



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Manila



SEVENTEENTH CONGRESS
First Regular Session

COMMITTEE REPORT NO. 291

Submitted by the Committee on Health and Committee on Appropriations on
MAY 31 2017

Re : House Bill No. 5808

Recommending its approval in substitution of House Bills Numbered 104, 233, 504, 1505, 1968 and 3753

Sponsors : Reps. Angelina "Helen" D.L. Tan, M.D., Rodante D. Marcoleta, Victor A. Yap, Gary C. Alejano, Estrellita B. Suansing, Horacio P. Suansing, Jr. and Alfred D. Vargas

Mr. Speaker:

The Committee on Health and Committee on Appropriations to which were referred House Bill No. 104 introduced by Rep. Angelina "Helen" D.L. Tan, M.D., entitled:

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

House Bill No. 233 introduced by Rep. Rodante D. Marcoleta, entitled:

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

House Bill No. 504 introduced by Rep. Victor A. Yap, entitled:

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

House Bill No. 1505 introduced by Rep. Gary C. Alejano, entitled:

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

House Bill No. 1968 introduced by Rep. Estrellita B. Suansing and Horacio P. Suansing, Jr., entitled:

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

and House Bill No. 3753 introduced by Rep. Alfred D. Vargas, entitled:

AN ACT ESTABLISHING A FREE MEDICINE ASSISTANCE PROGRAM FOR THE POOR AND PROVIDING FUNDS THEREFOR

have considered the same and recommend that the attached House Bill No. 5808 entitled:

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

be approved in substitution of House Bills Numbered 104, 233, 504, 1505 and 1968 with Reps. Angelina "Helen" D.L. Tan, M.D., Rodante D. Marcoleta, Victor A. Yap, Gary C. Alejano, Estrellita B. Suansing, Horacio P. Suansing, Jr., Alfred D. Vargas, Gus S. Tambunting, Franz "Chicoy" E. Alvarez, Deogracias Victor "DV" B. Savellano, Rene L. Relampagos, Maximo B. Rodriguez, Jr., Manuel Jose "Mannix" Dalipe, Carmelo "Jon" B. Lazatin II, Linabelle Ruth R. Villarica, Ma. Lucille L. Nava, M.D. Joaquin M. Chipeco, Jr., Amado T. Espino, Jr., Nancy A. Catamco, Teodoro G. Montoro, Marisol C. Panotes, Maria Vida E. Bravo, Cesar V. Sarmiento, Gavini "Apol" C. Pancho, Sandra Y. Eriguel, M.D., Micaela S. Violago, Ron P. Salo, Pablo C. Ortega, Wilter "Sharky" Wee Palma II, Tomasito "Tom" S. Villarin, Jose Christopher Y. Belmonte, Romeo C. Acop, Michaelina M. Antonio, Ma. Lourdes R. Aggabao, Mark O. Go, Carlos Isagani T. Zarate, Heminio Harry L. Roque, Rogelio J. Espina, M.D., Maria Cristina Roa-Puno, Tricia Nicole Q. Velasco-Catera, Romero "Miro" S. Quimbo, Karlo Alexei B. Nograles, Jose "Pingping" I. Tejada, Emmi A. De Jesus, Sol Aragones, Teddy Brawner Baguilat, Amulfo A. Teves, Emmeline Y. Aglipay-Villar, Anna Marie Villaraza-Suarez, Sarah Jane I. Elago, Pia S. Cayetano, Ruwel Peter Gonzaga, Luisa Lloren Cuaresma, Marilyn L. Primicias-Agabas, Anthony M. Bravo, Sharon S. Garin, Jose Enrique S. Garcia III, Raul V. del Mar, Mohamad Khalid Q. Dimaporo, Joey Sarte Salceda, Celso L. Lobregat, Francis Gerald A. Abaya, Isagani T. Amatong, Arlene B. Arcillas, Leopoldo N. Bataoil, Wilfredo S. Caminero, Cecilia Leonila V. Chavez, Arthur R. Defensor, Jr., Napoleon S. Dy, Cheryl

Deloso-Montalla, Evelina G. Escudero, Alexandria P. Gonzales, Fernando V. Gonzalez, Rogelio Neil Pepeito Roque, Edgar S. Samiento, Raul "Boboy" C. Tupas and Divine Grace C. Yu as authors thereof.

