

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE OF REPRESENTATIVES
H.B. No. 5861



Introduced by Representative H. Harry L. Roque Jr.

AN ACT
TO PREVENT DRUG OVERDOSE RELATED DEATHS

EXPLANATORY NOTE

Drug overdose is the ingestion or application of a drug or other similar substance in quantities greater than are recommended or generally practiced.¹ Overdose of drugs or chemicals can be either accidental or intentional. Drug overdoses occur when a person takes more than the medically recommended dose. However, some people may be more sensitive to certain medications so that the high end of the therapeutic range of a drug may be toxic for them. On the other hand, illicit drugs, used to get high, may be taken in overdose amounts when a person's metabolism cannot detoxify the drug fast enough to avoid unintended side effects.²

Thus, whether intentional or accidental, one thing is clear with regard to overdoses: they are preventable. Hence, this bill seeks to prevent deaths caused by drug overdose by requiring the Secretary of Health to study and submit a report to Congress on the incidence of drug overdose and what strategies could be undertaken

¹ URL <http://en.wikipedia.org/wiki/Drug_overdose>

² URL <http://www.emedicinehealth.com/dmg_overdose/article_em.htm>

to prevent such overdose from happening to other people. Because of the necessity of such information regarding drug overdose, this bill likewise seeks to penalize certain persons who unlawfully withhold or fail to disclose information regarding drug overdose deaths.³



H. HARRY L. ROQUE JR.

³ This bill was originally filed by Senator Miriam Defensor Santiago in the Sixteenth Congress, Third Regular Session.

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

1 SECTION 1. *Short Title.* – This Act shall be known as “Drug Overdose
2 Prevention Act.”

3 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote
4 the general welfare of the people. Pursuant to this policy, this Act seeks to prevent
5 deaths caused by drug overdose by requiring the Secretary of Health to submit a report
6 to Congress relating to the prevalence of drug overdose incidents, trends in drug
7 overdose incidents and strategies for addressing such drug overdose incidents.

8 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

9 (A) “Department” means the Department of Health; and

10 (B) “Overdose” means the ingestion or application, whether intentional or
11 accidental, of a drug or other substance in quantities greater than are recommended or
12 generally practiced.

1 C) "Secretary" means the Secretary of Health.

2 SECTION 4. *Reporting Requirements.* – (A) The Secretary shall publish bi-
3 annually, findings on nationwide drug overdose trends that reviews overdose death
4 rates and other information to ascertain changes in the cause and rates of fatal drug
5 overdoses for an appropriate period of time, based on information collected pursuant
6 to the Act,. The report shall also provide information on interventions that would be
7 effective in reducing the rate of drug overdose.

8 (B) The report shall include, at a minimum the following information:

9 (1) Trends in drug overdose deaths;

10 (2) Trends in emergency room utilization for the treatment of drug
11 overdose;

12 (3) Trends in utilization of pre-hospital and emergency services and the
13 cost of emergency services utilization for drug overdose;

14 (4) Suggested improvements in data collection; and

15 (5) A description of education efforts and other interventions that
16 would be effective in reducing the rate of drug overdose.

17 SECTION 5. *Advice Regarding Drug Overdose.* – The Secretary shall provide
18 an annual advisory to municipal, city, and provincial official, which shall contain:

19 (A) The prevalence of drug overdose incidents;

20 (B) Trends in drug overdose incidents; and

21 (C) Best practices and strategies for addressing drug overdose in their
22 jurisdiction.

1 SECTION 6. *Mandatory Disclosure of Death by Drug Overdose.* – Where a
2 death is caused by a drug overdose, such information shall be reported by the
3 examining physician or the person who supplies information for the death certificate,
4 including any related or specific information concerning the drug or drugs responsible
5 for the death, and any other information related to the overdose death as the Secretary
6 shall require.

7 SECTION 7. *Unlawful Withholding or Failure to Disclose Drug Overdose*
8 *Information; Violation; Penalties.* – (A) It shall be unlawful for a parent, spouse,
9 child, sibling or next of kin to knowingly withhold, or fail to disclose, any
10 information relating to the incident of drug overdose, information concerning the drug
11 or drugs responsible for the death, and other information relating to the death caused
12 by drug overdose.

13 (B) It shall likewise be unlawful for the hospital, health care facility, attending
14 physician, or medico-legal in possession of such information to withhold or fail to
15 disclose such when filing a report of the overdose victim's death. Such report shall be
16 mandatory and the Secretary shall promulgate rules and regulations within ninety (90)
17 days from the passage of this Act regarding the filing of such report.

18 (C) Any person convicted for unlawful withholding or failure to disclose
19 information required in the preceding paragraph shall be penalized with a fine of Fifty
20 Thousand Pesos (P50,000.00) to not more than Five Hundred Thousand Pesos
21 (P500,000.00).

1 SECTION 8. *Separability Clause.* – If any provision of this Act is held invalid
2 or unconstitutional, the same shall not affect the validity and effectivity of the other
3 provisions hereof.

4 SECTION 9. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
5 portions thereof, which are inconsistent with the provisions of this Act, are hereby
6 repealed, amended or modified accordingly.

7 SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
8 after its publication in the *Official Gazette* or in two (2) newspapers of general
9 circulation.

Approved,