



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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL No. 2039



Introduced by: **HON. CARL NICOLAS C. CARI**

EXPLANATORY NOTE

The Department of Health on 19 September 2019 declared a polio outbreak, marking the return of the disease after 19 years. The simultaneous epidemics of measles, dengue, and polio in the Philippines send a clear message that the country needs to vaccinate all children to prevent these diseases from thriving.

According to the World Health Organization, the biggest challenge in giving ample vaccinations to children was the issue of access. Sometimes people lack access to vaccines due to various reasons, such as the local health center being closed, a lack of staff, or the center being open but the vaccine is out of stock, resulting in having to travel long distances just to gain access to these vaccines.

This representation firmly believes that vaccines are the safest and most effective way of saving lives, and every child has the right to the best possible health care and access to disease protection through timely vaccination.

This measure was previously filed in the 18th and 19th Congress by the undersigned and was referred to the House Committee on Health.

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

CARL NICOLAS C. CARI
Representative
5th District, Leyte



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**AN ACT PROVIDING FOR A MANDATORY IMMUNIZATION PROGRAM,
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 10152, OTHERWISE
KNOWN AS THE “MANDATORY INFANTS AND CHILDREN HEALTH
IMMUNIZATION ACT OF 2011”**

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

SECTION 1. Title. – This Act shall be referred to as the “Mandatory Immunization Program Act”.

SECTION 2. Declaration of Policy. – In accordance with Article II, Section 15 of the Constitution, it is hereby declared the policy of the State to take a proactive role in the preventive health care of all Filipinos. Towards this end, the State shall adopt a comprehensive, mandatory, and sustainable immunization program for vaccine-preventable diseases.

SECTION 3. National Immunization Program. – There is hereby established a National Immunization Program under the Department of Health (DOH), which shall ensure that the population is equitably protected from vaccine-preventable diseases that can cause disability or death through an integrated and comprehensive immunization program for all life stages, under this Act.

SECTION 4. Coverage. – The mandatory immunization provided under this Act shall cover the following vaccine-preventable diseases:

- (a) Tuberculosis;
- (b) Diphtheria, Tetanus, and Pertussis;
- (c) Poliomyelitis;
- (d) Measles;
- (e) Mumps;
- (f) Rubella or German Measles;
- (g) Hepatitis-B;
- (h) H. Influenza type B (HIB);
- (i) Rotavirus
- (j) Japanese Encephalitis;
- (k) Pneumococcal Conjugate Vaccine (PCV);
- (l) Human Papillomavirus (HPV);
- (m) Booster for Measles, Rubella, Tetanus, and Diphtheria (MRTD);
- (n) Such other types which may be determined by the Secretary of Health upon the recommendation of the National Immunization Technical and Advisory Group (NITAG) established under Section 6 of this Act and after a separate or joint public hearing conducted by the Committee on Health and Demography of the Senate of the Philippines and the Committee on Health of the House of Representatives: *Provided, that when there is a pandemic and when the Congress of the Philippines is not in session, the said public hearings need not be conducted.*



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The Philippine Health Insurance Corporation (PhilHealth) shall include the mandatory immunization services specified under this Act in its benefits package. However, such other types under Section 4 (n) shall undergo evaluation by the Health Technology Assessment Council pursuant to R.A. 11223, otherwise known as the “Universal Healthcare Act”, before its inclusion in the benefits package.

SECTION 5. *Administration of Vaccines.* – The vaccines shall be administered for free in any government hospital or health facility, any public school or community under its school-based or community-based immunization program, and in any private health facility if such is included in the PhilHealth benefits package.

The DOH, in collaboration with the Department of Education and the Department of the Interior and Local Government, shall undertake a school-based and community-based immunization program. The DOH shall determine the vaccines suitable for the various age groups from the list enumerated in Section 4 of this Act.

