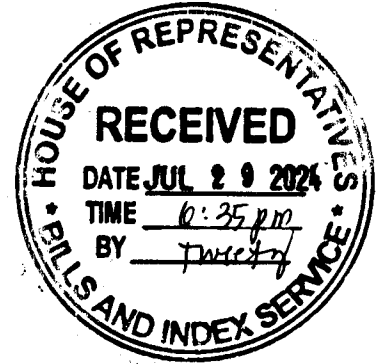


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

House Bill No. 10680



Introduced by ABONO Party-list Representative
HON. ROBERT RAYMUND M. ESTRELLA

EXPLANATORY NOTE

Access to affordable and quality healthcare remains a significant challenge for many Filipinos, particularly those in geographically isolated and disadvantaged areas (GIDA.)¹ The timely availability of essential medicines is a critical component of healthcare delivery and in many instances, the lack of accessible pharmacies, steep drug prices, and the additional burden of transportation costs exacerbate the difficulties faced by patients in obtaining their prescribed medications. These factors contribute to a compliance gap in patients, which if left unaddressed, will ultimately render the Universal Healthcare Act inutile.

There are about 30,000 practicing pharmacists spread thinly and unevenly between local pharmacies, private and public hospitals, and among other relevant institutions. Illustratively, the public healthcare system mandates the employ of an in-house pharmacist only up to the district level, meaning in small local hospitals, health centers, and rural health units, an essential health professional is absent—there even exists no available plantilla position for it. Add the fact that physicians are legally restricted to dispense medicine to their patients, except for free samples, and we now discover a glaring deficiency in our healthcare delivery system. If pharmacists, who are health professionals tasked with dispensing medicine and medication counseling are absent, while doctors are limited to writing prescriptions; the sale or distribution of medicines often becomes the responsibility of untrained individuals. Such practice is a health risk, and can only serve to increase the chances of mistreatment.

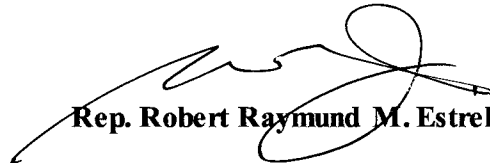
In this scenario, it makes no sense that a physician that can prescribe not only what medicine to take, but also the exact dosage required for maximum efficacy, cannot dispense the appropriate drug to their patients due to an antiquated restriction from a historical period when prescription drugs still had to be compounded in pharmacies. Physicians, owing to their relations with their patients, are already quickly able to gauge the efficacy of a given brand of medicine and/or the side effects that may arise from the usage of particular brands. In addition, they are professionally trained to provide counsel and discuss safeguards with regard to the medications they prescribe to their patients. The truth of the matter is, instead of relying on unqualified individuals who have little to no background in the practice of medicine and pharmacy, why not rely on our physicians who are better equipped to work with our pharmacists in effectively dispensing safe, affordable, and effective medicines.

The practice of allowing physicians to dispense medicines is not a groundbreaking policy proposal. Advances in medicine meant what was once a compound of varying substances have now taken a safer and more efficient form as capsules or tablets. Countries like the United States, Japan, and Singapore, among others, have allowed their physicians to dispense medicines making the process of

healing and recovery easier on patients, especially in underserved areas. Practically speaking, without the burden of overhead costs in establishing and operating a pharmacy, we can expect a reduction on the price of medicine, bypassing the opaque vagaries of retail drug pricing.

It is for these reasons that this measure is proposed. Under this Act, physicians shall be authorized to directly dispense medicines to their patients with the end goal of making medicines more accessible and helping to drive down medicine costs.

