

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 104

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| HOUSE OF REPRESENTATIVES | |
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| REGISTRATION UNIT BILLS AND INDEX SERVICE | |

Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

AN ACT ESTABLISHING A FREE BASIC MEDICINE ASSISTANCE PROGRAM IN ALL GOVERNMENT HEALTH FACILITIES NATIONWIDE AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Consistent with Article II, Section 15 of the Constitution which states that, "The State shall protect and promote the right to health of the people and instil health consciousness among them", this measure seeks to establish a Free Basic Medicine Assistance Program in all government health facilities.

It ensures that no sick person shall be deprived of his or her right to medical attention including the provision of essential medicines. This proposed Program aims to make possible the accessibility of medicines to the marginalized sectors of our society with the ultimate goal of ensuring their health and well being.

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

[Signature]
ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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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 “Free Basic Medicine Assistance Act.”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect and promote the right to health and well-being of every Filipino and to adopt a system of implementing the delivery of free basic medicines to those who have less in life in all health facilities in the country, giving priority to the underprivileged, ailing, malnourished, elderly, women and children, disabled, and the poorest of the poor.

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

- a) Establish a Free Basic Medicine Assistance Program in all government health facilities nationwide;
- b) Maximize efforts to ensure that the needs of the poor for medicines are properly met;
- c) Ensure that the sick, malnourished, elderly, women and children, disabled, and the poor are not deprived from seeking medical care;
- d) Address the inaccessibility of medicines and medical products; and
- e) Bridge the gap between health and poverty.

SEC. 4. *Establishment of Free Basic Medicine Assistance Program.* – There is hereby established a Free Basic Medicine Assistance Program, hereinafter referred to as the “Libreng Gamot Program,” to be administered by the Department of Health (DOH) through government district hospitals, local health units and barangay health centers in all cities and municipalities, in coordination with the Department of Social Welfare and Development (DSWD).

SEC. 5. *Eligible Beneficiaries.* – The Libreng Gamot Program shall be restricted to qualified poor recipients as certified by the barangay and the DSWD officials.

SEC. 6. *Availment of Free Basic Medicines.* – Free basic medicines shall be made available in all government district hospitals, barangay health centers and local health units. These health units shall account for all the medicines released to qualified beneficiaries through the submission of quarterly reports to the Department of Health.

SEC. 7. *Appropriations.* – The amount needed for the initial implementation of this Act shall be charged against the appropriations for the Department of Health. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 8. *Rules and Regulations.* – The DOH, in coordination with the DSWD, and in consultation with the Philippine Medical Association (PMA), shall promulgate the necessary rules and regulations to effectively implement the provisions of this Act within six (6) months from the effectivity hereof.

SEC. 9. *Separability Clause.* – If any part or provision of this Act is declared unconstitutional or invalid, other parts or provisions thereof which are not affected hereby shall continue to be in full force and effect.

SEC. 10. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,