

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

NINETEENTH CONGRESS
3rd Regular Session

House Bill No. **10769**



**Introduced by Representatives JOCELYN P. TULFO, ERWIN T. TULFO,
RALPH WENDEL P. TULFO, and EDVIC G. YAP,**

EXPLANATORY NOTE

This bill seeks to institutionalize a National Medicine System in the Philippines to provide a framework for accessible and affordable medical services in the country especially during national emergencies.

The past three (3) years of the COVID-19 pandemic has proven the need for a more efficient way of delivering medical services especially those in far-flung areas in the country. From February 15, 2020 to April 12, 2024, the Philippines reported a total of 4,140,383 cases of COVID-19 with a reported 66,864 deaths.¹ During the COVID-19 pandemic, the flaws and lapses in our health care system became more apparent with health system inefficiencies such as disorganized governance, inaccessibility of health service in remote areas and fragmented health financing.

Telehealth or telemedicine is one way of improving the country's healthcare system. Telemedicine is a method of seeking professional medical help with the use of technologies and devices such as smartphones to remotely gain information regarding their health status.²

Teleconsultations can now be done through mobile apps, hotlines or websites of various entities such as the Department of Health, KonsultaMD, HealthNow, AIDE, or even in personal pages or social media platforms of health care providers. With the advent of modern technologies, Filipinos can avail medical services in the comforts of their own home through telemedicine.

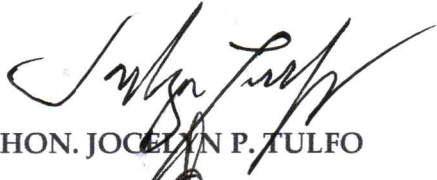
It is the duty to ensure and to adopt measures providing every Filipino access to health care services. No less than the Constitution mandates the adoption of an

¹ <https://www.worldometers.info/coronavirus/country/philippines/>.

² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9384447/>.

integrated and comprehensive approach to health development ensuring that health and other services are available to all Filipinos.³

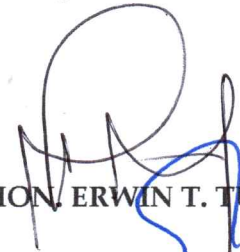
In view of the foregoing, the immediate passage of this bill is earnestly sought.



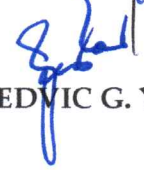
HON. JOCELYN P. TULFO



HON. RALPH WENDEL P. TULFO



HON. ERWIN T. TULFO



HON. EDVIC G. YAP

³ 1987 Constitution, Article XIII, Section 11. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

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AN ACT
INSTITUTIONALIZING A NATIONAL MEDICINE SYSTEM IN THE
PHILIPPINES

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

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

2
3 SEC. 2. *Declaration of Policy.* – The State shall protect and promote the right
4 to health of the people and instill health consciousness among them. Hence, it is the
5 policy of the State to continuously search for, develop, and utilize innovative ways
6 and systems to fully protect the health of all Filipinos, from the dense populations of
7 urban centers to the far-flung and unreachable rural and remote areas.

8
9 It shall likewise be the policy of the State to encourage and strengthen
10 initiatives for promoting health in times of emergencies and calamities through the
11 use of information and communication technology.

12 SEC. 3. *Objectives.* – The objectives of this Act are:

- 13
14
15 a) To create an innovative, unified, and comprehensive policy framework for
16 the practice and development of telemedicine in the country.
17 b) To provide healthcare services, including consultation, diagnosis,
18 treatment and prescription of medicines especially in areas that have
19 inadequate or are far from traditional healthcare institutions and
20 professionals;
21 c) To allow the use of information and communication technology in the
22 delivery of healthcare services in time of emergencies and disasters; and
23 d) To strengthen the health system and infrastructure of the country that will
24 enable it to serve all Filipinos and withstand any unforeseen events.
25