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



Rep. Robert Raymund M. Estrella

ANNEX 1

2023 GIDA SUMMARY as per the Department of Health

PROVINCE	# of GIDA
CAR	
ABRA	76
APAYAO	48
BENGUET	87
IFUGAO	108
KALINGA	90
MOUNTAIN PROVINCE	62
SUB-TOTAL	471
ILOCOS REGION	
ILOCOS NORTE	9
ILOCOS SUR	80
LA UNION	54
PANGASINAN	18
SUB-TOTAL	161
CAGAYAN VALLEY	
BATANES	14
CAGAYAN	34
ISABELA	110
NUEVA VIZCAYA	89
QUIRINO	55
SUB-TOTAL	302
CENTRAL LUZON	
AURORA	33
BATAAN	4
BULACAN	10
NUEVA ECIJA	62
PAMPANGA	20
ANGELES CITY	3
TARLAC	10
ZAMBALES	25
SUB-TOTAL	167
CALABARZON	
BATANGAS	35
CAVITE	2
LAGUNA	3
QUEZON	170
LUCENA CITY	1
RIZAL	9
SUB-TOTAL	220

PROVINCE	# of GIDA
MIMAROPA	
MARINDUQUE	28
OCCIDENTAL MINDORO	48
ORIENTAL MINDORO	132
PALAWAN	172
PUERTO PRINCESA	10
ROMBLON	55
SUB-TOTAL	445
BICOL REGION	
ALBAY	156
CAMARINES NORTE	58
CAMARINES SUR	357
CATANDUANES	41
MASBATE	280
SORSOGON	234
SUB-TOTAL	1126
WESTERN VISAYAS	
AKLAN	66
ANTIQUE	106
CAPIZ	61
GUIMARAS	55
ILOILO	252
NEGROS OCCIDENTAL	110
SUB-TOTAL	650
CENTRAL VISAYAS	
BOHOL	82
CEBU	67
NEGROS ORIENTAL	63
SUB-TOTAL	212
EASTERN VISAYAS	
BILIRAN	3
EASTERN SAMAR	83
LEYTE	39
NORTHERN SAMAR	134
SAMAR (WESTERN SAMAR)	158
SOUTHERN LEYTE	10
SUB-TOTAL	427

PROVINCE	# of GIDA
ZAMBOANGA PENINSULA	
CITY OF ISABELA	17
ZAMBOANGA DEL NORTE	223
ZAMBOANGA DEL SUR	194
ZAMBOANGA CITY	5
ZAMBOANGA SIBUGAY	84
SUB-TOTAL	523
NORTHERN MINDANAO	
BUKIDNON	123
CAMIGUIN	1
LANAO DEL NORTE	111
ILIGAN CITY	11
MISAMIS OCCIDENTAL	79
MISAMIS ORIENTAL	62
CAGAYAN DE ORO CITY	19
SUB-TOTAL	406
DAVAO REGION	
COMPOSTELA VALLEY / DAVAO DE ORO	82
DAVAO DEL NORTE	66
DAVAO DEL SUR	72
DAVAO CITY	33
DAVAO OCCIDENTAL	85
DAVAO ORIENTAL	100
SUB-TOTAL	438

PROVINCE	# of GIDA
SOCCKSARGEN	
COTABATO (NORTH COTABATO)	108
SARANGANI	53
SOUTH COTABATO	43
SULTAN KUDARAT	90
SUB-TOTAL	294
BARMM	
BASILAN	97
LANAO DEL SUR	305
MAGUINDANAO	215
SULU	219
TAWI-TAWI	118
SUB-TOTAL	954
CARAGA	
AGUSAN DEL NORTE	35
AGUSAN DEL SUR	122
BUTUAN CITY	14
DINAGAT ISLANDS	13
SURIGAO DEL NORTE	74
SURIGAO DEL SUR	23
SUB-TOTAL	281
TOTAL GIDA 2023	7077

ANNEX 2

Responsibilities of a Doctor of Medicine:

As per R.A. 2382 or the Philippine Medical Act of 1959, a person is engaged in the practice of medicine if:

- (a) for compensation, fee, salary or reward in any form, paid to him directly or through another, or even without the same, physically examine any person, and diagnose, treat, operate or prescribe any remedy for any human disease, injury, deformity, physical, mental or physical condition or any ailment, real or imaginary, regardless of the nature of the remedy or treatment administered, prescribed or recommended; or
- (b) by means of signs, cards, advertisements, written or printed matter, or through the radio, television or any other means of communication, either offer or undertake by any means or method to, diagnose, treat, operate or prescribe any remedy for any human disease, injury, deformity, physical, mental or psychical condition; or
- (c) the individual uses the title M.D. after his or her name.