Respectfully submitted:



HON. KARLO ALEXEI B. NOGRALES
Chairperson
Committee on Appropriations



HON. ANGELINA "Helen" D.L. TAN, M.D.
Chairperson
Committee on Health

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Manila

SEVENTEENTH CONGRESS

First Regular Session

5808

House Bill No. _____

(In substitution of House Bills Numbered 104, 233, 504, 1505, 1968 and 3753)

Introduced by Reps. Angelina "Helen" D.L. Tan, M.D., Rodante D. Marcoleta, Victor A. Yap, Gary C. Alejano, Estrellita B. Suansing, Horacio P. Suansing, Jr., Alfred D. Vargas, Gus S. Tambunting, Franz "Chicoy" E. Alvarez, Deogracias Victor "DV" B. Savellano, Rene L. Relampagos, Maximo B. Rodriguez, Jr., Manuel Jose "Mannix" Dalipe, Carmelo "Jon" B. Lazatin II, Linabelle Ruth R. Villarica, Ma. Lucille L. Nava, M.D., Joaquin M. Chipeco, Jr., Amado T. Espino, Jr., Nancy A. Catamco, Teodoro G. Montoro, Marisol C. Panotes, Maria Vida E. Bravo, Cesar V. Sarmiento, Gavini "Apol" C. Pancho, Sandra Y. Eriguel, M.D., Micaela S. Violago, Ron P. Salo, Pablo C. Ortega, Wilter "Sharky" Wee Palma II, Tomasito "Tom" S. Villarín, Jose Christopher Y. Belmonte, Romeo C. Acop, Michaelina M. Antonio, Ma. Lourdes R. Aggabao, Mark O. Go, Carlos Isagani T. Zarate, Herminio Harry L. Roque, Rogelio J. Espina, M.D., Maria Cristina Roa-Puno, Tricia Nicole Q. Velasco-Catera, Romero "Miro" S. Quimbo, Karlo Alexei B. Nograles, Jose "Pingping" I. Tejada, Emmi A. De Jesus, Sol Aragonés, Teddy Brawner Baguilat, Arnulfo A. Teves, Emmeline Y. Aglipay-Villar, Anna Marie Villaraza-Suarez, Sarah Jane I. Elago, Pia S. Cayetano, Ruwel Peter Gonzaga, Luisa Lloren Cuaresma, Marilyn L. Primicias-Agabas, Anthony M. Bravo, Sharon S. Garin, Jose Enrique S. Garcia III, Raul V. del Mar, Mohamad Khalid Q. Dimaporo, Joey Sarte Salceda, Celso L. Lobregat, Francis Gerald A. Abaya, Isagani T. Amatong, Arlene B. Arcillas, Leopoldo N. Bataoil, Wilfredo S. Caminero, Cecilia Leonila V. Chavez, Arthur R. Defensor, Jr., Napoleon S. Dy, Cheryl Deloso-Montalla, Evelina G. Escudero, Alexandria P. Gonzales, Fernando V. Gonzalez, Rogelio Neil Pepito Roque, Edgar S. Sarmiento, Raul "Boboy" C. Tupas and Divine Grace C. Yu

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

4 **SEC. 2. Declaration of Policy.** — It is hereby declared the policy of the State to protect
5 and promote the right to health and well-being of every Filipino and to adopt a system
6 that will implement the delivery of free basic medicines to those who have less in life in
7 all health facilities in the country, giving priority to the underprivileged, ailing,
8 malnourished, elderly, women and children, disabled, and the poorest of the poor.
9

10 **SEC. 3. Objectives.**— This Act aims to:

- 11
- 12 a. promote optimal health and well-being of every Filipino by improved access to
13 medicines; and
- 14
- 15 b. address the health needs of marginalized sectors such as the poor,
16 malnourished, the elderly, women, children and disabled by the establishment
17 of a Free Basic Medicine Assistance Program in all government health
18 facilities nationwide.
19

20 **SEC. 4. Establishment of Free Basic Medicine Assistance Program.** — There shall be
21 established a Free Basic Medicine Assistance Program, hereinafter referred to as the
22 "Libreng Gamot Program," to be administered by the Department of Health (DOH)
23 through government district hospitals, local health units and barangay health centers in
24 all cities and municipalities, in coordination with the Department of Social Welfare and
25 Development (DSWD).
26

27 **SEC. 5. Eligible Beneficiaries.** — The *Libreng Gamot Program* shall be restricted to
28 persons or families who do not earn enough to satisfy the minimum cost of basic needs
29 like food, health, housing and education as certified by the barangay and the DSWD.
30

31 **SEC. 6. Availment of Free Basic Medicines.** — Free basic medicines shall be made
32 available in all government district hospitals, barangay health centers, and local health
33 units. These health facilities shall account for all the medicines released to qualified
34 beneficiaries through the submission of quarterly reports to the DOH.
35

36 **SEC. 7. Appropriations.** — The amount needed for the initial implementation of this Act
37 shall be charged against the appropriations of the DOH. Thereafter, such sums as may
38 be necessary for the continued implementation of this Act shall be included in the
39 annual General Appropriations Act.
40

41 **SEC. 8. Rules and Regulations.**— The Secretary of the DOH, in coordination with the
42 DSWD, and in consultation with the Philippine Medical Association (PMA), shall
43 promulgate the necessary rules and regulations to effectively implement the provisions
44 of this Act within ninety (90) days from the effectivity of this Act.
45

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

4
5 **SEC. 10. *Repealing Clause.*** – All laws, decrees, executive orders, rules and regulations
6 and other issuances or parts thereof, inconsistent with the provisions of this Act, are
7 hereby repealed or modified accordingly.

