

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4795



Introduced by **HON. GUS S. TAMBUNTING**

AN ACT
ESTABLISHING THE ONE PATIENT-ONE ELECTRONIC MEDICAL RECORD SYSTEM IN
THE PHILIPPINES THEREBY CREATING THE OFFICE OF THE NATIONAL
COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The State must provide quality health services to the people. To this end, the Constitution provides that the State adopts an integrated and comprehensive approach to health development which should make essential goods, health services, and other social services more accessible to people.

This measure seeks to upgrade the current health system and adopt a competent, reliable, and efficient centralized nationwide health information technology system. The measure will institutionalize a one-patient-one electronic medical record system that would provide each patient in the Philippines with a single electronic medical file (which shall be made accessible at any health care institution in the Philippines) containing the history of one's medical condition and treatments undergone. This removes the repetitive procedure of detailing your medical history every time you visit a different hospital. As the detailing of medical history to another health institution only relies on the patient's or the patient's company's memories, there is an increased likelihood of errors in diagnosis due to inaccurate patient information. The inexistence of readily available medical records in an institution also forces health professionals to conduct additional tests to ensure the accuracy of diagnosis which leads to more expenses for patients. The one patient-one medical record system ensures that patient information is accurate and extensive, consequently allowing any health institution to provide more efficient medical services to any person.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. GUS S. TAMBUNTING
2nd District, Parañaque City

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

SECTION 1. Declaration of Policy. It is hereby declared the policy of the State to establish a competent, reliable, efficient, integrated, and centralized nationwide health information technology system that allows for the electronic use of patient health record system, that can be accessible to the patient and his/her healthcare professional as needed anywhere in the country. This system shall ensure the following:

1. Accurate and appropriate information to help guide medical decisions at the time and place of care is provided;
2. Early detection, prevention, and management of chronic diseases are promoted;
3. Health care quality is improved, and patient-centered medical care is advanced by reducing medical errors and medical disparities in the diagnosis and treatment of patients;
4. Health care cost resulting from inefficiency, medical errors, and inappropriate and duplicative care is reduced;
5. Coordination of care and information among hospitals, laboratories, physician offices, and other entities is improved through an effective infrastructure for the secure and authorized exchange of health care information;
6. Patient's health information is secured and protected, and by applicable law;
7. Public health activities are improved and early identification and rapid response to public health threats and emergencies are facilitated;
8. Health and clinical research and health care quality are facilitated;
9. Fraud in the use of government social insurance systems such as the PhilHealth, SSS, and GSIS is averted.

SEC. 2. Institutionalization of the One Patient- One Electronic Medical Record System.
There shall be established in the Philippines the One Patient-One Electronic Medical Record

System, which is a centralized electronic patient health record system to be managed by the Office of the National Coordinator for Health Technology of the Department of Health.

The Office of the National Coordinator for Health Technology in coordination with the Department of Information and Communications Technology ("DICT") shall make and implement such programs as may be necessary to enable the One Patient-One Electronic Medical Record System to be available in the entire country, even in remote areas with limited access to internet services.

All health care providers and healthcare professionals keeping medical records of their patients shall migrate to electronic/digital format copies of such records and integrate the same into the system provided for by the Office of the National Coordinator for Health Technology. The National Coordinator shall issue IT Certifications to health care providers and healthcare professionals for their compliance to the One Patient-One Electronic Medical Record System of the Office of the National Coordinator for Health Technology. Issuance of the IT Certification by the National Coordinator shall mean that the electronic patient record system of the health care providers and health care professionals are compatible and are integrated into the One Patient-One Electronic Medical Record System.

The Office of the National Coordinator for Health Technology shall in partnership with the Philippine Health Insurance Corporation ("PhilHealth"), Social Security System ("SSS"), and Government Service Insurance System ("GSIS") make available to PhilHealth, SSS and GSIS such information as may be necessary to verify claims for benefits before it, by the Data Privacy Act.

All persons filing their respective claims with PhilHealth, SSS, and GSIS consent to the use of the data contained in the One Patient-One Electronic Medical Record System about them for verification purposes upon the filing of their application for such claims/benefits.

SEC. 3. Office of the National Coordinator for Health Information Technology. There shall be created within the Department of Health, the Office of the National Coordinator for Health Information Technology headed by a National Coordinator who shall be appointed by the Secretary of Health and shall report directly to the Secretary.

The National Coordinator shall be a Filipino Citizen and shall be of known competence, probity, integrity, and recognized expertise in information systems, management, medicine, or the law. He shall be a career official who passed the merit and fitness test of the Civil Service Commission. The National Coordinator shall perform the following:

1. Coordinate health information policy and programs of the Department of Health with those of other relevant agencies of the government to avoid duplication of efforts and of helping to ensure that each agency undertakes health information activities primarily within the areas of its greatest expertise and technical capability and in a manner towards a coordinated national goal.
2. Become the leading member in the establishment and operations of the Health Information Technology Policy and Standards Committee (HIT Policy and Standards Committee);
3. Prepare the National Health IT Strategic Plan in consultation with the appropriate national agencies and various stakeholders;

4. Maintain and frequently update an Internet website on which there is posted information on the work, schedules, reports, recommendations, updates on the implementation of the National Health IT Strategic Plan, issued Certifications, and other information to ensure transparency in the promotion of a nationwide health information technology infrastructure;
5. Establish a governance mechanism for the national health information network;
6. Establish a program for voluntary certification of health information technology as complying with the applicable certification criteria issued by the Office of the National Coordinator for Health Technology of the Department of Health.

