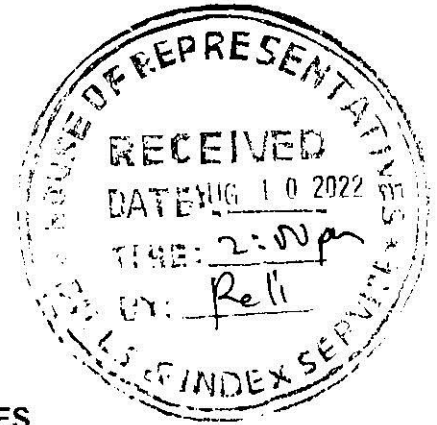


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **3457**



Introduced by Representative **WOWO FORTES**

EXPLANATORY NOTE

This bill seeks to establish the Philippine Blood Center in order to rationalize and improve the provision of adequate and safe supply of blood and to set the standards for scientific and professional establishment and operation of other blood banks and sub-national / regional blood centers in the country.

Republic Act No. 7719 of the National Blood Services Act of 1994 and the consequent strengthening of voluntary blood services nationwide came on the heels of unprecedented need for blood and blood products secondary to inevitable epidemiologic shift towards rising incidence of dengue fever and its hemorrhagic forms, the increasing threat of HIV and other blood borne infections and, more recently by the national goal of drastically reducing maternal deaths through the assurance of adequate supply of safe blood.

Part of Section 2, of the said law states that *"In order to promote public health it is hereby declared the policy of the State: to promote and encourage voluntary blood donation by the citizenry and to instill public consciousness of the principle that blood donation is a humanitarian act; to lay down the legal principle that the provision of blood for transfusion is a professional/medical service and not a sale of a commodity; to provide for adequate, safe, affordable and equitable distribution of supply of blood and blood products; to inform the public of the need for voluntary blood donation to curb the hazards caused by the commercial sale of blood; to mobilize all sectors of the community to participate in mechanisms for voluntary and non-profit collection of blood; to mandate the Department of Health to establish and organize a National Blood Transfusion Network in order to rationalize and improve the provision of adequate and safe supply of blood; to require all blood collection units and blood banks/centers to operate on a non-profit basis..."*

Consistent with the provision of the Republic Act, this bill aims to establish the Philippine Blood Center that is adequately supported by the DOH and closely supervised by the National Council for Blood Services. This could provide the blood and blood products needed during peaks and upsurges in demand and critical in augmenting the blood services being provided by hospitals and partner agencies. Further, it will serve to perform unique functions such as but not limited to: 1. Policy making in areas where technical operation and quality management system play critical role; 2. Standard setting for acceptable norms to be replicated in other blood

centers; 3. Quality assurance monitoring; 4. Capability building; and 5. Research and development.

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



ATTY. WOWO FORTES
Representative
Second District, Province of Sorsogon

HOUSE OF REPRESENTATIVES

H. B. No. **3457**

Introduced by Representative **WOWO FORTES**

**AN ACT ESTABLISHING THE PHILIPPINE BLOOD CENTER, DEFINING ITS
OBJECTIVES, POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS
THEREFOR**

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

SECTION 1. *Title* – This set shall be known as the “Philippine Blood Center Act of
2022”

SEC. 2. *Declaration of Policy*. – It is hereby declared the policy of the State to protect
and promote the right to health of every patient requiring blood transfusion by ensuring
adequate supply of blood that is safe, affordable, equitable, effective and efficient at
all times when the need arises

SEC. 3. *Definition of Terms*. – As used in this Act:

- a. *Blood* – refers to the human blood for transfusion
- b. *Blood component* – refers but not limited to whole blood, red cells,
granulocytes, plasma, platelets, cryoprecipitate and cryosupernate prepared in
a Blood Center
- c. *Blood product* – a therapeutic substance derived from whole blood or plasma
- d. *Voluntary, Non-remunerated Blood Donor* – a donor who gives blood freely and
voluntarily without receiving money or any form of payment.

SEC. 4. *Philippine Blood Center*. – The Philippine Blood Center (PBC), a government-
owned facility, is hereby established to address the safe and equitable supply of blood
and blood products to all hospitals and non-hospital based facilities doing blood
transfusion and shall be located at the Lung Center of the Philippines (LCP)
Compound, Quezon Avenue, Quezon City. The PBC shall be the lead blood center of
the Philippine National Blood Services (PNBS), a group of DOH-retained, Philippine
Red Cross and LGU regional blood centers all over the Philippines.

SEC. 5. *Purposes and Objectives.* – The PBC shall have the following purposes and objectives:

- a. Recruit, retain and care for voluntary blood donors;
- b. Collect blood from qualified voluntary blood donors;
- c. Test units of blood for the five (5) transfusion-transmissible infections (HIV 1 and 2, Hepatitis B, Hepatitis C, Malaria and Syphilis)
- d. Process whole blood into blood components;
- e. Collect blood components through Apheresis;
- f. Store, issue, transport and distribute whole blood and blood components to end-user hospitals and non-hospital health facilities;
- g. Implement and monitor quality assurance to selected regional blood centers;
- h. Conduct training and research related to blood bank technology and blood transfusion services;
- i. Perform special confirmatory and reference immunohematologic examinations such as: identification of red cell antibodies, phenotyping of patients and donors, and provision of antigen-negative red cell units;
- j. Manufacture and provide typing sera and panel of reagent red cells;
- k. Prepare special plasma derivatives;
- l. Ensure that safe supply of blood and blood products to all hospitals and other health facilities are adequate in terms of distribution and delivery; and
- m. Perform other functions as may be assigned by the National Council of Blood Services.

