

THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

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SENATE

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INTRODUCED BY HON. MANNY VILLAR

EXPLANATORY NOTE

SARS is an atypical pneumonia that public health experts believe is caused by a previously unrecognized corona virus. Public health experts said SARS is spread by close contact between people - when someone sick with the disease coughs droplets into the air and someone else breathes them in. They said it is possible that SARS also can spread more broadly through the air or from touching objects that have become contaminated.

The World Health Organization (WHO) said that since the SARS's initial recognition in Hong Kong and China in February 2003 up until April 15, 2003, 3,235 probable SARS cases have been reported in twenty-four countries. The countries with the largest number of probable SARS cases were China (1,418), Hong Kong Special Administrative Region (1,232), United States (193), Singapore (162), Canada (100), Vietnam (63), and Taiwan (23). WHO reports that each of these countries also had local chain(s) of transmission through which SARS may be spreading. As of April 15, 2003, SARS had caused 154 deaths worldwide. Last April 22, 2004, another SARS outbreak in China had again been reported.

In addition to the public health problems SARS has created, the epidemic has also caused significant economic damage in countries affected by it, especially those in the Asian region. The airline and tourist industries have been adversely affected by the SARS outbreak, and WHO has responded to concerns about possible trade restrictions being implemented against goods and animals exported from SARS-afflicted areas

This bill authorizes isolation and quarantine as measures to control infectious diseases even before those who are infected enter the country. It establishes an emergency preparedness plan to prevent and suppress the spread of emergency infectious diseases and other epidemics by undertaking medical examination and treatment of overseas Filipino workers abroad, especially those returning to the Philippines. The medical examination will be undertaken by the Overseas Workers Welfare Administration in coordination with other appropriate government agencies and international organizations.

This bill also provides for a notification and reportorial system for the prevention and suppression of spread of emergency infectious disease in the event that the disease is introduced in the country. Heads of the family, person's in-charge of places and medical officers are charged with the duty to report cases of emergency infectious diseases to city or municipal health officers. City or municipal health officers are also empowered to enter and inspect any premises in which he has reason to believe that someone is suffering from, or had recently suffered from an emergency infectious disease. The city or municipal health officer may medically examine any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any emergency infectious disease.

In view of the foregoing, the enactment of this bill is earnestly sought



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**AN ACT ESTABLISHING AN EMERGENCY PREPAREDNESS PLAN TO PREVENT AND
SUPPRESS THE SPREAD OF EMERGENCY INFECTIOUS DISEASES AND OTHER
EPIDEMICS**

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

SECTION 1. Short Title. - This Act shall be known and cited as the "Infectious Disease Emergency Preparedness Act of 2005."

SECTION 2. Declaration of Policy. - In the pursuit of an independent foreign policy and while considering national sovereignty, territorial integrity, national interest and the right to self-determination paramount in its relations with other states, the State shall, at all times, give paramount importance to the health of its citizens whether in the country or overseas, in general, and Filipino migrant workers, in particular.

SECTION 3. Definition of Terms. -

(a) Emergency infectious disease - refers to a select number of the deadliest diseases such as sudden acute respiratory syndrome (SARS), plague, ebola and other diseases similarly situated as certified by the Secretary of Health;

(b) Quarantine - refers to separation and restriction of movement of persons who are exposed or may be infected to protect the public from the disease. Quarantine may be practiced by individuals in their homes; and

(c) Isolation - refers to separation or restriction of movement of an ill person from healthy persons by way of seclusion in hospitals or designated health care facilities;

I. PROTECTION OF OVERSEAS WORKERS

SECTION 4. Medical Examination and Treatment of Overseas Workers. - The Overseas Workers Welfare Administration (OWWA) , in coordination with the Philippine Overseas Employment Administration (POEA), the Department of Labor and Employment (DOLE), the Department of Health (DOH), the Department of Foreign Affairs (DFA), the Commission on

Filipinos Overseas (CFO) and appropriate international organizations, shall undertake the medical examination and treatment of overseas workers and their families in cases of epidemics or possible outbreaks of an emergency infectious disease or similar events abroad. All costs attendant to the medical examination and treatment shall be borne by the OWWA.

SECTION 5. *Where Undertaken.* - The medical examination shall be undertaken in most populated foreign cities, especially in countries affected by an epidemic or possible outbreak of emergency infectious diseases, and shall be administered compulsorily to citizens who are returning to the Philippines.

SECTION 6. *Appropriate Clinical Procedures to be Mandatorily Applied.* - The appropriate clinical management procedure, which includes quarantine and isolation, shall be mandatorily applied to persons found to have been infected or suspected of being infected.

SECTION 7. *Penalty for Violation of Orders of Medical Officers.* - Any person who refuses or violates the order of the medical officer deployed by OWWA shall be arrested without prejudice to the applicable laws of foreign countries, and denied entry into the Philippines until a medical clearance has been issued to him by OWWA. In addition, he shall be sentenced to an imprisonment of not more than six (6) months or a fine of not more than Twenty thousand pesos (P20,000.00) or both upon the discretion of the Court.

SECTION 8. *Creation of Emergency Fund.* - There is hereby created and established an emergency fund for the medical examination and treatment of overseas workers under the administration, control and supervision of the OWWA, initially to consist of One hundred million pesos (P100,000,000.00), which shall be taken from the existing fund controlled and administered by the OWWA.

