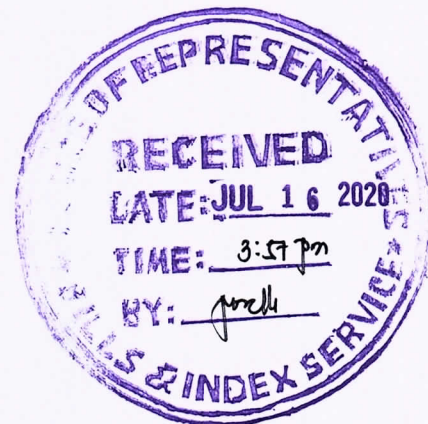


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 7110



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

**AN ACT AMENDING SECTION 34 (b) OF R.A NO. 11223, OTHERWISE KNOWN AS
AN ACT INSTITUTING UNIVERSAL HEALTH CARE FOR ALL FILIPINOS,
PRESCRIBING REFORMS IN THE HEALTH CARE SYSTEM, AND APPROPRIATING
FUNDS THEREFOR**

EXPLANATORY NOTE

Republic Act No. 11223 or the Universal Health Care Law was primarily enacted to enroll all Filipinos to the National Health Insurance Program and to prescribe complementary reforms in the health system.

Among the reforms under this law, the Department of Health as the steward for the whole health system was tasked to ensure the availability, affordability and acceptability of safe and quality health services. In particular, the Health Technology Assessment (HTA) was institutionalized as a fair and transparent mechanism for the determination of range of entitlements such as drugs, medicines, pharmaceutical products, and other devices procedures and services provided under the law.

For safety and effectiveness of such interventions, the law provides that "Each intervention must have undergone Phase IV clinical trial and systematic review and meta-analysis must be readily available. The interventions must also not pose any harm to the users and health care providers." (*emphasis supplied*). Hence, only vaccines including drugs and medicines which have undergone such Phase IV clinical trial may be used for any population-based intervention by the Department of Health.

However, in light of the recent events particularly our experience with the COVID-19 Pandemic, such requirement poses as a limit to our country's immediate access to any breakthrough drugs and medicines, which are critical in the promotion of public health especially in times of pandemic. Considering that time is of essence in the fight against any disease outbreak, immediate procurement of vaccines including drugs and medicines has become a top priority in order to save lives and pre-empt debilitating effects of a pandemic.

This bill therefor seeks to amend Section 34 (b) of the Universal Health Care Law in order to relax the stringent requirements for a Phase IV clinical trial, and systematic review and meta-analysis in times of public health emergencies.

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

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

SECTION 1. Section 34(b)(2) of Republic Act No. 11223, otherwise known as the
“Universal Health Care Act, is hereby amended to read as follows:

“SEC. 34 .*Health Technology Assessment (HTA)*. –

xxx

“(b) The following criteria must be observed in the conduct of HTA:

“(1) Responsiveness to Magnitude, Severity, and Equity. - The health interventions must address the top medical conditions that place the heaviest burden on the population, including dimensions of magnitude or the number of people affected by a health problem, and severity or health loss by an individual as a result of disease, such as death, handicap, disability or pain, and conditions of the poorest and most vulnerable population;

“(2) Safety and Effectiveness. - Each intervention must have undergone Phase IV clinical trial, and systematic review and meta-analysis must be readily available. The interventions must also not pose any harm to the users and health care providers; **PROVIDED THAT, IN CASE OF A PANDEMIC OR UPON THE DECLARATION OF A STATE OF PUBLIC HEALTH EMERGENCY, SUCH REQUIREMENTS MAY BE DISPENSED WITH;**”

xxx

SEC.5. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,