

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1792



Introduced by: **REP. PROSPERO A. PICHAY, JR.**

EXPLANATORY NOTE

This bill seeks to repeal the decree which requires physicians and medical practitioners to report their treatment of any person for physical injuries to the nearest government health authority.

By compelling physicians to make such notifications, Presidential Decree No. 169, later amended by the Aquino-era Executive Order No. 212, clearly treats at the time-honored patient-doctor confidentiality of relationship.

The physician's oath commands him to treat any person in distress regardless of the latter's creed, color, religion or nationality. That the patient's well-being and recovery, in the order of priorities precede none. If compliance to PD 169 would jeopardize his patient's life, then a physician has all the rights to rage against such intrusion.

A Marcos edict, PD 169 was part of the strongman's arsenal of Martial Law rules and regulations. By making the medical profession a virtual adjunct of the spy community, dissidents were tracked down, some yanked out of their sickbeds and thrown into torture chambers.

It was such a heinous law that the late Jose Diokno, of the post-EDSA revolt Human Rights Commission, included it among the first batch of Marcos-era laws which ought to be thrown to the burner. The Aquino government half-heartedly complied with EO 212.

Nevertheless, the law, even in its present form, still foists a chilling effect on medical practitioners. Many doctors refuse to go into mercy missions inside dissident-infested areas for fear of being accused of giving comfort and aid to the enemy. This compounds the already bleak health picture in the countryside where 200 towns do not have doctors.

Strengthening medical neutrality bolsters the people's right to health.


PROSPERO A. PICHAY, JR.



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1792

Introduced by: **REP. PROSPERO A. PICHAY, JR.**

AN ACT

STRENGTHENING MEDICAL NEUTRALITY BY REPEALING PRESIDENTIAL DECREE NO. 169 AS AMENDED BY EXECUTIVE ORDER NO. 212, WHICH REQUIRES ANY ATTENDING PHYSICIAN OF ANY HOSPITAL, MEDICAL CLINIC, SANITARIUM OR OTHER MEDICAL ESTABLISHMENTS OR ANY MEDICAL PRACTITIONER WHO HAS TREATED ANY PERSON FOR SERIOUS OR LESS SERIOUS PHYSICAL INJURIES TO REPORT THE FACT OF TREATMENT

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

SECTION 1. Presidential Decree no. 169 as amended by Executive Order No. 212, providing that any attending physician of any hospital, medical clinic, sanitarium or other medical establishments or any medical practitioner who has treated any person for serious or less serious physical injuries shall report the fact of treatment promptly to the nearest government health authority, is hereby repealed.

SEC. 2. This Act shall take effect fifteen (15) days upon its approval.

Approved,