

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session
House Bill No. 2140



Introduced by: REPRESENTATIVE CHRISTOPHERSON "COCO" M. YAP

EXPLANATORY NOTE

The Constitution, Article 2, Section 15, provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

In 2004, Republic Act No. 9288, otherwise known as the Newborn Screening Act was enacted into law. This important law includes a procedure to detect a genetic and metabolic disorder in newborns that may lead to mental retardation and even death if left untreated.

Newborn screening refers to a set of special tests, including blood, hearing, and heart screening, done to one- to two-day-old infants, usually before they leave the hospital. This procedure is to assess the newborn infants for any serious health disorders that do not show signs at birth.

In many countries, newborn screening has been integrated to pediatric health systems as a mechanism that protects babies from health risks. In the Philippines, the rules and regulations implementing the Newborn Screening Act recommended the conditions to be included in the newborn screening panel of disorders.

According to the Philippine Pediatrics Society, the advancement of newborn screening has succeeded in reducing morbidity and mortality associated with certain congenital disorders as it allows timely medical intervention for diagnosed patients. Affected children identified through newborn screening can lead normal lives with the help of prompt and appropriate medical management.

This bill seeks to expand the number of disorders for which newborn infants in the country are required to be tested by law to further protect newborn Filipinos from health risks. Specifically, this bill provides for the expansion of the prescribed list of disorders for which testing is required under the implementing rules and regulations of Republic Act No. 9288, and providing free newborn screening services for indigent patients.

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


CHRISTOPHERSON "COCO" M. YAP

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AN ACT
EXPANDING THE NUMBER OF DISORDERS INCLUDED IN THE NEWBORN
SCREENING PROGRAM, PROVIDING FREE SCREENING SERVICE FOR INDIGENTS, AND
FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* - This Act shall be known as the "*Expanded Newborn Screening Program Act*".

SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State that in the interests of public health, every effort should be made to detect in newborn infants, hypothyroidism, galactosemia, phenylketonuria, and other biochemical disorders which may cause mental retardation or other permanent disabilities and to treat the affected individuals.

SECTION 3. *Newborn Screening Panel of Disorders.* - All infants born in the country shall, pursuant to the Newborn Screening (NBS) Act, be tested for the hereditary disorders such as, but not limited to, the following:

- a) congenital hypothyroidism;
- b) galactosemia;
- c) phenylketonuria;
- d) cystic fibrosis;
- e) congenital adrenal hyperplasia;
- f) maple syrup urine disease;
- g) homocystinuria;
- h) biotinidase deficiency;
- i) medium chain acyl CoA dehydrogenase deficiency;
- j) HIV seropositivity;
- k) sickle cell disease; and
- l) other blood abnormalities as determined by the Department of Health.

The Secretary of the Department of Health hereinafter referred to as the Secretary, shall issue regulations to assure that newborns are tested in a manner approved by the same Department. The Secretary shall also ensure that treatment services are available to all identified individuals. The provisions of this Act shall not apply if the parents of a newborn infant object to the testing on the grounds that it would conflict with their religious tenets or practices.

SECTION 4. *Tasks of the Department of Health.* – The Department of Health (DOH) shall perform the following tasks:

a) may charge a reasonable fee for the tests performed pursuant to this Act, and determine the procedures for collecting such;

b) shall apply all revenues collected from the fees to the testing and treatment procedures performed pursuant to this Act;

c) may also require testing of newborn infants for other preventable biochemical disorders if reliable and efficient testing techniques are available;

d) shall provide a program of reviewing and following up on positive cases in order that measures may be taken to prevent mental retardation or other permanent disabilities; and

e) shall conduct an intensive educational and training program among physicians, hospitals, public health nurses and the public concerning biochemical disorders.

SECTION 5. *Information Related to Disorders in the NBS.* - Information on newborn infants and their families compiled pursuant to this Act may be used by the DOH and agencies designated by the Secretary for the purposes of carrying out this Act; otherwise, the information shall be confidential and not divulged or made public so as to disclose the identity of any person to which it relates, except as provided by law. The program indicated in Section 3 shall include information concerning the nature of the disorders, testing for the detection of these disorders and treatment modalities for these disorders.

SECTION 6. *Appropriations.* The Secretary of Health shall immediately include in the Department's Program for the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SECTION 7. *Implementing Rules and Regulations.* – Within thirty days (30) days from the effectivity of this Act, the Department of Health, in consultation with other concerned stakeholders, shall issue the rules and regulations necessary to effectively implement the provisions of this Act.

SECTION 8. *Separability Clause.* - If any provision of this Act shall at any time be found to be unconstitutional or invalid, the remainder thereof not affected by such declaration shall remain in full force and effect.

SECTION 9. *Repealing Clause.* - All laws, decrees, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. *Effectivity.* - This Act shall take effect after fifteen (15) days following its complete publication in two (2) newspapers of general circulation.

Approved,