

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 8183



Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

AN ACT AMENDING REPUBLIC ACT NO. 10152 OR THE "MANDATORY INFANTS AND CHILDREN HEALTH IMMUNIZATION ACT OF 2011"

EXPLANATORY NOTE

Republic Act No. 10152 or the "Mandatory Infants and Children Health Immunization Act of 2011" was primarily enacted to protect infants and children against common and vaccine-preventable diseases.

In particular, it seeks to address newborns and children infected with hepatitis-B virus and mandated immunization for tuberculosis; diphtheria, tetanus and pertussis; poliomyelitis; measles; mumps; rubella or German measles; hepatitis-B; and H. Influenza type B (HIB).

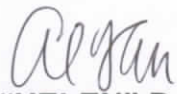
The landmark law also empowered the Secretary of the Department of Health (DOH) to determine such other types of vaccine-preventable diseases in a department circular. To put it otherwise, R.A. 10152 gives the Secretary of Health unfettered discretion to expand the list of vaccine-preventable diseases.

The Dengvaxia controversy has recently placed under the spotlight the government's vaccination program, bringing to the fore the policy of empowering the Secretary of Health to overrule reservations of the Formulary Executive Council (FEC), a panel of top Filipino experts tasked to identify the diseases for which medicines need to be included in the formulary based on a continuing review of disease statistics from public and private hospitals and other health facilities.

In this light, this bill proposes to limit the power of the Secretary of Health to determine other types of vaccine-preventable diseases by requiring the recommendation of the FEC and presentation before the joint committee hearing of the Committee on Health and Demography of the Senate and the Committee on Health of the House of Representatives.

This proposal also seeks to include rotavirus, the most common cause of diarrhea in infants and children, in the list of vaccine-preventable diseases and requires the submission of an annual report to ensure the efficient, economical, and effective implementation of the law.

In view of the foregoing, the passage of this measure is earnestly sought.


ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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

SECTION 1. Section 3 of Republic Act No. 10152 or the "Mandatory Infants and Children Health Immunization Act of 2011" is hereby amended to read as follows:

"SEC. 3. Coverage. - The mandatory basic immunization for all infants and children provided under this Act shall cover the following vaccine-preventable diseases:

- (a) Tuberculosis;
- (b) Diphtheria, tetanus and pertussis;
- (c) Poliomyelitis;
- (d) Measles;
- (e) Mumps;
- (f) Rubella or German measles;
- (g) Hepatitis-B;
- (h) H. Influenza type B (HIB); [and]
- (i) **ROTAVIRUS; AND**

J. Such other types as may be determined by the Secretary of Health in a department circular UPON THE RECOMMENDATION OF THE FORMULARY EXECUTIVE COUNCIL (FEC) AND AFTER PRESENTATION IN A JOINT PUBLIC HEARING OF THE COMMITTEE ON HEALTH AND DEMOGRAPHY OF THE SENATE AND THE COMMITTEE ON HEALTH OF THE HOUSE OF REPRESENTATIVES.

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SEC. 2. A new section to be numbered as Section 7 is hereby added to read as follows:

"SEC. 7. ANNUAL REPORT. - THE DOH SHALL SUBMIT TO THE PRESIDENT, THE SENATE COMMITTEE ON HEALTH AND DEMOGRAPHY, AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON HEALTH ON OR BEFORE THE END OF DECEMBER OF EVERY YEAR, OR UPON THE REQUEST OF ANY OF THE AFORESAID COMMITTEES OF CONGRESS, A REPORT GIVING A DETAILED ACCOUNT OF THE STATUS OF THE IMPLEMENTATION OF THIS ACT."

SEC. 3. Section 7, 8, 9, 10 and 11 of the same Act are hereby renumbered as 8, 9, 10, 11 and 12 respectively.

SEC. 4. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

SEC. 5. *Repealing Clause.* – All laws, orders, decrees, rules and regulations, and other parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,