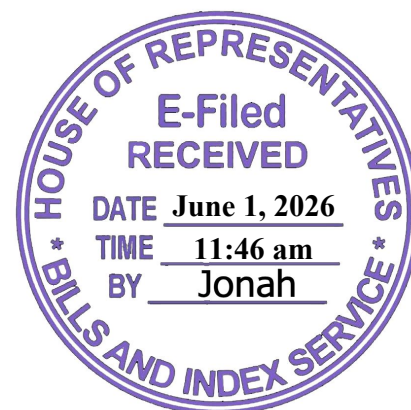


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9581



Introduced by

HON. ATTY. GERVILLE "JINKY BITRICS" R. LUISTRO

AN ACT
ESTABLISHING A NATIONAL INTEROPERABLE ELECTRONIC HEALTH INFORMATION SYSTEM, CREATING FOR THE PURPOSE A NATIONAL HEALTH INFORMATION GOVERNANCE FRAMEWORK, MANDATING THE ADOPTION OF ELECTRONIC HEALTH RECORDS IN ALL HEALTH FACILITIES, PROVIDING SAFEGUARDS FOR DATA PRIVACY AND CYBERSECURITY, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

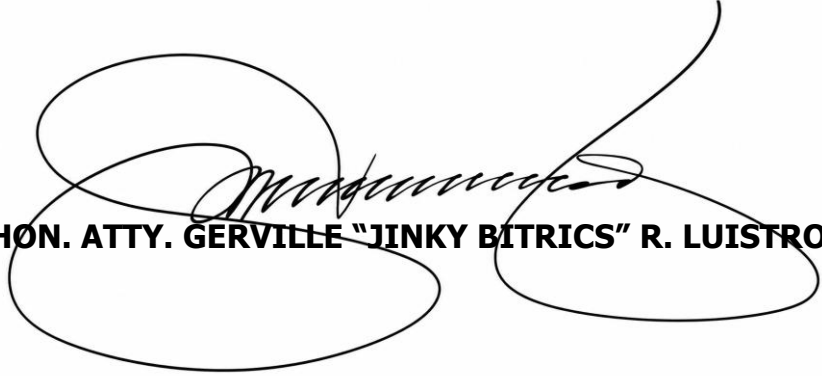
Article II, Section 15 of the 1987 Constitution recognizes the duty of the State to protect and promote the right to health of the people and to instill health consciousness among Filipinos. In support of this constitutional mandate, Republic Act No. 11223, or the "Universal Health Care Act," emphasizes the need for an integrated and efficient health information system that will strengthen the delivery of accessible, responsive, and patient-centered healthcare services throughout the country.

While efforts toward healthcare digitalization continue to progress, the country's health information systems remain largely fragmented and disconnected. The absence of a unified and interoperable electronic health record infrastructure has resulted in delays in patient care, duplication of medical procedures, inefficiencies in health service delivery, and limitations in public health monitoring and planning. These challenges are especially evident in underserved and geographically isolated communities where access to healthcare information and digital infrastructure remains limited.

This proposed measure seeks to establish a National Interoperable Electronic Health Information System (NIEHIS) that will integrate public and accredited private healthcare institutions into a secure, reliable, and patient-centered digital health network. Through the institutionalization of a National Electronic Health Record (EHR) System, the bill aims to ensure interoperability among healthcare providers, strengthen data privacy and cybersecurity protections, improve continuity and quality of care, and support evidence-based health governance and disease surveillance. It likewise provides mechanisms for offline accessibility in rural and remote areas and establishes a clear governance and implementation framework for the modernization of the country's healthcare information systems.

Moreover, the measure upholds the rights of patients over their personal health information by ensuring informed consent, data protection, and secure access to medical records, while enabling authorized healthcare professionals' timely access to accurate patient information necessary for efficient healthcare delivery.

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



HON. ATTY. GERVILLE "JINKY BITRICS" R. LUISTRO

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APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

3
4 **SECTION 1. Short Title.** - This Act shall be known as the "National
5 Interoperable Electronic Health Information System Act.

