

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

24 APR 23 P5:14

SENATE

S. No. 2644

RECEIVED: \_\_\_\_\_

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Introduced by Senator Manuel "Lito" M. Lapid

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**AN ACT**  
**ESTABLISHING A UNIFIED ELECTRONIC MEDICAL RECORDS FOR ALL**  
**PATIENTS OF PUBLIC HOSPITALS AND CLINICS, ESTABLISHING FOR THIS**  
**PURPOSE THE ELECTRONIC MEDICAL RECORD CENTER UNDER THE**  
**DEPARTMENT OF HEALTH AND APPROPRIATING FUNDS THEREFOR**

**EXPLANATORY NOTE**

The Constitution, Art. XIII, Section 11 provides that, "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost."

In countries like Australia, the United Kingdom, Sweden, and Canada, patients have access to their own medical records online. Regrettably, the Philippines continues to rely on the traditional paper-based medical records, resulting to major problems such as lack of standardization across medical service providers, poor searchability, and risk of information or data loss<sup>1</sup>.

In order to address these issues, this bill is filed to grant all patients in every hospital and clinic access to their electronic medical records (EMRs). EMRs refer to the digital version of a patient's medical background and history, including but not limited

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<sup>1</sup> Honavar, S. G. (2020, March). *Electronic Medical Records - the good, the bad and the ugly*. Indian journal of ophthalmology.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7043175/>

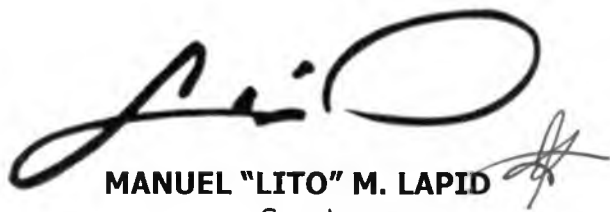
to, diagnoses, medications, treatment plans, immunization dates, laboratory tests or examinations. In essence, they provide an accurate, up-to-date, and thorough documentation of patients' medical profiles.

EMRs are designed to streamline the sharing of all pertinent health information about a patient across medical service providers, avoiding limiting such information to only medical service provider. This advancement allows for more improved patient care, diagnostic accuracy, and overall patient outcomes, as well as for greater patient participation, thereby boosting organizational efficiency.

This not only helps healthcare professionals in diagnosing patients more effectively through improved coordination of healthcare services but also reduces the cases of medical errors and enhances the reliability of prescriptions. Furthermore, this approach reduces costs for both medical service providers (through decreased paperwork) and patients (through reduced duplication of laboratory tests or assessments).

Patients should be afforded the efficiency and accuracy of a secure database that would give those in the healthcare service industry the information they need to give the proper treatment. The data could likewise be aggregated to provide guidance to our health policymakers in giving the necessary attention and resources as may be warranted by actual data.

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

  
**MANUEL "LITO" M. LAPID**  
Senator

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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 "One Electronic  
2 Medical Records Act."

3           **SECTION 2.** *Declaration of Policy.* — It is the policy of the State to adopt an  
4 integrated and comprehensive approach to health development which shall endeavor  
5 to make essential goods, health and other social services available to all the people at  
6 affordable cost.

7           Towards this end, the State shall likewise encourage the integration of  
8 Information and Communications Technology (ICT) to modernize, improve, and  
9 streamline the advancement of the healthcare sector. The development of a robust,  
10 accurate, and secure database is hereby considered indispensable in the government's  
11 healthcare program.

12           **SECTION 3.** *Definition of Terms.* — For purposes of this Act, the following  
13 terms shall mean:

14           1) *Electronic Medical Records* refer to the digital compilation of a patient's  
15 medical profile, background, and history stored on a computer, including  
16 but not limited to, diagnoses, medications, treatment plans, immunization

1 dates, laboratory tests or examinations. It shall come in a standard  
2 electronic format.

3 2) Medical Service Providers refer to all medical practitioners, hospitals, clinics,  
4 centers and other similar institutions that provide medical care service and  
5 assistance.

6 3) Department refers to the Department of Health.

7 4) Records Center refers to the Electronic Medical Records Center created  
8 under this Act, which shall be an attached agency under the Department of  
9 Health.