SEC. 4. National Health IT Strategic Plan. The National Coordinator shall after due consultation and in collaboration with appropriate government agencies and private sector stakeholders formulate the National Health IT Strategic Plan. The National Strategic Plan shall identify specific objectives, milestones, and metrics and provide measurable outcome goals in the implementation of the One Patient-One Electronic Medical Record System. Specifically, the National Health IT Strategic Plan shall provide the following:

1. Full implementation and utilization of electronic health records for each patient in the Philippines in 2030;
2. Electronic exchange and use of health information integration of healthcare providers and professionals of such information;
3. Incorporation of privacy and security protections for the electronic exchange of individual's individually identifiable health information;
4. Provision of security methods to ensure appropriate authorization and electronic authentication of health information;
5. Methods to foster the public understanding of health information technology;
6. Specification of the framework for coordination and flow of recommendations and policies among the Secretary, the National Coordinator, the HIT Information Technology Policy and Standards Committee, and other health information exchanges and other relevant entities;
7. Strategies to enhance the use of health information technology in improving the quality of health care, reducing medical errors, reducing health disparities, improving public health, increasing prevention and coordination with community resources, and improving the continuity of care;
8. Specific plans for ensuring that populations with unique needs, such as children, are appropriately addressed in the technology design, as appropriate, which may include technology that automates enrollment and retention for eligible individuals.

SEC. 5. Certifications. The National Coordinator, in consultation with the DICT, shall provide certification criteria and a program for voluntary certification of health information technology as complying with applicable certification criteria adopted by the National Coordinator by the National Health IT Strategic Plan. Certification Criteria means the criteria or standards and implementation specifications for health information technology to establish that the technology meets such standards and implementation specifications.

Issuance of the Certification by the National Coordinator means compliance under this Section.

SEC. 6. Health Information Technology Policy and Standards Committee. There shall be created the Health Information Technology Policy and SEC. 6. Health Information Technology Policy and Standards Committee. There shall create the Health Information Technology Policy and recommendations to the National Coordinator relating to the implementation of the One Patient-One Electronic Medical Record System including the implementation and updating of the National Health IT Strategic Plan. The HIT Policy and Standards Committee shall also recommend to the National Coordinator standards, implementation specifications, and certification criteria for the electronic exchange and use of health information by the National Health IT Strategic Plan.

The HIT Policy and Standards Committee is composed of fifteen (15) members, as follows:

- 1) 3 members representing patients and consumers;
- 2) 2 members representing health care providers and professionals;
- 3) 1 member who has expertise in health information privacy and security;
- 4) 1 member who has expertise in improving the health of vulnerable populations;
- 5) 2 members who have expertise in information systems management from the private sector;
- 6) 1 member shall be from the research community;
- 7) 1 member shall represent health plans, insurance, or other third-party players;
- 8) 1 member shall represent information technology vendors;
- 9) 2 members shall be experts on information technology from the DICT;
- 10) 1 member shall have expertise in health care quality measurement and reporting.

Members of the HIT Policy and Standards Committee shall be appointed by the Secretary of Health and shall serve for a period of six (6) years. They shall be entitled to such honorarium as the Secretary of Health may provide, and as approved by the Department of Budget and Management.

A majority of the member of the HIT Policy and Standards. The committee shall constitute a quorum for purposes of voting, but a lesser number of members may meet and hold meetings.

SEC. 7. Linkages with Social Insurance. The Office of the National Coordinator for Health Information Technology shall make available to the Philippine Health Insurance Corporation, the Social Security System, and the Government Service Insurance System, without cost, such data as may be necessary for the validation of member claims made with said agencies.

The Office of the National Coordinator for Health Information Technology may, subject to the consent of the patient, enter into agreements with private health and life insurance companies for the sharing of medical information.

SEC. 8. Certification Mandatory for PhilHealth Claims for Reimbursement. PhilHealth and the Office of the National Coordinator for Health Technology shall endeavor to provide healthcare professionals and Healthcare institutions access to the One Patient-One Electronic Medical Record System.

Access by PhilHealth to patient medical records under the One Patient-One Electronic Medical Record System is a mandatory requirement before payment of PhilHealth claims for reimbursements of such patients.

PhilHealth and the Office of the National Coordinator for Health Information Technology shall provide for such rules as may be followed, that will allow reimbursements in cases where access to One Patient-One Electronic Medical Record System is not possible due to lack of internet access in the area.

SEC. 9. Linkages to Research. The Department of Health shall utilize the information derived from the data collected by the Office of the National Coordinator for Health Information Technology for research and in the improvement of programs for the improvement of the health of the people.

The Philippine Health Insurance Corporation shall make use of the data collected by the Office of the National Coordinator for Health Information Technology in the development of its case rate system.

SEC. 10. Appropriations. An initial amount of 50 Million Pesos (Php 50,000,000.00) is hereby appropriated under the Department of Health for the implementation of this Act. Thereafter, such amounts as may be necessary for the continued operation of the system shall be continuously appropriated in the budget of the Department of Health.

SEC. 11. Separability Clause. The provisions of this Act are hereby declared to be separable, and in the event, that any one or more of such provisions are held unconstitutional, they shall not affect the validity of other provisions.

SEC. 12. Repealing Clause. All laws, executive and administrative orders, or parts thereof, inconsistent with any provision of this Act are hereby repealed or modified accordingly.

SEC. 13. Effectivity. This Act shall take effect fifteen (15) days after Its publication In the Official Gazette or any newspaper of general circulation.

Approved,