6
7 **SECTION 2. Declaration of Policy.** - It is hereby declared the policy of the
8 State to protect and promote the right to health of every Filipino by ensuring
9 accessible, efficient, responsive, and continuous healthcare services through digital
10 transformation. Towards this end, the State shall institutionalize a secure,
11 interoperable, and universally accessible electronic health information system
12 nationwide, while upholding patient privacy, confidentiality, and ownership of health
13 information consistent with Republic Act No. 10173, otherwise known as the "Data
14 Privacy Act of 2012." The State shall likewise promote evidence-based policymaking,
15 disease surveillance, and effective health system planning through integrated health
16 data systems, and ensure equitable access to digital healthcare services, especially in
17 geographically isolated and disadvantaged areas.

18
19 **SECTION 3. Definition of terms.** - For purposes of this Act:

(a) "Electronic Health Record (EHR)" refers to a digital repository of patient health information containing medical history, diagnoses, medications, laboratory results, treatment plans, immunization records, and related health data;

(b) "Interoperability" refers to the capability of different health information systems and applications to exchange, interpret, and utilize data seamlessly;

(c) "Health Information Exchange (HIE)" refers to the electronic sharing of patient health information among authorized healthcare institutions and professionals;

(d) "National Electronic Health Record System (NEHRS)" refers to the centralized and interoperable national platform established under this Act;

(e) "Digital Health ID" refers to the unique identifier assigned to every Filipino for healthcare record access and integration;

(f) "Healthcare Provider" refers to any hospital, clinic, laboratory, rural health unit, health center, or licensed medical professional participating in the NEHRS;

(g) "Patient Consent" refers to the freely given, informed, and specific agreement by a patient permitting access to or sharing of health information.

SECTION 4. Establishment of the National Electronic Health Record System. - There is hereby established a National Electronic Health Record System (NEHRS) under the Department of Health (DOH), in coordination with the Department of Information and Communications Technology (DICT), PhilHealth, the Philippine Statistics Authority (PSA), and the National Privacy Commission (NPC).

The NEHRS shall:

(a) Serve as the centralized and interoperable repository of electronic health records nationwide;

(b) Ensure secure real-time access to patient records by authorized healthcare providers and patients;

(c) Integrate with PhilHealth systems, Universal Health Care databases, LGU health systems, and the Philippine Identification System (PhilSys);

(d) Provide offline access functionality for geographically isolated and disadvantaged areas;

(e) Utilize internationally recognized interoperability and cybersecurity standards; and

(f) Support disease surveillance, public health monitoring, disaster response, and national health planning.

1 **SECTION 5. Digital Health ID System.** - Every Filipino shall be assigned a
2 Digital Health ID linked with the Philippine Identification System whenever practicable,
3 which shall be recognized and usable across all public and accredited private health
4 facilities nationwide. The Digital Health ID shall be protected through multi-factor
5 authentication and appropriate cybersecurity safeguards, and shall remain confidential
6 and subject to the provisions of Republic Act No. 10173, otherwise known as the "Data
7 Privacy Act of 2012."

8
9 **SECTION 6. Mandatory Adoption and Integration.** - Within three (3)
10 years from the effectivity of this Act, the following shall adopt and integrate into the
11 NEHRS:

- 12
13 (a) All DOH-retained hospitals;
14
15 (b) Provincial, city, and municipal hospitals;
16
17 (c) Rural health units (RHUs), barangay health stations, and local health offices;
18
19 (d) State universities and colleges with health-related programs; and
20
21 (e) Government-operated laboratories and specialty centers.

22
23 Private healthcare facilities shall be encouraged to participate within the first
24 two (2) years and shall thereafter comply with interoperability standards as a
25 requirement for PhilHealth accreditation, reimbursements, and coordinated care
26 participation.

27
28 **SECTION 7. Patient Rights and Ownership of Health Information.** -
29 Patients shall retain ownership and access rights over their electronic health records.
30 No health information shall be accessed, disclosed, or shared without the informed
31 consent of the patient, except when required by law, upon lawful court order, during
32 public health emergencies, or for lawful public health surveillance purposes consistent
33 with existing laws. Patients shall likewise have the right to access their records, request
34 corrections of inaccurate information, monitor access logs relating to their records,
35 and receive notice of data breaches affecting their personal information.

