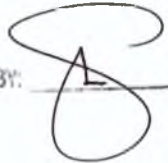




NINETEETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

23 FEB 14 P6 :36

RECEIVED BY: 

SENATE
S. No. 1883

Introduced by **Senator Raffy T. Tulfo**

AN ACT
INSTITUTIONALIZING A NATIONAL MEDICINE SYSTEM IN THE PHILIPPINES

EXPLANATORY NOTE

Telemedicine is a method of seeking professional medical help with the use of technologies and devices such as smartphones and computers to remotely gain information regarding their health status. Through this, health care professionals are able to diagnose and treat patients without the need for long travels or in-person hospital visits. It has the potential to bridge healthcare inequity and increase access for vulnerable and disadvantaged populations.

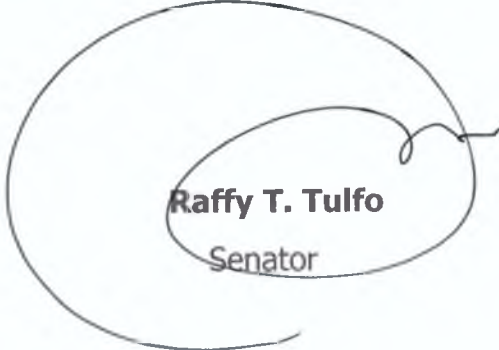
In the Philippines, access to basic healthcare services remains a major challenge. There is also a stark difference between healthcare service in a public and private hospital, and those in urban and rural areas. According to the Philippine Statistics Authority, out of the 582,183 registered deaths in 2016, 342,705 or 59.2 percent were unattended by a physician, public health officer, hospital authority or other medical personnel, while 236,904 or 40.5 percent were medically attended. Among all regions, only the National Capital Region (NCR) had a greater number of medically attended deaths (42,045 or 7.2 percent) than unattended cases.

Furthermore, 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.

Problems faced by the healthcare system in the Philippines won't be solved overnight. However, through telemedicine, Filipinos can have alternative access to health services regardless of where they're from.

This bill seeks to promote and institutionalize a national telemedicine system in the Philippines through the use of information and communication technology.

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



Raffy T. Tulfo
Senator

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Be it enacted by the Senate and the 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 policy
4 of the State to continuously search for, develop, and utilize innovative ways and systems
5 to fully protect the health of all Filipinos, from the dense populations of urban centers to
6 the far-flung and unreachable rural and remote areas.

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

10 Sec. 3. *Objectives.* - The objectives of this Act are:

11 a) To create an innovative, unified, and comprehensive policy framework for the
12 practice and development of telemedicine in the country.

- 1 b) To provide healthcare services, including consultation, diagnosis, treatment,
2 and prescription of medicines especially In areas that have inadequate or
3 are far from traditional healthcare institutions and professionals;
4 c) To allow the use of information and communication technology in the
5 delivery of healthcare services especially in times of emergencies and
6 disasters; and
7 d) To strengthen the health system and infrastructure of the country that will
8 enable it to serve all Filipinos and withstand any unforeseen 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,
12 is 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
15 a patient's health care from consultation, diagnosis, and treatment
16 to prescription of medicine and record-keeping. It likewise includes
17 the education and training of health personnel to capacitate them
18 use telemedicine systems as well as the development of applications
19 and programs for the furtherance of health.

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

- 22 a. Digital interactive video, audio, and/or data transmission;
23 b. Video or web-conferencing technology;
24 c. Still image capture or asynchronous store and forward;
25 d. 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 Health, who shall serve as Chairperson;
30 b. Secretary of Information and Communication Technology;

- 1 c. Secretary of Science and Technology;
- 2 d. Secretary of the Interior and Local Government;
- 3 e. President of the Philippine Health Insurance Corporation;
- 4 f. Director-General of the Food and Drug Administration;
- 5 g. Presidents of healthcare professional associations such as the Philippine
- 6 Medical Association, Philippine Nurses Association, and the Philippine
- 7 Pharmacists Association; and
- 8 h. Director of the Office for Telemedicine.

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

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

22 The Council shall convene as frequently as necessary to perform
23 its mandated functions.

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

28 *Sec. 8. Practice of Medicine.* – The provision of Telemedicine services shall be
29 limited only to registered physicians. Telemedicine services shall be deemed as acts

1 constituting practice of medicine, and shall result to the establishment of a doctor-
2 patient relationship.

3 Sec. 9. *Emergency.*- The Council shall establish special rules and systems for
4 the enhanced utilization of Telemedicine in times of emergencies and calamities.

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

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

12 Sec. 12. *Implementing Rules and Regulations.* – The Council shall promulgate
13 the necessary rules and regulations for the effective implementation of this Act within
14 ninety (90) days from its effectivity.

15 Sec. 13. *Appropriations.*- The amount necessary for the initial implementation
16 this Act shall be taken from the current appropriations of the DOH. Thereafter, the
17 amount needed for the continued implementation of this Act shall be included in the
18 annual appropriations of the DOH as a distinct and separate item.

19 Sec. 14. *Separability Clause.*- If any provision of this Act is declared invalid or
20 unconstitutional, the remaining provisions shall continue to be in full force and effect.

21 Sec. 15. *Repealing Clause.*- All laws, decrees, executive orders, proclamations,
22 rules and regulations, and issuances, or parts thereof which are inconsistent with the
23 provision of this Act, are hereby repealed, amended, or modified accordingly.

24 Sec. 16. *Effectivity.*- This Act shall taken effect fifteen (15) days after its
25 publication in the Official Gazette or in a newspaper of general circulation.

Approved,