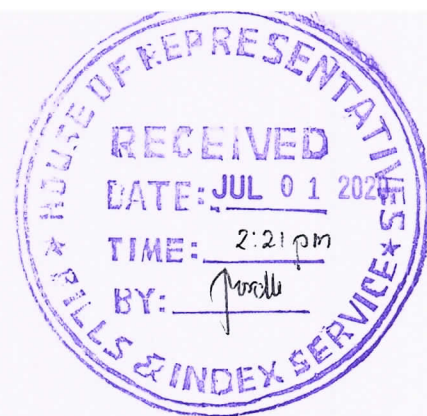


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 7046



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

1 The overwhelming increase in positive COVID-19 cases, financial and
2 economic pressures brought about by the community quarantine, and concern
3 for our own family's safety are every man's burden. It is understandable, but
4 because of our concern about our personal interests we failed to appreciate and
5 see that in during these trying times health workers have been in the frontline.
6 Physicians, nurses, technicians have been taking longer shifts, skipping meals,
7 and risking their own health all because they chose to stand by their oath as
8 health professionals.

9
10 Unfortunately, because of the desire of some to prioritize their personal
11 interest and their failure to realize that the COVID-19 is a public health issue,
12 there are patients who chose not to disclose vital information to their attending
13 physicians. We have seen cases where a number of doctors contracted the
14 COVID-19 virus because their patients did not tell them that they have had
15 exposure to persons under investigation (PUIs) or persons with COVID-19, or
16 have travel history to places with confirmed cases of COVID-19. Some of these
17 doctors fell ill and have been in critical condition, and many more have been
18 placed at even higher risk. Our doctors, nurses, and all other health workers do
19 not deserve this.

20
21 These incidents of deliberate non-disclosure is a wake up call for us. These
22 will likely happen even after COVID-19. Another outbreak or public health
23 emergency remains a possibility in the future. Thus, in order to protect our
24 unsung heroes, a law penalizing the act of deliberate withholding from or refusal
25 to disclose vital information needed by the health workers to manage and treat
26 a certain case is necessary. Through this legislation, patients will be deterred
27 from making deliberate withholding of information, thus ensuring the safety of
28 our health professionals and the general public. Our health professionals

1 deserve not only our salute, but also our protection. It is for these reasons that
2 the passage of this bill is earnestly sought.
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4
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7



ALFRED C. DELOS SANTOS

Representative, Ang Probinsyano Partylist

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HOUSE BILL NO. 7046

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AN ACT
PENALIZING THE DELIBERATE WITHHOLDING OF IMPORTANT
INFORMATION BY PATIENTS TO THEIR PHYSICIANS AND OTHER
ATTENDING HEALTH WORKERS IN TIMES OF PUBLIC HEALTH
EMERGENCY, OUTBREAKS, AND PANDEMIC

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

SECTION 1. *Short Title.* – This Act shall be known as the “Health Workers Protection Act of 2020.”

SECTION 2. *Declaration of Policy.* – In recognition of the immense sacrifice of health workers, it is the policy of the State to protect and promote their right to a safe working environment, especially in times of public health crisis, outbreaks, and pandemic.

SECTION 3. *Coverage.* – For purposes of this Act, the term “health worker” shall include all physicians, nurses, technicians, and therapists working in a hospital or health care setting, whether private or public, and those deployed to local health clinics providing primary care to the inhabitants of such locality.

SECTION 4. *Unlawful Act.* – It shall be unlawful for any person, whether a patient admitted in the health facility or an out-patient, or the parent, guardian or ward of the said in-patient or out-patient, to deliberately withhold from or refuse to disclose to a health worker all the pertinent information required for the proper handling and treatment of his or her case after the latter has clearly inquired about such information, during a public health emergency, outbreak, or pandemic of contagious diseases.

1
2 Disclosure made by the patient subsequent to the act of deliberately
3 withholding such pertinent information for the proper handling and treatment
4 of his or her case shall not be absolve the offender nor shall it bar the filing of
5 the an action against the offending party.
6

7 SECTION 5. *Penalties.* – Any person found to be in violation of the foregoing
8 unlawful act shall be penalized with imprisonment for not less than six (6)
9 months but not more than one (1) year, fine of not less than one hundred
10 thousand pesos (PhP 100,000.00) but not more than one million pesos (PhP
11 1,000,000.00), or both.
12

13 An imprisonment of not less than one (1) year to not more than two (2)
14 years, fine of not less than five hundred thousand pesos (PhP 500,000.00) but
15 not more than two million pesos (PhP 2,000,000.00), or both shall be imposed if
16 the unlawful act of deliberate withholding or non-disclosure resulted to the
17 spreading of the disease to the attending health worker or other patients in the
18 same health facility where the offender obtained consultation or treatment.
19

20 SECTION 6. *Separability Clause.* – If any provision or part of this Act is
21 held invalid or unconstitutional, the remaining provisions or parts unaffected
22 shall remain in full force and effect.
23

24 SECTION 7. *Repealing Clause.* – All laws, executive orders, presidential
25 decrees or issuances, letters of instruction, administrative orders, rules, and
26 regulations contrary to or inconsistent with the provisions of this Act are hereby
27 repealed, amended, or modified accordingly.
28

29 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
30 after its publication in the Official Gazette or in a newspaper of general
31 circulation.
32

33 Approved,