8
9 **SEC. 11. *Effectivity.***– This Act shall take effect fifteen (15) days after its publication in
10 the *Official Gazette* or in a newspaper of general circulation.

11
12
13 *Approved,*

FACT SHEET

House Bill No. 5808

House Bills Numbered 104, 233, 504, 1505, 1968 and 3753
(As approved by the Committee on November 9, 2016)

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

Introduced by: REPS. ANGELINA "HELEN" D.L. TAN, M.D., RODANTE D. MARCOLETA, VICTOR A. YAP, GARY C. ALEJANO, ESTRELLITA B. SUANSING, HORACIO P. SUANSING, JR., ALFRED D. VARGAS, GUS S. TAMBUNTING, FRANZ "CHICOY" E. ALVAREZ, DEOGRACIAS VICTOR "DV" B. SAVELLANO, RENE L. RELAMPAGOS, MAXIMO B. RODRIGUEZ, JR., MANUEL JOSE "MANNIX" DALIPE, CARMELO "JON" B. LAZATIN II, LINABELLE RUTH R. VILLARICA, MA. LUCILLE L. NAVA, M.D., JOAQUIN M. CHIPECO, AMADO T. ESPINO, JR., NANCY A. CATAMCO, TEODORO G. MONTORO, MARISOL C. PANOTES, MARIA VIDA E. BRAVO, CESAR V. SARMIENTO, GAVINI "APOL" C. PANCHO, JR., SANDRA Y. ERIGUEL, M.D., MICAELA S. VIOLAGO, RON P. SALO, PABLO C. ORTEGA, WILTER "SHARKY" WEE PALMA II, TOMASITO S. VILLARIN, JOSE CHRISTOPHER Y. BELMONTE, ROMEO C. ACOP, MICHAELINA M. ANTONIO, MA. LOURDES R. AGGABAO, MARK O. GO, CARLOS ISAGANI T. ZARATE, HERMINIO HARRY L. ROQUE, ROGELIO J. ESPINA, M.D., MARIA CRISTINA ROA-PUNO, TRICIA NICOLE Q. VELASCO-CATERA, ROMERO "MIRO" S. QUIMBO, KARLO ALEXEI B. NOGRALES, JOSE "PINGPING" I. TEJADA, EMMI A. DE JESUS, SOL ARAGONES, JR., TEDDY BRAWNER BAGUILAT, ARNULFO A. TEVES, EMMELINE Y. AGLIPAY-VILLAR, ANNA MARIE VILLARAZA-SUAREZ, SARAH JANE I. ELAGO, PIA S. CAYETANO, RUWEL PETER GONZAGA, LUISA LLOREN CUARESMA, MARILYN L. PRIMICIAS-AGABAS, ANTHONY M. BRAVO, SHARON S. GARIN AND JOSE ENRIQUE S. GARCIA III, RAUL V. DEL MAR, MOHAMAD KHALID Q. DIMAPORO, JOEY SARTE SALCEDA, CELSO L. LOBREGAT, FRANCIS GERALD A. ABAYA, ISAGANI T. AMATONG, ARLENE B. ARCILLAS, LEOPOLDO N. BATAOIL, WILFREDO S. CAMINERO, CECILIA LEONILA V. CHAVEZ, ARTHUR R. DEFENSOR, JR., NAPOLEON S. DY, CHERYL DELOSO-MONTALLA, EVELINA G. ESCUDERO, ALEXANDRIA P. GONZALES, FERNANDO V. GONZALEZ, ROGELIO NEIL PEPITO ROQUE, EDGAR S. SARMIENTO, RAUL "BOBOY" C. TUPAS AND DIVINE GRACE C. YU

Committee Referral: COMMITTEE ON HEALTH (Primary)

Committee Chairperson: REP. ANGELINA "HELEN" D.L. TAN, M.D.

Committee Referral: COMMITTEE ON APPROPRIATIONS (Secondary)

Committee Chairperson: REP. KARLO ALEXEI B. NOGRALES

OBJECTIVES:

- To ensure that basic medicines are cost-free, accessible and available to indigents

- To ensure that free basic medicines are availed only by qualified recipients or beneficiaries

KEY PROVISIONS:

- Establishes a Free Basic Medicine Assistance Program in all government district hospitals, local health units, and barangay health centers in all cities and municipalities nationwide
- Adopts a system of implementing the delivery of free medicines to indigent members of the society
- Mandates the Department of Social Welfare and Development (DSWD) and the barangay chairperson to issue a certification of eligibility to qualified beneficiaries of the program
- Requires all government health facilities at the local level to submit to the Department of Health (DOH) a quarterly report on free basic medicines released to target beneficiaries
- Appropriates the necessary funding for the implementation of the program
- Mandates the Secretary of DOH, as the lead implementing agency, in coordination with the DSWD, and the Philippine Medical Association (PMA) to promulgate the rules and regulations within ninety (90) days from the effectivity of this Act

RELATED LAWS:

- R.A. No. 9502 – Universally Accessible Cheaper and Quality Medicines Act of 2008
- R.A. No. 6075 – The Generics Act of 1988