Hepatitis-B vaccine shall be administered by any duly licensed physician, nurse, or midwife to infants born in hospitals, health infirmaries, health centers, or lying-in centers with obstetrical and pediatric services, whether public or private, within twenty-four (24) hours after birth: *Provided, however,* that in cases of infants born in places other than the above, any duly licensed physician, nurse or midwife who delivers or assists in the delivery of the newborn, shall be responsible for administering the vaccine to the latter: *Provided, further,* that for deliveries assisted by persons other than the health professionals mentioned above, the infant should be brought to any available healthcare facility to be immunized against Hepatitis-B within twenty-four (24) hours but not later than seven (7) days after birth: *Provided, finally,* that subsequent doses of the Hepatitis-B vaccine shall be completed according to the recommended schedule of Hepatitis-B immunization to be provided in the rules and regulations to be issued by the DOH to implement this Act.

SECTION 6. *Creation of the National Immunization Technical Advisory Group.* – A National Immunization Technical and Advisory Group (NITAG) shall be created to serve as a technical and independent multi-disciplinary advisory body to provide evidence-based policy and program decisions on immunization and vaccines to the DOH. The NITAG shall be composed of experts from the fields of pediatrics, infectious diseases, epidemiology, public health, health economy, and affiliate agencies such as the Formulary Executive Council, Food and Drug Administration, Philippine Nurses Association, Philippine Pharmacists Association, Inc., and the National Institute of Health.

The NITAG shall have the following functions:

- a) To advise the DOH in the formulation of policies, plans, and strategies for research and development of the existing and new vaccines, and the vaccine delivery technology;
- b) To conduct policy analysis, review of the program data and evidence to provide evidence-based technical advice and recommendations for the development of appropriate and sustainable immunization policies, guidelines, strategies, and approaches related to the Immunization Program and vaccine delivery technology and;
- c) To review the position papers, studies, international guidelines, and recommendations from internationally acknowledged resources for possible adoption in the country’s policies and plans for the NITAG.



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SECTION 7. *Education and Information Campaign.* – All healthcare practitioners or healthcare workers who are administering prenatal care shall educate all pregnant mothers on the importance of immunization through vaccination in safeguarding infant health and well-being, as well as on the possible effects of immunization.

The DOH, other government agencies, Non-Government Organizations (NGOs), professional and academic societies, and Local Government Units (LGUs) shall make available appropriate information materials and shall institute an efficient public information dissemination system to increase awareness of the importance of immunization as a disease prevention strategy.

SECTION 8. *Obligation to Inform.* – Any physician, nurse, midwife, nursing aide, or skilled birth attendant who delivers or assists in the delivery of a newborn shall, before delivery, inform parents or the legal guardian of the newborn of the availability, nature, and benefits of immunization against Hepatitis-B and other vaccine-preventable diseases at birth.

SECTION 9. *Continuing Education and Training of Health Personnel.* – The DOH shall, with the assistance of the LGUs, academe, professional societies, and NGOs, undertake continuing information, education, and training programs for all health personnel on the rationale and benefits of, as well as modern procedures for the immunization of infants and children against vaccine-preventable diseases.

SECTION 10. *Annual Report.* – The DOH shall submit to the Office of the President of the Philippines, the Senate Committee on Health and Demography, and the House of Representatives Committee on Health on or before the end of December of every year, or upon the request of any of the aforesaid committees of Congress, a report giving a detailed account of the status of the implementation of this Act.

SECTION 11. *Appropriations.* – The amount necessary to carry out the implementation of this Act shall be charged against the current year's appropriations for the expanded program on the immunization of the DOH. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 12. *Implementing Rules and Regulations.* – The DOH shall, in consultation with the National Immunization Committee, issue the implementing rules and regulations within ninety (90) days after the approval of this Act.

SECTION 13. *Separability Clause.* – If, for any reason, any part or provision of this Act shall be declared unconstitutional or invalid, the remaining provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 14. *Repealing Clause.* – Republic Act No. 10152, otherwise known as the “Mandatory Infants and Children Health Immunization Act of 2022” is hereby repealed. All other laws, decrees, executive orders, rules and regulations, or parts thereof that are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

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

APPROVED,