Scope of the Medical Board Exam:

*“Section 21. Scope of examination. The examination for the registration of physicians shall consist of the following subjects: (1) Anatomy and Histology, (2) Physiology, (3) Biochemistry, (4) Microbiology and Parasitology, (5) **Pharmacology and Therapeutics**, (6) Pathology, (7) Medicine, (8) Obstetrics and Gynecology, (9) Pediatrics and Nutrition, (10) Surgery and Ophthalmology, Otolaryngology and Rhinology, (11) Preventive Medicine and Public Health, and (12) Legal Medicine, Ethics and Medical Jurisprudence: Provided, however, That the examination questions in each subject or group of subject shall at least be ten in number: Provided, further, That the examination questions in Medicine shall include at least three from the following branches: Infectious diseases, Neurology, Dermatology, Allergy, Endocrinology and Cardio-Vascular diseases: Provided, finally, That the examination questions in Surgery shall include at least four questions from the following: Ophthalmology, Otology, Rhinology, Laryngology, Orthopedic Surgery and Anesthesiology”.*

Responsibilities of a Registered Pharmacist:

As per R.A. 10918 or the Philippine Pharmacy Act, a person is engaged in the practice of pharmacy when with or without a fee, salary, percentage or other rewards, paid or given directly or indirectly, shall:

- a) Prepare, compound or manufacture, preserve, store, distribute, procure, sell, or dispense, or both, any pharmaceutical product or its raw materials;* or
- b) Render services, such as clinical pharmacy services, drug information services, regulatory services, pharmaceutical marketing, medication management, or whenever the expertise and technical knowledge of the pharmacist is required;* or

c) Engage in teaching scientific, technical, or professional pharmacy courses in a school or college of pharmacy;* or

d) Dispense pharmaceutical products in situations where supervision of dispensing of pharmaceutical products is required;* or

e) Chemical, biological or microbiological analyses and assay of pharmaceutical products, food/dietary supplements, health supplements, and cosmetics; or

f) Physico-chemical analyses for medical devices used in aid of administration of pharmaceutical products; or

g) Administration of adult vaccines as approved by the Food and Drug Administration (FDA): Provided, That they shall undergo the training on the safe administration of adult vaccines and management of adverse event following immunization (AEFI) for pharmacists and hold a certificate of training issued by an institution duly accredited by the Professional Regulation Commission (PRC): Provided, further, That the safe administration of vaccines be part of the higher education curriculum for pharmacists; or

h) Conduct or undertake scientific research in all aspects involving pharmaceutical products and health care; or

i) Provide other services where pharmaceutical knowledge is required.*

Legend:

* - Activities under paragraphs (a), (b), (c), (d) and (i) are exclusive to licensed pharmacists.

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HOUSE OF REPRESENTATIVES
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NINETEENTH CONGRESS
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House Bill No. 10680

Introduced by **ABONO Party-list Representative**
HON. ROBERT RAYMUND M. ESTRELLA

**AN ACT AUTHORIZING LICENSED PHYSICIANS TO DIRECTLY DISPENSE MEDICINES
TO PATIENTS AND FOR OTHER PURPOSES**

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

1 **SECTION 1. Short Title.** – This Act shall be known as the **“Physician Dispensing Act”**

2 **SEC. 2. Declaration of Policy.** – It is the policy of the State to protect and promote the right to
3 health of all Filipinos and instill health consciousness among them. It likewise recognizes the essential
4 role of physicians in the healthcare delivery system, particularly in geographically isolated and
5 disadvantaged areas (GIDA,) and aims to authorize and regulate the direct dispensing of medicines by
6 physicians to enhance patient care and accessibility to medications, thereby promoting access to quality
7 healthcare and affordable medicines pursuant to the Universal Healthcare Act.

