



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



NINETEENTH CONGRESS
First Regular Session

House Bill No. 8502

Introduced by Representative TEODORICO “NONONG” T. HARESCO, JR.

AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9502,
OTHERWISE KNOWN AS THE “UNIVERSALLY ACCESSIBLE CHEAPER AND
QUALITY MEDICINES ACT OF 2008”, FOR THE PURPOSES OF EXPANDING
COVERAGE AND PROMOTING THE USE OF GENERIC MEDICINES

EXPLANATORY NOTE

In 2008, Republic Act No. 9502, otherwise known as the “Universally Accessible Cheaper and Quality Medicines Act” was passed into law, aiming to make quality medicines affordable and accessible to all Filipinos. RA 9502 amended provisions of RA 8293 (Intellectual Property Code), RA 6675 (Generics Act of 1988), and RA 5921 (Pharmacy Law) in order to achieve such goal of making medicines more affordable to the public.

It has been fifteen years since the enactment of the Cheaper Medicines Act. The landmark legislation has led to the decline of medicine prices since 2009, primarily through the initiatives of the Department of Health (DOH) to implement the law using measures on maximum drug retail prices (MDRP) and the government mediated access prices (GMAP).

However, prices of medicines and drugs in the Philippines have remained relatively expensive. According to a 2019 report by global health insurer Mercer Marsh Benefits, drug prices in the Philippines are the second-most expensive in Southeast Asia¹. Generally, the high

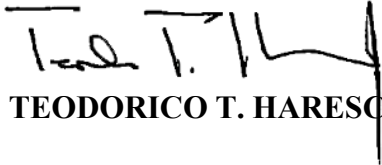
¹ <https://www.bworldonline.com/top-stories/2020/03/04/281797/duterte-prescribes-ceiling-for-rising-drug-prices/>

prices of medicines tend to weaken access to medicines by making them less affordable and available.

A study by the Philippine Institute for Development Studies (PIDS) in 2014, evaluating the impact of the Cheaper Medicines Act on Filipino households revealed that the implementation of the law encountered problems on making medicines affordable and accessible especially for the poor.² Across all socio-economic classes, there is low awareness of the said law. Among the recommendations of the said PIDS paper is to expand the coverage of regulated medicines and promote generic drugs to promote accessibility and affordability.

The proposed bill recognizes the importance of access to affordable and quality medicines by maximizing services and strengthening institutional mechanisms for health care in our laws. Thus, this bill seeks to amend RA 9502 by expanding the coverage of regulated medicines and promote generic drugs. Moreover, the bill mandates all medical, dental and veterinary practitioners, including private practitioners, to write prescription using generic name only as a mechanism to increase the utilization of generic medicines in the country.

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



TEODORICO T. HARESCO, JR

² De Guzman, Eleanor; Fausto, Maria Adoracion. 2014. "The Impact of the Cheaper Medicines Act on Households in Metro Manila: A Qualitative Study". Philippine Institute for Development Studies. Discussion Paper Series No. 2014-20.



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

1 **SECTION 1.** Section 23 of Republic Act No. 9502, otherwise known as the “Universally
2 Accessible Cheaper and Quality Medicines Act of 2008”, is hereby amended to read as follows:

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4 “SECTION 23. List of Drugs and Medicines that are Subject to Price Regulation . – The
5 list of drugs and medicines that are subject to price regulation shall include, inter alia:

6
7 (A) All drugs and medicines indicated for treatment of chronic illnesses and life
8 threatening conditions, such as, but not limited to, endocrine disorders, e.g.,
9 diabetes mellitus; gastrointestinal disorders, e.g., peptic ulcer; urologic
10 disorders, e.g., benign prostatic hyperplasia (BPH); cardiovascular diseases,
11 e.g., hypertension; pulmonary diseases, e.g., pulmonary tuberculosis (PTB),
12 asthma; auto-immune diseases, e.g. systemic lupus erythematosus (SLE),
13 **RHEUMATOID ARTHRITIS**; skin diseases, e.g., psoriasis; neuro-
14 psychiatric disorders; other infectious diseases, e.g., human
15 immunodeficiency virus-acquired immune deficiency syndrome (HIV-
16 AIDS); and other conditions such as organ transplants and neoplasm;

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20 (F) **ALL DRUGS AND MEDICINES INDICATED FOR TREATMENT OF**
21 **COMMON AILMENTS, SUCH AS, BUT NOT LIMITED TO**
22 **COMMON COLD, COUGH, BODY PAIN, MIGRAINE, AND**
23 **DIARRHEA;**

- (G) VITAMINS AND MINERAL SUPPLEMENTS, SUCH AS, BUT NOT LIMITED TO VITAMIN C, VITAMIN E, IRON SUPPLEMENT, FOLIC ACID;
- (H) ALL DRUGS AND MEDICINES INDICATED FOR EPIDEMICS AND SEASONAL ILLNESSES, SUCH AS, BUT NOT LIMITED TO DENGUE, CORONAVIRUS, LEPTOSPIROSIS;
- (I) Drugs and medicines that are included in the Philippine National Drug Formulary (PNDF) Essential Drug List; and
- (J) All other drugs and medicines which, from time to time, the Secretary of the Department of Health determines to be in need of price regulation.”

SECTION 2. Section 38 of the same Act is hereby amended to read as follows:

“SEC. 38. Section 6 of Republic Act No. 6675, otherwise known as the Generics Act of 1988, is hereby amended to read as follows:

Xxx

- (b) All medical, dental and veterinary practitioners, including private practitioners, shall write prescriptions using the generic name **ONLY**. ~~[The brand name may be included if so desired].~~

Xxx”

SECTION 3. *Implementing Rules and Regulations.* – The Department of Health, and other concerned government agencies and stakeholders shall, within thirty (30) days after the effectivity of this Act, promulgate necessary rules and regulations for the effective implementation of this Act.

SECTION 4. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SECTION 5. *Separability Clause.* – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 6. *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.

SECTION 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,