SECTION 9. *Authority of OWWA.* - The functions and responsibilities of OWWA shall include:

a. the formulation and implementation of measures and programs, in consultation with appropriate agencies, to safeguard the health of overseas workers and their families abroad;

b. the forging of memorandum of agreements with the POEA, the DOH, the DFA, the CFO and other appropriate international organizations in connection with the purpose of this Act; and

c. the management of the emergency fund and fund resources in accordance with law.

SECTION 10. *The Functions of the Commission on Filipinos Overseas.* - The CFO shall have the following functions:

a. Provide advice and assistance to the OWWA in the formulation measures affecting the purpose of this Act;

b. Coordinate and monitor the implementation of the medical examination and treatment of overseas workers for emergency infectious diseases with the Philippine embassies and consulates;

c. Undertake the inclusion of a master list of Filipino migrant workers who have been medically examined and treated for the purpose of this Act in the shared government information system for migration established under Republic Act No. 8042, otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995; and

d. Other functions and responsibilities as the Secretary of Foreign Affairs may order in furtherance of this Act.

SECTION 11. The Responsibility of the Department of Foreign Affairs. - The DOF, through its home office or foreign posts, shall take priority action or make representation with the foreign authority concerned to protect the health of overseas Filipinos and extend immediate assistance to the OWWA in the implementation of the medical examination and treatment for emergency infectious diseases.

SECTION 12. The Responsibility of the Department of Labor and Employment. - The Department of Labor and Employment shall see to it that public health laws in the foreign countries are fairly applied to migrant workers and whenever applicable, to other Overseas Filipinos.

SECTION 13. The Responsibility of the Department of Health. - The DOH shall function as follows:

a. Provide for health services, facilities and other requirements as may be needed;

b. Propagate health information and educate overseas workers on matters involving emergency infectious diseases;

c. Assist, coordinate or collaborate with the OWWA for purposes of this Act

d. Collect, analyze and disseminate health statistical and other relevant information on the health situation of overseas workers.

II. PREVENTION AND SUPPRESSION MEASURES WITHIN THE TERRITORY

coordination with the Department of Health shall have the power to examine aliens concerning their right to enter or remain in the Philippines. It shall also have the following functions and powers:

- a. to arrest, without warrant, any alien who refuses to be examined or treated for emergency infectious diseases;
- b. to establish a shared data base system with the Department of Health regarding aliens who have been medically examined and treated for infectious diseases;
- c. to investigate aliens who are infected or suspected carriers of emergency infectious diseases; and
- d. to deport any alien who has been found guilty of violating public health laws of the Philippines.

SECTION 10. Duty of Heads of Families, Person In-Charge of Places. - Where a person living in a building used for human habitation is suffering from any emergency infectious disease, the head of the family or the relatives shall as soon as he becomes aware of the disease, send notice of it to the nearest city or municipal health office. If it is a child attending a school, orphanage or other such institution, or a person residing in any hotel boarding house or other such institution, the person in charge of such a place shall send notice of the infectious disease to their nearest city or municipal health officer and give the officer a list of scholars or residents, together with their addresses.

SECTION 11. Duty of Medical Practitioners. - Every medical practitioner who attends to a patient suffering from any emergency infectious disease shall send to the nearest city or municipal health office a certificate stating the name of the patient, the situation of the building and the emergency infectious disease from which the patient is suffering from.

Any medical practitioner who becomes aware, by post-mortem or other means, that any person had died of a emergency infectious disease shall immediately give to the nearest city or municipal health office a certificate of such disease and inform the head of the household, person in charge of school, orphanage, hotel and so on the infectious nature of the disease and the precautions to be taken to prevent its conveyance to others.

SECTION 12. Penalty for Breach of Duty. - All persons, under a duty to inform the nearest city or municipal health office of the infectious disease, who fail or neglect to inform the same shall be sentenced to an imprisonment of not more than six (6) months or a fine of not more than Twenty thousand pesos (P20,000.00) or both upon the discretion of the Court.

SECTION 13. Power of City or Municipal Health Officers. - A city or municipal health officer may at any time enter and inspect any premises in which he has reason to believe that someone is suffering from, or had recently suffered from a emergency infectious disease. The city or municipal health officer may medically examine any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any emergency infectious disease. He may also order the arrest, apprehension, detention or conditional release of individuals to prevent the transmission or spread of suspected emergency infectious diseases.

SECTION 14. Duty of City or Municipal Health Officers. - If a city or municipal health officer is of the opinion that the cleansing and disinfecting of any building or any part of the building, and any articles in the building which are likely to retain infection, would tend to prevent or check infectious diseases, it shall be his duty to give notice in writing to the owner or occupier of the building specifying the steps to be taken to cleanse and disinfect the building and articles within a specified time.

III. MISCELLANEOUS PROVISIONS

SECTION 15. Implementing Rules and Regulations. Within thirty (30) days from promulgation of this Act, the OWWA, the POEA, the DOLE, the DOH, the BID, the CFO and the DFA shall issue necessary rules and regulations to make this Act operative.

SECTION 16. Repealing Clause. Any law, presidential decree or issuance, executive order, rules or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 17. Effectivity. This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,