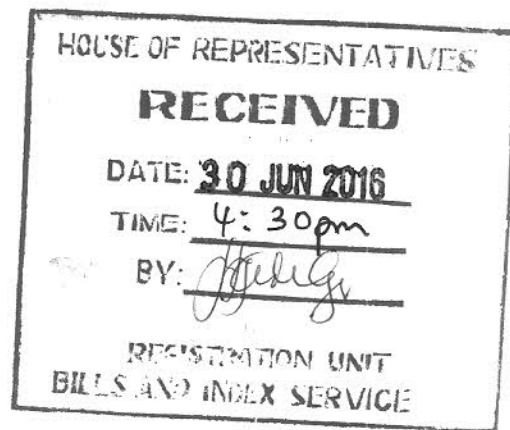


SEVENTEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

House Bill No. 504



Introduced by Representative Victor A. Yap

EXPLANATORY NOTE

The 1987 Constitution provides that *“The State shall protect and promote the right to health of the people and instill health consciousness among them”*. The greatest wealth of a nation is its people. Thus, the government must ensure that, regardless of financial status, no one will be deprived of the right to medical attention- including medicines. In consonance with this, providing free medicines to the poor is an important step forward in improving health care throughout the Philippines.

Social justice demands that those with less in life should have more under the law hence, government must have a continuing and sincere concern for the underprivileged and undertake a sustained and substantial effort to improve their quality of life. There is a growing sentiment among the poor that they are being neglected by the government.

Pharmaceuticals are expensive in the Philippines in comparison to prices in neighboring countries such as Thailand, Malaysia and Indonesia. Since 1985, the price of drugs increased faster than the consumer price index. In the policy debate, pharmaceutical companies have stressed cost and quality differences to explain observed price differences. On the other hand, advocates of public intervention have emphasized international and local monopolistic pricing practices. Suffice it to say, despite the law on generic medicines, and parallel importation initiatives, the Philippines continues to suffer from insufficient access to low cost, safe, and quality essential medicines.

The “Free Medicines for the Poor Act” is an effective measure to counter the inaccessibility of medicines to our underprivileged and impoverished populace. This measure seeks to bridge the growing gap between health and poverty, by providing the free quality medicines.

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


VICTOR A. YAP
Representative, 2nd District of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. 504

Introduced by Representative Victor A. Yap

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

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Free Basic Medicine
2 Assistance Act".

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

8 **SEC. 3. *Objectives.*** - This Act pursues the following objectives:

9 (a) To promote optimal health and well-being of every Filipino by improved access to
10 medicines; and

11 (b) To address the health needs of the marginalized sectors such as the poor, malnourished,
12 elderly, women, children and the disabled through the establishment of a Free Basic Medicine
13 Assistance Program in all government health facilities nationwide.

14 **SEC. 4. *Establishment of Free Basic Medicine Assistance Program.*** - There shall be
15 established a Free Basic Medicine Assistance Program, hereinafter referred to as the "Libreng
16 Gamot Program", to be administered by the Department of Health (DOH) through government
17 district hospitals, local health units and barangay health centers in all cities and municipalities, in
18 coordination with the Department of Social Welfare and Development (DSWD).

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

21 **SEC. 6. *Availment of Free Basic Medicines.*** - Free basic medicines shall be made
22 available in all government district hospitals, local health units and barangay health centers. These
23 health facilities shall account for all the medicines released to qualified beneficiaries through the
24 submission of quarterly reports to the DOH.

1 **SEC. 7. Appropriations.** - The amount needed for the initial implementation of this Act
2 shall be charged against the appropriations of the DOH. Thereafter, such sums as may be necessary
3 for the continued implementation of this Act shall be included in the annual General
4 Appropriations Act.

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

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

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

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

17

18 **Approved.**