36
37 **SECTION 8. Data Privacy, Cybersecurity, and Ethical Use.** - The
38 Department of Health (DOH), the Department of Information and Communications
39 Technology (DICT), and the National Privacy Commission (NPC) shall establish
40 mandatory cybersecurity and data governance standards for all participating entities.
41 Such standards shall include end-to-end encryption of health data, secure cloud and
42 on-premise storage systems, multi-factor authentication, periodic cybersecurity audits
43 and penetration testing, incident response and breach notification mechanisms, and
44 ethical standards governing the use of health data, including research access and
45 artificial intelligence applications. Unauthorized access, misuse, tampering, sale,

disclosure, or negligent handling of health information shall be subject to penalties under existing laws and this Act.

SECTION 9. National Health Information Governance Council. - There is hereby created a National Health Information Governance Council composed of:

(a) Secretary of Health – Chairperson;

(b) Secretary of the DICT – Vice Chairperson;

(c) Chairperson of the NPC;

(d) President and Chief Executive Officer of PhilHealth;

(e) Representative from the PSA;

(f) Representative from the Department of Science and Technology (DOST);

(g) One (1) representative each from:

1. Private hospitals;

2. Government hospitals;

3. Medical professional organizations;

4. Information technology and cybersecurity experts; and

5. Patient advocacy organizations.

The Council shall formulate interoperability standards, governance policies, implementation protocols, cybersecurity guidelines, and compliance mechanisms.

SECTION 10. Capacity Building and Technical Assistance. - The DOH, in coordination with the DICT, DOST, and TESDA, shall conduct nationwide training programs for healthcare workers, administrators, and information technology personnel.

Priority assistance shall be given to geographically isolated and disadvantaged areas, including indigenous communities and underserved local government units.

SECTION 11. Incentives for Early Compliance. - Private healthcare facilities and local government units that adopt and fully integrate into the NEHRS within the voluntary adoption period shall be entitled to incentives, which may include:

(a) Priority access to government grants and subsidies;

(b) Technical assistance and equipment support;

1 (c) PhilHealth processing incentives; and

2 (d) Tax deductions for qualified digital health infrastructure investments,
3 subject to existing laws.

4 **SECTION 12. Penalties.** - Any person or entity found guilty of unauthorized
5 access, disclosure, misuse, tampering, or commercial exploitation of electronic health
6 records shall, without prejudice to liabilities under Republic Act No. 10173 and other
7 applicable laws, suffer the following penalties:

8 (a) Imprisonment of six (6) months to six (6) years;

9 (b) A fine ranging from Five Hundred Thousand Pesos (Php500,000.00) to Five
10 Million Pesos (Php5,000,000.00); and

11 (c) Revocation of licenses, accreditation, or authority to operate, when
12 applicable.

13 Public officials who knowingly fail to implement the provisions of this Act
14 without justifiable cause shall be administratively liable.

15
16 **SECTION 13. Appropriations.** - The amount necessary for the initial
17 implementation of this Act shall be charged against the current appropriations of the
18 DOH, DICT, and PhilHealth. Thereafter, such sums as may be necessary for its
19 continued implementation shall be included in the annual General Appropriations Act.

20
21 The government may likewise receive grants, donations, and technical
22 assistance from development partners, subject to existing laws and auditing rules.

23
24 **SECTION 14. Implementing Rules and Regulations.** - Within ninety (90)
25 days from the effectivity of this Act, the DOH, in coordination with the DICT, NPC,
26 PhilHealth, PSA, DOST, and relevant stakeholders, shall promulgate the Implementing
27 Rules and Regulations (IRR) necessary for the implementation of this Act.

28
29 **SECTION 15. Separability Clause.** - If any provision of this Act is declared
30 unconstitutional, the remaining provisions shall remain in full force and effect.

31
32 **SECTION 16. Repealing Clause.** - All laws, decrees, orders, rules, and
33 regulations inconsistent with this Act are hereby repealed or modified accordingly.

34
35 **SECTION 17. Effectivity.** - This Act shall take effect fifteen (15) days after
36 its publication in the Official Gazette or in a newspaper of general circulation.

37
38 Approved,