10 5) Secure Socket Layer, also known as SSL, refers to a technology which  
11 negotiates and employs the essential functions of mutual authentication,  
12 data encryption, and data integrity for secure transactions. The SSL security  
13 protocol provides data encryption, server authentication, message integrity,  
14 and client authentication for a TCP/IP connection.

15 6) 128-bit encryption refers to a strong method of encryption generated by  
16 every encrypted transaction. The process of encryption hides data or the  
17 contents of a message in such a way that the original information can be  
18 recovered through a corresponding decryption process. Encryption and  
19 decryption are common techniques in securing electronic data  
20 communications.

21 **SECTION 4. *Establishment, Maintenance, and Uploading of Electronic Medical***

22 *Records.* – The Department of Health (DOH), with the Department of Information and  
23 Communications Technology (DICT) and the Philippine Health Insurance Corporation  
24 (PhilHealth) shall establish a unified electronic medical records database that shall be  
25 accessible to all government-run hospitals and medical service providers, PhilHealth  
26 and other public healthcare financing institutions, and patients.

27 Notwithstanding all provisions of existing laws to the contrary, medical service  
28 providers shall establish and maintain electronic medical records, which shall be  
29 electronically uploaded on a regular basis. The medical service providers shall likewise  
30 maintain hard copies of the electronic records to be printed and stored as back-up  
31 records.

1           **SECTION 5. *Electronic Medical Records Center.*** – There shall be created an  
2 Electronic Medical Record Center to be placed under the Office of the Secretary of the  
3 Department of Health. The center shall serve as a hub of all databanks of medical  
4 records and other pertinent information significant to the patient’s medical history.

5           The Records Center shall generate specialized software to be distributed and  
6 used as the standard platform for the maintenance, updating, uploading, and making  
7 available electronic Medical Records.

8           The Records Center shall endeavor to create an emergency contact center to  
9 assure the availability of records and assistance to patients accessing medical records  
10 at any time of the day.

11           **SECTION 6. *Security Features of Electronic Records.*** – In order to ensure the  
12 security and privacy of all medical records, electronic communications and  
13 transactions, electronic medical records system shall use 128-bit encryption or higher  
14 form of Secure Socket Layer (SSL) technology which may be devised in the future.

15           The electronic medical records shall be kept secure and free from interference  
16 and unauthorized access and for this purpose, it shall be equipped with security  
17 measures to protect the integrity and confidentiality of these records. *Provided,*  
18 *further,* that the security features of electronic medical records shall comply with the  
19 security provisions as provided for in Republic Act No. 8792, otherwise known as the  
20 Electronic Commerce Law of 2000.

21           **SECTION 7. *Data Privacy and Protection*** – The information in the electronic  
22 database shall be protected and covered under the Data Privacy Act of 2012 and other  
23 pertinent laws on private data. The employees of the Department, hospitals, and  
24 clinics handling personal and sensitive information shall conduct regular training  
25 programs to equip the same with the skills and knowledge on all relevant laws  
26 concerning data privacy and protection.

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1           **SECTION 8. Appropriations.** – There is hereby authorized to be appropriated  
2 for the implementation of this Act the amount of One Hundred Million Pesos  
3 (P100,000,000.00) for the initial operations of the Electronic Medical Center as an  
4 attached agency of the Department. Thereafter, such amount needed to implement  
5 this Act shall be included in the Annual Appropriations Act of the Department.

6           **SECTION 9. Implementing Rules and Regulations.** – The Department shall  
7 create a special committee to draft the Implementing Rules and Regulations (IRR)  
8 governing this Act. Within three (3) months from the effectivity of this Act, the said  
9 special committee shall submit the IRR to the Secretary of the Department who shall  
10 approve the same within thirty (30) days.

11           **SECTION 10. Separability Clause.** – If for any reason, any provision of this  
12 Act is declared unconstitutional or invalid, parts of provisions of this Act that are not  
13 affected shall continue to be in full force and effect.

14           **SECTION 11. Repealing Clause.** – All laws, decrees, executive orders,  
15 issuances, rules and regulations, or parts thereof not consistent with the provisions of  
16 this Act are hereby repealed or modified and/or superseded as case may be by this  
17 Act accordingly.

18           **SECTION 12. Effectivity.** – This Act shall take effect fifteen (15) days after its  
19 complete publication in the Official Gazette or in at least two (2) newspapers of general  
20 circulation, whichever comes earlier.

Approved,