYSTEMATIC**
24 **REPORTING AND RECORDING OF NOTIFIABLE DISEASES AND HEALTH**
25 **EVENTS OF PUBLIC HEALTH CONCERN, PARTICULARLY, ON THE NUMBER**
26 **OF CONFIRMED CASES, DEATHS, SUSPECTED AND PROBABLE CASES; AND**

27 **"(K) THE PHILIPPINE NATIONAL POLICE AND ARMED FORCES OF THE**
28 **PHILIPPINES SHALL ASSIST THE DOH IN THE CONDUCT OF CONTACT**
29 **TRACING AND OTHER EPIDEMIOLOGIC INVESTIGATIONS WHERE THE**
30 **ASSISTANCE OF UNIFORMED PERSONNEL ARE NECESSARY."**

31 SEC. 2. Section 7 of Republic Act No. 11332 is hereby amended to read as
32 follows:

1 "The Secretary of Health shall have the authority to declare epidemics of national
2 and/or international concerns [except when the same threatens national security In
3 which case, the President of the Republic of the Philippines shall declare a State of
4 Public Health Emergency and mobilize governmental and nongovernmental agencies
5 to respond to the threat.] **IN WHICH CASE THE INTER-AGENCY TASK FORCE
6 FOR THE MANAGEMENT OF EMERGING INFECTIOUS DISEASES (IATF-EID)
7 CREATED UNDER EXECUTIVE ORDER NO. 168, S. 2014 SHALL
8 IMMEDIATELY CONVENE. THE PRESIDENT OF THE REPUBLIC OF THE
9 PHILIPPINES SHALL HAVE THE AUTHORITY TO DECLARE A STATE OF
10 PUBLIC HEALTH EMERGENCY UPON THE RECOMMENDATION OF THE IATF-
11 EID OR UPON THE DECLARATION OF THE WORLD HEALTH
12 ORGANIZATION OF A PUBLIC HEALTH EMERGENCY OF INTERNATIONAL
13 CONCERN. THE STATE OF PUBLIC HEALTH EMERGENCY SHALL AUTHORIZE
14 THE PRESIDENT TO MOBILIZE GOVERNMENTAL AND NONGOVERNMENTAL
15 AGENCIES TO RESPOND TO THE THREAT, AND TO EXERCISE OF
16 MEASURES PROVIDED IN REPUBLIC ACT NO. 10121 WHEN A STATE OF
17 CALAMITY EXISTS.**

18 **"THE IATF-EID SHALL, WITHIN NINETY (90) DAYS FROM THE
19 APPROVAL OF THIS ACT, FORMULATE A NATIONAL PUBLIC HEALTH
20 EMERGENCY STRATEGY TO ADDRESS PUBLIC HEALTH EMERGENCIES.
21 THIS STRATEGY SHALL PROVIDE FOR AN INTEGRATED POLICY
22 COORDINATION AND STRATEGIC DIRECTION WITH RESPECT TO ALL
23 MATTERS RELATED TO NATIONAL PUBLIC HEALTH AND MEDICAL
24 PREPAREDNESS, AND EXECUTION AND DEPLOYMENT OF NATIONAL
25 RESPONSE BEFORE, DURING, AND FOLLOWING PUBLIC HEALTH
26 EMERGENCIES. THE STRATEGY SHALL ALSO INCLUDE THE
27 IDENTIFICATION OF QUARANTINE OR ISOLATION FACILITIES IN EVERY
28 PROVINCE.**

29 **"THE IATF-EID SHALL FORMULATE AND IMPLEMENT A NATIONAL
30 PUBLIC HEALTH EMERGENCY PLAN IN ACCORDANCE WITH THE
31 NATIONAL PUBLIC HEALTH EMERGENCY STRATEGY AS SOON AS THE
32 PRESIDENT DECLARES THE EXISTENCE OF THE STATE OF PUBLIC HEALTH**

1 **EMERGENCY.**

2 "xx."

3 SEC. 3. Section 8 of Republic Act No. 11332 is hereby amended to read as
4 follows:

5 "Section 8. *Establishment of Epidemiology and Surveillance Units.* - The DOH [, in
6 coordination with the LGUs,] shall ensure that the Epidemiology and Surveillance
7 Units (ESUs) are established and functional in all levels of the DOH and its local
8 counterparts, and in public and private health facilities and laboratories, as well as
9 ports and airports in ah provinces, cities and municipalities throughout the country.

10 **ALL PROVINCES, CITIES AND MUNICIPALITIES SHALL ESTABLISH THEIR**
11 **OWN EPIDEMIOLOGY AND SURVEILLANCE UNITS WHICH SHALL CLOSELY**
12 **COORDINATE WITH THE ESUS OF THE DOH.**

13 "The ESU shall capture and verify all reported notifiable diseases and health
14 events of public health concern; provide timely, accurate, and reliable epidemiologic
15 information to appropriate agencies; conduct disease surveillance and response
16 activities; coordinate needed response; and facilitate capacity building in the field of
17 epidemiology, disease surveillance and response at the Epidemiology Bureau.

18 "All ESUs **OF THE DOH AND LGUS** shall have trained required human
19 resource complement and provision of adequate resources, including equipment,
20 logistics, communication, transportation, laboratory supplies and reagents, personal
21 protective equipment and health insurance, to effectively perform their disease
22 surveillance and response functions."

23 SEC. 4. Section 9 of Republic Act No. 11332 is hereby amended to read as
24 follows:

25 "SEC. 9. *Prohibited Acts.* - The following shall be prohibited under this Act:

26 "xx

27 **"(F) CREATING, PERPETUATING, OR SPREADING FALSE INFORMATION**
28 **REGARDING AN EPIDEMIC OR PUBLIC HEALTH EMERGENCY ON SOCIAL**
29 **MEDIA AND OTHER PLATFORMS, SUCH INFORMATION HAVING NO VALID**
30 **OR BENEFICIAL EFFECT ON THE POPULATION, AND ARE CLEARLY GEARED**
31 **TO PROMOTE CHAOS, PANIC, ANARCHY, FEAR, OR CONFUSION; AND**
32 **THOSE PARTICIPATING IN CYBER INCIDENTS THAT MAKE USE OR TAKE**

1 **ADVANTAGE OF THE CURRENT CRISIS SITUATION TO PREY ON THE**
2 **PUBLIC THROUGH SCAMS, PHISHING, FRAUDULENT EMAILS, OR OTHER**
3 **SIMILAR ACTS;**

4 **"(G) DISCRIMINATING AGAINST HEALTH WORKERS, INFECTED AND**
5 **RECOVERED PERSONS SUCH AS PROMOTING AND ENCOURAGING**
6 **STIGMA, INCITING VIOLENCE, SUBJECTING THEM TO PROFILING,**
7 **DETENTION, OR VERBAL OR PHYSICAL HARASSMENT; AND**

8 **"(H) INTENTIONALLY DECLARING OR REPORTING FALSE INFORMATION**
9 **ON INFECTIOUS DISEASES.**

10 "xx."

11 SEC 5. *Separability Clause.* - Any portion or provision of this Act that is
12 declared unconstitutional shall not have the effect of nullifying other portions or
13 provisions hereof as long as such remaining portions can still subsist and be given
14 effect in their entirety.

15 SEC. 6. *Repealing Clause.* - All laws, ordinances, rules, regulations, other
16 issuances or parts thereof, which are inconsistent with this Act, are hereby repealed
17 or modified accordingly.

18 SEC. 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its
19 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,