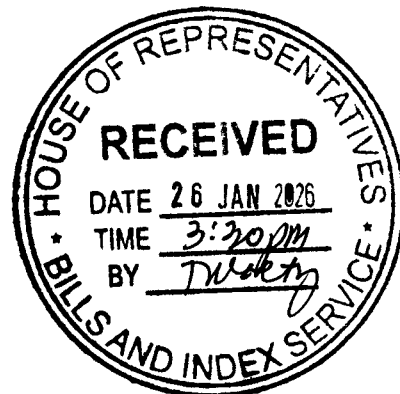


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL No. 7316

Introduced by REP. RAMIL L. HERNANDEZ

**AN ACT ESTABLISHING A NATIONAL HUMAN MILK BANKING PROGRAM,
PROVIDING A FRAMEWORK FOR THE ESTABLISHMENT AND ACCREDITATION OF
HUMAN MILK BANKS, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Breastfeeding provides the ideal foundation for a child's health, nutrition, and development. It is a cost-effective, high-impact intervention critical to achieving our national health goals and the Sustainable Development Goals, particularly in reducing preventable neonatal mortality.

However, circumstances such as maternal illness, death, or separation can deprive the most vulnerable infants—the premature, low-birth-weight, and critically ill—of their mother's own milk. In these critical situations, Human Milk Banks (HMBs) serve as a lifeline, providing safe, pasteurized donor human milk.

The Philippines has a strong legal framework supporting maternal and child health, including RA 10028 (The Expanded Breastfeeding Promotion Act) and RA 11148 (The Kalusugan at Nutrisyon ng Mag-Nanay Act). While these laws are foundational, there is a need for a focused policy to institutionalize and standardize the practice of human milk banking nationwide.

A pioneering model for this already exists in the Province of Laguna. The **Laguna Human Milk Bank (LHMB)**, born from a tripartite partnership between the Provincial Government of Laguna, the University of the Philippines Los Baños (UPLB), and the non-profit organization LATCH, Inc., has successfully demonstrated the viability and profound impact of a community-based human milk bank. It has served not only as a repository for life-saving milk but also as a hub for lactation education and support, especially during emergencies.

This bill seeks to build upon the success and lessons learned from the Laguna Human Milk Bank. Instead of creating a patchwork of local initiatives, this proposed Act aims to establish a cohesive **National Human Milk Banking Program**. It will empower the Department of Health (DOH) to set national standards, accredit facilities, and ensure that safe donor human milk is accessible wherever it is needed most. It also mandates PhilHealth to create a benefit package, ensuring the program's long-term financial sustainability.

By scaling up the proven success of the Laguna model, we can create a national network of life-saving institutions, ensuring that every Filipino infant has the best possible start in life.

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

Approved,

RAMIL L. HERNANDEZ
2nd District, Laguna

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

Section 1. *Short Title.* – This Act shall be known as the "**National Human Milk Banking Act.**"

Section 2. *Declaration of Policy.* – The State recognizes and protects the right to health of its people and instills health consciousness among them. It upholds the right of children to survival and full development. Consistent with Republic Act No. 10028, or the "Expanded Breastfeeding Promotion Act of 2009," and Republic Act No. 11148, or the "Kalusugan at Nutrisyon ng Mag-Nanay Act," it is hereby declared the policy of the State to promote and institutionalize the establishment of a network of human milk banks to ensure access to safe and sufficient supply of pasteurized donor human milk for vulnerable infants.

Section 3. *Definition of Terms.* – As used in this Act: (a) *Donor Human Milk (DHM)* refers to human milk voluntarily donated by a lactating mother who has been screened for health risks. (b) *Human Milk Bank (HMB)* refers to a service facility that recruits and screens donors, and collects, processes, stores, and dispenses pasteurized donor human milk to infants in need. (c) *Pasteurization* refers to the process of heating milk to a specific temperature for a set period to kill harmful microorganisms. (d) *Vulnerable Infants* refer to premature, low-birth-weight, malnourished, or sick infants, including those in neonatal intensive care units, orphans, and infants whose mothers are unable to provide their own milk.

Section 4. *Establishment of the National Human Milk Banking Program.* – There is hereby established a "National Human Milk Banking Program," hereinafter referred to as the "Program," under the Department of Health (DOH). The Program shall aim to establish a network of DOH-accredited HMBs across the country to ensure equitable access to safe DHM.

Section 5. *Powers and Functions of the Department of Health (DOH).* – The DOH shall be the lead agency in the implementation of this Act and shall: (a) Develop national standards, guidelines, and protocols for the establishment and operation of HMBs, covering donor recruitment and screening, milk collection, processing, pasteurization, storage, and distribution. (b) Establish a system for the licensing and accreditation of all HMBs in the Philippines, both public and private. (c) Maintain a national registry of accredited HMBs. (d) Conduct training and capacity-building programs for healthcare professionals and staff of HMBs. (e) Lead a nationwide public awareness campaign to promote breastfeeding and encourage voluntary milk donation. (f) Develop a national strategy for the rapid deployment of DHM during emergencies and disasters. (g) Monitor and evaluate the performance of accredited HMBs.

Section 6. *Role of Local Government Units (LGUs).* – All provincial, city, and municipal governments are encouraged to establish and operate their own HMBs in government hospitals or health facilities. LGUs shall integrate the operation and promotion of HMBs into their local health plans and budgets and may enter into partnerships with non-government organizations and the private sector for this purpose.

Section 7. *Role of the Philippine Health Insurance Corporation (PhilHealth).* – Within one (1) year from the effectivity of this Act, PhilHealth shall develop and implement a benefit package that shall cover the processing fees and dispensing of prescribed pasteurized donor human milk for vulnerable infants, particularly those confined in neonatal intensive care units (NICUs) or with specific medical conditions.

Section 8. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be included in the annual General Appropriations Act under the budget of the DOH. Thereafter, the funds necessary for the continued operation of the Program shall be included in the regular budget of the DOH. LGUs shall provide counterpart funding for HMBs established at the local level.

Section 9. *Implementing Rules and Regulations (IRR).* – Within ninety (90) days from the effectivity of this Act, the Secretary of Health, in consultation with PhilHealth, the Department of the Interior and Local Government (DILG), local government units, accredited HMBs, and other relevant stakeholders, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Section 10. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 11. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,