EXPLANATORY NOTE

The overwhelming increase in positive COVID-19 cases, financial and economic pressures brought about by the community quarantine, and concern for our own family’s safety are every man’s burden. It is understandable, but because of our concern about our personal interests we failed to appreciate and see that in during these trying times health workers have been in the frontline. Physicians, nurses, technicians have been taking longer shifts, skipping meals, and risking their own health all because they chose to stand by their oath as health professionals.

Unfortunately, because of the desire of some to prioritize their personal interest and their failure to realize that the COVID-19 is a public health issue, there are patients who chose not to disclose vital information to their attending physicians. We have seen cases where a number of doctors contracted the COVID-19 virus because their patients did not tell them that they have had exposure to persons under investigation (PUIs) or persons with COVID-19, or have travel history to places with confirmed cases of COVID-19. Some of these doctors fell ill and have been in critical condition, and many more have been placed at even higher risk. Our doctors, nurses, and all other health workers do not deserve this.

These incidents of deliberate non-disclosure is a wake up call for us. These will likely happen even after COVID-19. Another outbreak or public health emergency remains a possibility in the future. Thus, in order to protect our unsung heroes, a law penalizing the act of deliberate withholding from or refusal to disclose vital information needed by the health workers to manage and treat a certain case is necessary. Through this legislation, patients will be deterred from making deliberate withholding of information, thus ensuring the safety of our health professionals and the general public. Our health professionals
deserve not only our salute, but also our protection. It is for these reasons that the passage of this bill is earnestly sought.

ALFREDC. DELOS SANTOS
Representative, Ang Probinsyano Partylist
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 7046

Introduced by ANG PROBINSYANO
Party-List Representative Alfred Delos Santos

AN ACT
PENALIZING THE DELIBERATE WITHHOLDING OF IMPORTANT
INFORMATION BY PATIENTS TO THEIR PHYSICIANS AND OTHER
ATTENDING HEALTH WORKERS IN TIMES OF PUBLIC HEALTH
EMERGENCY, OUTBREAKS, AND PANDEMIC

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 “Health Workers
Protection Act of 2020.”

SECTION 2. Declaration of Policy. – In recognition of the immense sacrifice
of health workers, it is the policy of the State to protect and promote their right
to a safe working environment, especially in times of public health crisis,
outbreaks, and pandemic.

SECTION 3. Coverage. – For purposes of this Act, the term “health worker”
shall include all physicians, nurses, technicians, and therapists working in a
hospital or health case setting, whether private or public, and those deployed to
local health clinics providing primary care to the inhabitants of such locality.

SECTION 4. Unlawful Act. – It shall be unlawful for any person, whether a
patient admitted in the health facility or an out-patient, or the parent, guardian
or ward of the said in-patient or out-patient, to deliberately withhold from or
refuse to disclose to a health worker all the pertinent information required for
the proper handling and treatment of his or her case after the latter has clearly
inquired about such information, during a public health emergency, outbreak,
or pandemic of contagious diseases.
Disclosure made by the patient subsequent to the act of deliberately withholding such pertinent information for the proper handling and treatment of his or her case shall not be absolve the offender nor shall it bar the filing of the action against the offending party.

SECTION 5. Penalties. – Any person found to be in violation of the foregoing unlawful act shall be penalized with imprisonment for not less than six (6) months but not more than one (1) year, fine of not less than one hundred thousand pesos (PhP 100,000.00) but not more than one million pesos (PhP 1,000,000.00), or both.

An imprisonment of not less than one (1) year to not more than two (2) years, fine of not less than five hundred thousand pesos (PhP 500,000.00) but not more than two million pesos (PhP 2,000,000.00), or both shall be imposed if the unlawful act of deliberate withholding or non-disclosure resulted to the spreading of the disease to the attending health worker or other patients in the same health facility where the offender obtained consultation or treatment.

SECTION 6. Separability Clause. – If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 7. Repealing Clause. – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 8. 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,