

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 8978



Introduced by Honorable Wes Gatchalian

**AN ACT
ESTABLISHING THE UNIFIED COVID-19 CONTACT TRACING SYSTEM
AND APPROPRIATING FUNDS THEREFOR.**

Explanatory Note

Contact Tracing is a public health strategy aiming to dramatically decrease, or at least contain the spread of the COVID-19 disease. During the early stages of the pandemic, when community lockdowns and travel restrictions are in effect, it has been proven to be an effective measure of curtailing transmission of the virus. Contact tracing allows us to identify, and isolate persons who may have been exposed to an infected individual and prevented them from further interacting with others.

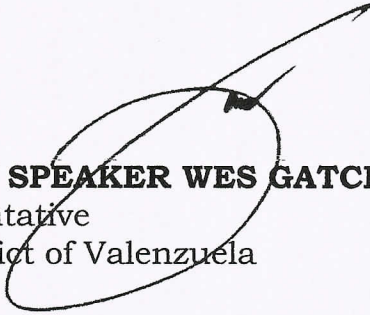
As the government eased the community lockdowns and lifted travel restrictions, however, contact tracing has become more challenging. Local Government Units (LGUs) in the country, and the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) are having a hard time in conducting thorough contact tracing due of cross border movement of people and the apparent lack of shared COVID-19 database lack among LGUs, Public and Private Establishment.

Last November 26, 2020, through Resolution No. 85 (s. 2020), the Inter-Agency Task Force for the Management of Emerging Infectious Diseases prescribed the use of the Staysafe.ph platform as the official COVID-19 management and monitoring application for all national government agencies and offices, including local government units (LGUs). It also enjoined those with their own contact tracing apps to integrate their respective systems with Staysafe.ph. Some LGUs and industry sectors such as the tourism industry however, preferred other platforms or create their own contact tracing applications, independent and separate from Staysafe.ph.

This non-centralized data collection produces redundant data, cost and labor duplication and less effective contact tracing solutions. A person must sign up or register to a different contact tracing application each time he enters a different establishment, while some LGUs do not even have a unified contract tracing system within their jurisdiction. In fact, it was just recently when the city governments of Pasig, Valenzuela, and Antipolo have decided to integrate the use of their respective contact tracing applications to boost efforts in the fight against the coronavirus disease (Covid-19).

With that said, this Representation believes that we should have a unified contact tracing system. All contact tracing applications and initiatives in the county should be interconnected and interoperable in order for us to cast the widest net in the conduct of contact tracing. Although the vaccines for the Covid-19 disease are already here, COVID-19 infections are still increasing in Philippines, with 2,580 new infections reported on average each day. It is therefore imperative that we continue amplify our efforts and maximize our resources in combating the spread of the virus.

In view of the foregoing the prompt passage and approval of this legislation is earnestly sought.



DEPUTY SPEAKER WES GATCHALIAN
Representative
1st District of Valenzuela

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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 "*Unified COVID-19 Contact Tracing System*".

SEC. 2. Definition of Terms. - Whenever used in this Act, the following terms shall have the respective meanings herein set forth:

- a. QR (Quick Response) Code shall refer to a machine-readable code containing a matrix of dots which typically stores information, and which can be scanned using a QR scanner or smartphone with built-in camera.
- b. Unified COVID-19 Central Contact Tracing System shall refer to the system which gathers, stores, and disposes all information of the individuals who registered in the digital contact tracing app of Local Government Units, Government Offices and Private Establishments;
- c. Registrant shall refer to the customers, visitors and employees of public and private establishments, who are twenty-one (21) years old and above;
- d. Public Establishment shall refer to a building or enclosed place which is owned, leased, or controlled by a government entity for governmental purpose;
- e. Private Establishment shall refer to a building or enclosed place which is owned, leased, or controlled by a non-governmental entity for a

- nongovernmental purpose, which includes but not limited to, commercial, industrial, indoor establishments, churches, hotels, motels and inns, supermarkets and markets;
- f. Scanner shall refer to a device with functional camera, supports wireless internet access, and has the ability to run software applications that will be used for scanning QR Codes;
 - g. Data Subject shall refer to an individual whose personal information is processed; and
 - h. Consent of the Data Subject shall refer to any freely given, specific, informed indication of will, whereby the data subject agrees to the collection and processing' of personal Information about and or relating to him/her. Consent shall be evidenced by written, electronic or recorded means. It may also be given on behalf of the data subject by an agent specifically authorized by the data subject to do so.

SEC 3. The Unified COVID-19 Contact Tracing System - The Department of Information and Communication Technology (DICT), together with the Department of Health (DOH) and in coordination with the Inter-Agency Task Force on Emerging Infectious Diseases (IATF-EID), are hereby mandated to establish a Unified COVID-19 Contact Tracing System.

The Unified COVID-19 Contact Tracing System will be a centralized repository of Covid-19 contact tracing information of data subjects gathered by any Local Government Units, Government Offices, Public and Private Establishments' digital contact tracing application or software.

SEC 4. Interconnectivity and Interoperability of Digital Contact Tracing Applications – For ease of contact tracing, all data gathered by any digital contact tracing application in the country shall be automatically be transmitted and integrated to the Unified COVID-19 Contact Tracing System in real time. The data transmitted to the system shall be utilized in tracing the movements of data subjects who have been exposed or in contact with a COVID-19 positive patient, and shall be made readily available to any agency, medical establishment, and/or government units conducting the contact tracing.

Upon registration to a digital contact tracing system in the country, a registrant shall be assigned a unique Quick Response Code (QR Code) which he/she can present to a scanner prior to his/her entry in any establishments requiring submission of contact tracing information. Local Government Units, Government Offices, Public and Private Establishments in the country are hereby mandated to introduce modifications to their respective digital contact tracing applications to allow interconnection and interoperability with one another.

SEC. 5. Handling and Processing of data. - All information gathered from the data subjects of The Unified COVID-19 Contact Tracing System shall be treated with the highest degree of confidentiality in accordance with Republic Act No. 10173, otherwise known as the Data Privacy Act, and shall be securely disposed of after thirty (30) days from the time it was collected.

SEC. 6. Implementing Rules and Regulations. - Within thirty (30) days from the effectivity of this Act, the DICT, DOH, in coordination with the IATF-EID shall promulgate the necessary rules and regulations to effectively implement the provisions of this Act.

SEC. 7. Appropriation. - The funds necessary to initially implement the provisions of this Act shall be sourced from the available funds of the DICT and DOH. Thereafter the funds necessary for the continuing implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 8. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 9. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

SEC. 10. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,