SEC. 6. *Scope of Services.* – Consistent with its purposes and objectives, the PBC shall provide the following services:

- a. Advocate, disseminate information and promote voluntary blood donation including healthy lifestyle in the community as an effective way to recruit, retain and care for qualified volunteer blood donors;
- b. Coordinate human resource and logistics assistance to mobile blood donations within the Blood Services Network especially during disease outbreak like Dengue infection, natural calamities and disasters where blood and blood products are critical as a form of life - saving measure;
- c. Engage in social mobilization activities like conduct of mobile blood donation activities in partnership with the Local Blood Council, Philippine Red Cross, Blood Service Facilities, Local Government Executives, Blood Collection Units and other institutional blood donor organizations;
- d. Collect Apheresis – derived blood products from qualified volunteer donors.
- e. Test blood units for infectious agents, blood component processing and leukoreduction/depletion of units of blood for issuance and distribution of safe, quality blood and blood products;
- f. Standardize and regularly monitor all Blood Service Facilities and hospitals in its network;
- g. Provide on-the-job training for BSF staff, technical assistance as well as technical resource persons in the education and training of medical technologists and other technical personnel of other regional blood centers; and
- h. Conduct research in the field of blood transfusion and blood bank technology.

SEC. 7. *Organizational Structure and Staffing Pattern.* – The DOH, through the Health Human Resource Development Bureau (HHRDB) shall determine the organizational structure and staffing pattern of the PBC subject to the evaluation by the Civil Service Commission and of the Organization Position Classification and Compensation Bureau of the Department of Budget and Management. The DOH may reorganize said structure, modify the staffing pattern and create or abolish divisions, sections or units in the PBC.

SEC. 8. *Appointment by the DOH.* – The DOH, through the HHRDB shall have the authority to appoint, promote, transfer, remove, suspend or otherwise discipline the officers and employees of the PBC upon the recommendation of the Director, subject to Civil Service laws, rules and regulations.

SEC. 9. *Director.* – The PBC shall be headed by a Director who shall be appointed by the President of the Philippines upon the recommendation of the Secretary of Health.

The Director shall exercise the following powers and functions:

- a. Execute the policies, guidelines, standards, projects, programs and other activities approved by the Secretary of Health, and be responsible for the efficient discharge of management and operational functions;
- b. Submit for consideration and approval of the Secretary of Health proposed measures, policies, guidelines and programs as may be deemed necessary or proper for the effective implementation of the purposes and objectives of this Act;
- c. Direct and supervise the management, operation and administration of the PBC, and may delegate this power and any or some of his administrative responsibilities and duties to the other officers of the PBC;
- d. Execute, on behalf of the Secretary of Health, all contracts and agreements which the latter may enter into, and to execute, accomplish and deliver any and all documents relative to such contracts and agreements;
- e. Represent the PBC in all dealings with other offices, agencies and instrumentalities of the government, and all other persons or entities, whether domestic or foreign and whether government or private;
- f. Recommend to the Secretary of Health the appointment, promotion, transfer, dismissal and suspension of the officers and employees of the PBC; and
- g. Exercise such other powers and perform such duties as may be vested or reposed by the Secretary of Health.

SEC. 10. *Program for Indigents.* – The DOH shall ensure that the PBC shall adopt and enforce a program for indigents needing blood and blood products in accordance to the implementing guidelines on classification of patients and on availment of Medical Social Services in Government Hospitals.

SEC. 11. *Tax Exemptions and other Privileges.* – The provision of any general or special law to the contrary notwithstanding, all donations, grants, contributions, gifts or endowments received by the PBC pursuant hereto, shall be exempt from income, gift and all other kinds of taxes, and shall be further considered as allowable

deductions from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 12. *Annual Report.* – The PBC shall submit an annual report to the President of the Philippines, the Senate Committee on Health and Demography and the House Committee on Health, on its activities, accomplishments and recommendations to better address and improve the safe supply of blood in the Philippines.

SEC. 13. *Implementing Rules and Regulations.* – The Secretary of Health in coordination with the Secretary of Budget and Development, shall promulgate such rules and regulations necessary for the implementation of this Act.

SEC. 14. *Appropriations.* – The amount of One Hundred Million (Php 100,000,000.00) is hereby appropriated for the initial operation and maintenance of the PBC. Thereafter, such sum as may be necessary for the continued operation of the PBC shall be included in the annual General Appropriations Act.

SEC. 15. *Non-Profit Operation.* – The PBC shall operate on a non-profit basis provided that it may collect blood service fees not greater than the maximum prescribed by the DOH which shall be limited to the necessary expenses entailed in collecting, processing and testing of blood. Blood shall be collected from healthy voluntary donors only.

SEC. 16. *Establishment of a Trust Fund.* – A trust fund shall be established out of the donations generated by the PBC and its retained income from the collected blood service fees. The funds shall be used for the twenty-four hour operation, additional manpower, purchase of additional blood bank equipment and for the augmentation of Maintenance and Other Operating Expenses (MOOE) specifically for the purchase of reagents, medical and laboratory supplies.

SEC. 17. *Repealing Clause.* – All laws, decrees, orders, proclamations, rules and regulations, or parts thereof, which are inconsistent with the Act are hereby repealed, amended, or modified accordingly.

SEC. 18. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,