


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

7 JUL -4 A8:47

SENATE  
S.B. No. 932

RECEIVED BY: 

---

Introduced by Senator Loren Legarda

---

### EXPLANATORY NOTE

This bill seeks to institutionalize the Philippine National Drug Policy (PNDP) as a permanent service of the Department of Health to ensure a more focused, research-driven and transparent efforts to ensure the affordability, accessibility and availability of essential drugs and medicines for all.

The Philippine National Drug Policy was conceived in April 1987 after identifying crucial issues and problems confronting the availability and accessibility of essential drugs and medicines. Its main objective was to ensure that safe, efficacious and good quality essential drugs are made available to all Filipinos at any time and place at reasonable and affordable cost, with emphasis on rational drug use.

The enactment of Republic Act No. 6675 or the Generics Act of 1988 provided legal framework for the implementation of the PNDP Program. However, over the years, it has been beset with setbacks like erratic pattern of prescribing generic antibiotics, which treat diseases like Acute Respiratory Infections and Urinary Tract Infections. Furthermore, there have been reports that doctors are enticed to prescribe branded medicines in exchange for incentives from the drug company.

Thus, this proposed measure will provide for the institutionalization of PNDP to a level equal to other services of the Department of Health. The Drug Policy Services under this bill shall coordinate with government agencies relating to the promotion of local production of essential drugs, cost-effective drug procurement and correct use of drugs and medicines, update the Philippine National Drug Formulary or the Essential Drugs List and prepare and publish a consumer guide to prescription and non-prescription drug prices to guide the public in the purchase of drugs and medicines.

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




**LOREN LEGARDA**  
Senator

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

7 JUL -4 18:47

SENATE  
S.B. No. 932

RECEIVED BY: 

---

Introduced by Senator Loren Legarda

---

AN ACT  
ENSURING AFFORDABILITY, ACCESSIBILITY AND AVAILABILITY OF  
ESSENTIAL DRUGS AND MEDICINES, CREATING FOR THE PURPOSE THE  
DRUG POLICY SERVICES WITHIN THE DEPARTMENT OF HEALTH,  
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

**SECTION 1. Declaration of Policy.** It is hereby declared the policy of the state to protect and promote the right to health of the people and to adopt an integrated and comprehensive approach to health development. Thus, the drug Policy Services is hereby created within the Department of Health to ensure that safe, efficacious and good quality essential drugs be made available to all Filipinos at any time and place at reasonable and affordable cost with emphasis on rational drug use.

**SECTION 2. Creation.** There is hereby created the Drug Policy Services within the Department of Health. The head of the Drug Policy Services shall be of equal rank and level as all the other heads of Services within the Department of Health.

**SECTION 3. Powers and Functions.** The Drug Policy Service shall have the following powers and functions:

- a) Identify and establish short-range and long-range programs coordinate all the activities with the department of Health relating to promotion of local production of essential drugs, cost effective drug procurement and correct use of drugs and Medicines;
- b) Provide expert advice, and consult with the Secretary of Health concerning scientific, legal, ethical and policy issues relating to the government's drug policy.
- c) Develop modules for rational drug use. Education in communities and for inclusion in medical School curriculum;
- d) Spearhead the updating of the Philippine National Drug Formulary (PNDF) or the Essential Drugs List and the Development of standard treatment guidelines;
- e) Develop Intervention strategies to improve drug use in Health facilities and operate the drug Information Center;

- f) Establish linkage with health providers, consumer, consumer groups, non-government organization (NGOs), academe, agricultural/Veterinary groups, drug industry and other relevant government agencies
- g) Ensure affordability, accessibility and availability of essential drugs through an efficient selection and procurement system
- h) Prepare and publish a consumer guide to prescription and non-prescription drug prices which shall contain a list of the prices of all prescription and non-prescription drugs in an easy to understand format within one (1) year after the enactment of this Act and shall publish an updated version of the consumer guide annually thereafter.
- i) To undertake research programs for the attainment of the objectives of this Act;
- j) Assist health care providers in determining the cost-effectiveness of prescription drugs;
- k) Coordinate all activities towards an integrated and comprehensive approach for the availability, affordability and accessibility of quality drugs;
- l) Promote cooperation and encourage active participation of private sectors and non-government organization; and
- m) Perform such other powers and functions pursuant to its mandate.

**SECTION 4. Reportorial Requirements.** Not later than March 15 of every year after the enactment of this Act, the Secretary of Health shall prepare and submit to the committees on Health of Congress a report describing the activities carried out under this Act and describing how those activities have influenced and affected the primordial goal provided under this Act.

**SECTION 5. Transfer of Personnel, Assist, Projects, Functions, Programs, Facilities, Equipment and Other Resources.** The personnel, assets, projects, functions, programs, facilities, equipment and other resources of the National Drug Policy Program within the Department of Health are hereby transferred to the Drug Policy Services.

**SECTION 6. Structure and Staffing Pattern.** The organizational framework and staffing of the service shall be prescribed and approved by the secretary of health within sixty (60) days after the effectivity of this Act. The positions created therein shall be filled by regular appointments. Provided, that, appointments must comply with the qualification standards set by the Civil Service Commission.

**SECTION 7. Appropriation.** The amount of ten million pesos (P10,000,000.00), not otherwise appropriated, shall be initially appropriated out of the funds of National Treasury which shall be added to the present budgetary allocation for the National drug Policy Programs. Provided, that, the total initial appropriated amount shall not exceed Twenty-five million pesos (P25,000,000.00). subsequent appropriations shall be provided by Congress in the annual budget of the department of health under General Appropriations Act.

**SECTION 8. Separability Clause.** If any provision of this Act is declared invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions.

**SECTION 9. Repealing Clause.** All laws, decrees, executive orders, proclamations, rules and regulations or parts thereof inconsistent with this Act are hereby repealed, amended or modified accordingly.

**SECTION 10. Effectivity Clause.** This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in at in least two (2) newspaper of general circulation.