8 **SEC. 3. Definition of Terms.** – For the purposes of this Act, the following shall mean:

- 9 a. **Dispensing** refers to the distribution, procurement, or sale of prescription medicine to
10 patients;
11 b. **Pharmacist** refers to a health professional who has been registered and issued a valid
12 Certificate of Registration (COR) and Professional Identification Card (PIC) by the
13 PRC and the Professional Regulatory Board of Pharmacy;
14 c. **Physician** refers to a health professional who has been registered and issued a valid
15 Certificate of Registration (COR) and Professional Identification Card (PIC) by the
16 PRC and the Professional Regulatory Board of Medicine; and
17
18

19 **SEC. 4. Licensing and Accreditation.**– Physicians who elect to dispense medicines shall, at no
20 cost, register with the Department of Health for an authority to dispense. The Department of Health shall
21 at least require the following details from the physician prior to registration:

- 22 1. Physician Name;
23 2. PRC License Number;
24 3. Primary Practice/Dispensing Location;
25

26 4. Contact Numbers; and

27 5. Additional Practices/Dispensing Location/s

28 **SEC. 5. Authority to Dispense.** – Licensed dispensing physicians are hereby authorized to
29 dispense medicines, which are registered with and approved by the FDA, to their patients, subject to the
30 provisions of this Act and other applicable laws, rules, and regulations. In dispensing medicine,
31 physicians shall adhere to the following principles:

- 32 a. To avoid conflicts of interest and not exploit patients for financial gain by ensuring
33 compliance with the Maximum Retail Drug Prices (MRDP) and the Suggested Retail
34 Prices (SRP) of drugs and honoring legally mandated discounts, including but not
35 limited to discounts for senior citizens and persons with disabilities;
36 b. To prescribe and dispense medications based on patient's best interest, considering
37 efficacy, safety, and cost;
38 c. To practice transparency with regard to patients' treatment options, including the
39 availability of cheaper alternative medications, or their generic equivalent pursuant to
40 the provisions of Republic Act No. 6675 or the Generics Act of 1988;
41 d. To inform their patients, before the sale of any medicine, that they have the option to
42 buy the needed medicine from either the hospital or clinic pharmacy or in any other
43 retail drugstore or pharmacy;
44 e. To consistently issue a receipt of sale for every drug sold to patients and to allow for
45 refunds should patients wish to return their purchase, regardless of reason;
46 f. To maintain, whenever dispensing takes place, appropriate records containing the
47 name of the patient, the name and strength of the drug dispensed, the quantity, the
48 dose, among other such details to be required by the Department of Health and the
49 Food and Drug Administration.

50 Physicians may dispense only to individuals with whom they have established a physician/patient
51 relationship. No physician shall be allowed to dispense medication at the order of any other physician
52 not registered to practice and dispense in a particular hospital, clinic, or location.

53 **SEC. 6. Drug Packaging and Labeling.** – Physicians licensed to dispense prescription medicine
54 must comply with the regulations governing the types of container that may be used to repackage
55 prescription drugs as specified in Sec. 36 of Republic Act No. 10918 or the Philippine Pharmacy Act,
56 unless the patient to whom the drug is dispensed gives written authorization for the container to be
57 otherwise.

58 **SEC. 7. Implementing Rules and Regulations.** – The Department of Health, together with the
59 Food and Drug Administration shall issue the necessary rules and regulations for the effective
60 implementation of this Act.

61 **SEC. 8. Penal Provisions.** - Any physician authorized to dispense found to be in violation of the
62 provisions of this Act or the guidelines issued pursuant hereto shall be subject to the appropriate penalties
63 under Philippine laws, including suspension or revocation of their license to practice medicine.

64 **SEC. 9. Repealing Clause.** – All laws, executive orders, rules and regulations, or parts thereof
65 which are inconsistent with this Act are hereby repealed or modified accordingly.

66 **SEC. 10. *Separability Clause.*** – If any part or provision of this Act is declared invalid or
67 unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

68 **SEC. 11. *Effectivity.*** – This Act shall take effect fifteen (15) days from the date of its publication
69 in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,