


THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

6 JUN -7 P4:30

SENATE

RECEIVED BY: 

S. Bill No. 2392

INTRODUCED BY HON. MANNY VILLAR

EXPLANATORY NOTE

In this country of more than 66 million, cancer is the third most frequent disease after communicable and cardiovascular illnesses. It is estimated that 1 of every 1000 Filipino will get cancer and that 200,000 Filipinos are suffering from cancer pain every year.

Poverty-stricken Filipinos who are suffering from this illness just allow themselves to suffer and die quietly and in pain. One of the obvious reasons is that they could not afford the expensive medical cost, particularly the high cost of cancer medicines, needed for their treatment.

In view of this, the attached bill seeks to establish a Cancer Drug Repository Program where a cancer patient or the patient's family may donate unused cancer drugs and medical devices to uninsured and underinsured cancer patients. This will greatly assist in the treatment of Filipino cancer patients and will give them hope in their treatment.

Accordingly, the urgent passage of this bill is hereby recommended.




MANNY VILLAR

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**AN ACT ESTABLISHING A CANCER DRUG REPOSITORY
PROGRAM AND FOR OTHER PURPOSES**

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

Section 1. Short Title. – This Act shall be known as the “Cancer
Drug Repository Act”.

Section 2. – Definitions. – For the purposes of this Act:

Cancer Drug – means a prescription drug that is used to treat
cancer or the side effects of cancer;

Department – means the Department of Health;

Eligible patient – means an uninsured or underinsured cancer
patient;

Medical device – means an instrument, apparatus, implement,
machine, contrivance, implant, or similar or related article.

Section 3. Cancer Drug Repository. – There is hereby established
a Cancer Drug Repository Program for the purpose of allowing a cancer
patient or the patient's family to donate unused cancer drugs and medical
devices to uninsured and underinsured cancer patients. The program
shall be administered by the Department of Health.

1) The program shall allow a cancer patient or the patient's
family to donate unused cancer drugs or medical devices to a health care
facility, medical clinic, or pharmacy that elects to participate in the
program. A health care facility, medical clinic, or pharmacy that receives
a donated cancer drug or medical device under the program may
distribute the cancer drug to another health care facility, medical clinic or
pharmacy for use under the program;

2) A pharmacist may accept and dispense cancer drugs and
medical devices donated under the program to patients if all of the
following requirements are met:

a) The cancer drug is in its original, unopened, sealed and
tamper-evident unit packaging or, if packaged in single-
unit doses, the single-unit-dose packaging is unopened;

- b) The cancer drug bears an expiration date that has not expired;
- c) The cancer drug or medical device is not adulterated or misbranded, as determined by a pharmacist employed by or under contract with the health care facility, medical clinic, or pharmacy; and
- d) The cancer drug or medical device is prescribed by a medical practitioner for use by an eligible patient and is dispensed by a pharmacist.

3. A cancer drug or medical device donated under the program may not be resold. A health care facility, medical clinic, or pharmacy may charge an eligible patient a handling fee to receive a donated cancer drug or medical device

4. Nothing in this section requires a health care facility, medical clinic or pharmacy to participate in the program.

Section 4. Implementing rules and regulations. - The Department of Health shall promulgate the rules and regulations for the implementation and administration of the program. The rules shall include, at a minimum the following:

- 1) Eligibility criteria;
- 2) Standards and procedures for a health care facility, medical clinic or pharmacy to accept, safely store, and dispense donated cancer drugs and medical devices;
- 3) Eligibility criteria for individuals to receive donated cancer drugs or medical devices dispensed under the program. The criteria shall prioritize dispensation to cancer patients who are uninsured or underinsured, but shall permit dispensation to other cancer patients if an uninsured or underinsured cancer patient is not available;
- 4) A means by which an eligible patient may indicate the individual's eligibility under the program;
- 5) The maximum handling fee that a health care facility, medical clinic, or pharmacy may charge for distributing or dispensing donated cancer drugs or medical devices; and
- 6) A list of cancer drugs, arranged by category or individual cancer drug, that the program will accept and will not accept for dispensing. The list of cancer drugs the program will not accept shall include the reason a cancer drug is ineligible for donation.

Section 5. Liability. – Prescription Drug manufacturers.- Nothing in this act shall be construed to create or abrogate any liability on behalf of a prescription drug manufacturer for the storage, donation, acceptance, or dispensing of a cancer drug or medical device, or to create any civil case of action against a prescription drug manufacturer, in addition to that which is available under applicable law.

Section 6. Any law, decree, order, rule or regulation or part thereof which is inconsistent with this Act is hereby repealed or modified accordingly.

Section 7. This Act shall take effect immediately upon approval.

Approved,