

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 2391



Introduced by REP. BENJAMIN DC. ABALOS, JR.

EXPLANATORY NOTE

Tuberculosis remains to be a prevalent disease for most Filipinos, which rank third in the leading causes of mortality, as per National Statistics Office (NSO) record. For the year 2003, the National Tuberculosis Program (NTP) of the Department of Health have recorded a total of 131,178 TB patients, which accounts only for those reported by the Center for Health Development (CHD) units in the regions, and which excludes TB cases from the hospitals and private medical clinics.

The Philippine Constitution unequivocally 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. The constitutional guarantee made no distinction but rather stresses that social services including health care shall be afforded to all--to include those incarcerated and serving their sentence or indefinitely detained in our prison institutions.

Our brothers behind bars, convicted or not, though condemned by the society to suffer the penalties provided by law--were not stripped of their human rights guaranteed by our constitution. Still, they are citizens of this republic, they are our fellow countrymen, temporarily incarcerated to reform morally and spiritually, and seeking to go back to the outside world to start anew and to live with their families, and to live within the bounds of law and order.

At present, most of our inmates suffer poor conditions of living inside our prison institutions. Base on reports, most of our city and municipal jails are overpopulated which prejudiced the health conditions of the inmates. Congested prison cells gave rise to the spread of infectious and communicable disease including tuberculosis (TB).

This proposed measure seeks to abate the continuing rise of tuberculosis cases in the prison institutions, hence, the prevention and treatment of tuberculosis in the national penitentiary and in all city and municipal jails is hereby put forward. This proposed TB prevention and treatment program is comprised of three components: 1.) Monitoring and Detection; 2.) Designation of an Isolation Area; and 3.) Treatment of TB Patients.

Considering the urgency of this health issue, which affect not only those inmates infected with TB but more so those thousands of inmates who are vulnerable and at risk to this infection, hence, immediate consideration and passage of this bill is earnestly sought.


BENJAMIN DC. ABALOS, JR.

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AN ACT
PROVIDING FOR THE PREVENTION AND TREATMENT OF TUBERCULOSIS IN
THE NATIONAL PENITENTIARY AND IN ALL CITY AND MUNICIPAL JAILS,
APPROPRIATING FUNDS THEREFORE, AND FOR OTHER PURPOSES

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

Sec. 1. Short Title - This Act shall be known as the "Prevention and Treatment of Tuberculosis in Prison Act of 2004".

Sec. 2. Declaration of Policy. – It is hereby declared as the policy of the State to recognize the right of persons incarcerated in the national penitentiary and detained in the city and municipal jails to health services, and to guarantee the promotion of their health condition and welfare by ensuring proper monitoring, prevention and treatment of infectious and communicable diseases.

Sec. 3. Monitoring and Detection – All inmates and detainees in the National Bilibid Prison (NBP) and all city and municipal jails shall be subject to a monthly medical examination for Tuberculosis (TB) to be administered and supervised by the Department of Health (DOH).

All new inmate or detainee shall be required to undergo a TB test as prescribed and administered by the DOH before his/her admission or transfer to a particular detention or prison unit.

No new inmate or detainee, who after undergoing the prescribed medical examination found to be positive for TB, shall be allowed to be integrated to other inmates who, on the contrary found to be negative for TB, in their regular detention or prison cells.

Sec. 4. Isolation Area – There shall be a particular area or cell in the New Bilibid Prison (NBP) and in every city and municipal jail designated purposely to contain all TB positive inmates or detainees.

The Bureau of Corrections (BuCor) and the Bureau of Jail Management and Penology (BJMP) in collaboration with the Department of Health (DOH) shall institute the necessary mechanisms for the isolation facility. The isolation facility shall be administered by the DOH through its designated health personnel.

Sec. 5. Treatment of TB Patients – The DOH shall institute and implement a TB Treatment Program, in collaboration with the NBP hospital and medical clinic personnel of all city and municipal jails, to address the needs of TB patients for their immediate recovery.

The NBP hospital and medical clinic of city and municipal jails, through funding allocation from DOH and donations from various government and private institutions, shall provide the necessary medicines for the treatment of TB including supplementary vitamins.

Sec. 6. Appropriation – The amount necessary for the implementation of this Act shall be included in the next regular budget appropriation of the Department of Health, Bureau of Corrections and the Bureau of Jail Management and Penology, following the effectivity of this Act.

Sec. 7. Repealing Clause. - All acts, decrees, orders, executive orders, instructions, rules and regulations or parts thereof inconsistent with the provisions of this Act hereby repealed or modified accordingly.

Sec. 8. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation. The publication shall not be later than seven (7) days after approval hereof.

Approved,