1 SEC. 4. *Definition of Terms.* - For the purpose of this Act, the following
2 definitions shall apply:

- 3
- 4 a) Telemedicine - also referred to as the telehealth or electronic healthcare, is
5 a system of delivering healthcare services through the use of information
6 and communications technology as a complement to traditional healthcare
7 systems. It includes the total management of a patient's health care from
8 consultation, diagnosis, and treatment to prescription of medicine and
9 record-keeping. It likewise includes the education and training of health
10 personnel to capacitate them use telemedicine systems as well as the
11 development of applications and programs for the furtherance of health.
- 12 b) Information and Communications Technology - includes but is not
13 limited to:
- 14 a. Digital interactive video, audio, and/or data transmission;
15 b. Video or web-conferencing technology;
16 c. Still image capture or asynchronous store and forward;
17 d. Modern medical devices for patient care and diagnosis.
- 18

19 SEC. 5. *National Telemedicine Council.* - A National Telemedicine Council,
20 hereinafter referred to as "Council", is hereby established and composed of the
21 following:

- 22
- 23 a. Secretary of Health, who shall serve as Chairperson;
24 b. Secretary of Information and Communication Technology;
25 c. Secretary of Science and Technology;
26 d. Secretary of the Interior and Local Government;
27 e. President of the Philippine Health Insurance Corporation;
28 f. Director-General of the Food and Drug Administration;
29 g. Presidents of healthcare professional associations such as the Philippine
30 Medical Association, Philippine Nurses Association, and the Philippine
31 Pharmacists Associations; and
32 h. Director of the Office for Telemedicine.
- 33

34 SEC. 6. *Functions of the Council.* - The Council, with regard to telemedicine
35 in the Philippines, shall:

- 36
- 37 a. Establish guidelines and regulations on the practice and provision of
38 services;
39 b. Create a national roadmap for the achievement and furtherance of the
40 objectives of this Act;
41 c. Establish a national integrated database system for medical information;
42 d. Establish and provide for a mechanism of accreditation for electronic
43 healthcare providers;
44 e. Establish a system for electronic prescription of medicine;
45 f. Capacitate and train existing and new healthcare professionals on the
46 provision of health services; and

1 g. Set quality standards for systems, professionals and services.

2
3 The Council shall convene as frequently as necessary to perform its
4 mandated functions.

5
6 **SEC. 7. *Implementing Agency and Secretariat.*** – The Department of Health
7 shall be the lead agency in implementing this Act. For this purposes, an Office of
8 Telemedicine shall be created under the Department which shall serve as the
9 Secretariat for the Council. The Office for Telemedicine shall be headed by a Director.

10
11 **SEC. 8. *Practice of Medicine.*** – The provision of Telemedicine services shall be
12 limited only to registered physicians. Telemedicine services shall be deemed as acts
13 constituting practice of medicine, and shall result to the establishment of a doctor-
14 patient relationship.

15
16 **SEC. 9. *Emergency.*** – The Council shall establish special rules and systems for
17 the enhances utilization of Telemedicine in times of emergencies and calamities.

18
19 **SEC. 10. *Privacy.*** – All medical records generated, including records
20 maintained via video, audio, electronic, or other means acquired through
21 Telemedicine must conform to the laws regarding the confidentiality of healthcare
22 information of the patient, rights to medical information, and recordkeeping
23 requirements. Any violation of this provision shall be penalized to the maximum
24 extent under the law.

25
26 **SEC. 11. *Standard of Care.*** – The standard of care shall be the same as the
27 standard of care required in traditional or non-Telemedicine healthcare services.

28
29 **SEC. 12. *Implementing Rules and Regulations.*** – The Council shall
30 promulgate the necessary rules and regulations for the effective implementation of
31 this Act within ninety (90) days from its effectivity.

32
33 **SEC. 13. *Appropriations.*** – The amount necessary for the initial
34 implementation this Act shall be taken from the current appropriations of the DOH.
35 Thereafter, the amount needed for the continued implementation of this Act shall be
36 included in the annual appropriations of the DOH as a distinct and separate item.

37
38 **SEC. 14. *Separability Clause.*** – If any provision of this Act is declared invalid
39 or unconstitutional, the remaining provisions shall continue to be in full force and
40 effect.

41
42 **SEC. 15. *Repealing Clause.*** – All other laws, decrees, executive orders,
43 issuances, rules and regulations, or part thereof inconsistent with this Act are hereby
44 likewise repealed or amended accordingly.

45

1 SEC. 16. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after
2 its publication in the Official Gazette in at least two (2) newspapers of general
3 circulation.

4
5 *Approved,*