Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City  

EIGHTEENTH CONGRESS  
Second Regular Session  

RESOLUTION BILL NO. 1031  

Introduced by Representatives JOSE FRANCISCO B. BENITEZ, JANETTE LORETO-GARIN, GREG G. GASATAYA, RAUL V. DEL MAR, JOSEPH STEPHEN S. PADUANO, PAUL R. DAZA, LEO RAFAEL M. CUEVA, MA. LOURDES T. ARROYO, PETER JOHN CALDERON, JANICE Z. SALIMBANGON, MANUEL T. SAGARBARRIA  

RESOLUTION  
URGING THE JOINT CONGRESSIONAL OVERSIGHT COMMITTEE ON UNIVERSAL HEALTH CARE TO CONDUCT AN IMMEDIATE REVIEW AND ASSESSMENT OF REPUBLIC ACT NO. 11223, OTHERWISE KNOWN AS THE UNIVERSAL HEALTH CARE LAW, IN AID OF LEGISLATION, ON PROVISIONS THAT LIMIT OUR COUNTRY’S ACCESS TO BREAKTHROUGH MEDICINES AND DRUGS AMID THE COVID-19 PANDEMIC  

WHEREAS, Article II, Section 15 of the 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;  

WHEREAS, Article XIII, Section 11 of the same is mandating the State to adopt and integrated and comprehensive approach to health development;  

WHEREAS, Republic Act No. 11223, otherwise known as the Universal Health Care (UHC) Law, a landmark legislation that ensures every Filipino, including our Overseas Filipino Workers (OFWs), as eligible for preventive, promotive, curative, rehabilitative, and palliative care upon automatic enrollment to the government’s health insurance program.  

WHEREAS, Section 34 of RA No. 11223 mandates for a Health Technology Assessment (HTA) as a process of institutionalizing a fair and transparent priority-setting mechanism for the development of policies and programs, regulation, and the determination of a range of entitlements such as drugs, medicines, pharmaceutical products, and other devices, procedures and services as provided under the UHC law;  

WHEREAS, HTA will be administered by Health Technology Assessment Council (HTAC), an advisory body to the Secretary of DOH, the majority composition of which comes from the academe, and is now being tasked with providing recommendations for action to the DOH and PhilHealth with regards to medical technology in the country;
WHEREAS, under the UHC law, the conduct of HTA based on Safety and Effectiveness\(^1\) provides that each intervention must have undergone Phase IV clinical trial, and systematic review and meta-analysis be readily available;

WHEREAS, Clinical Development is a three-phase process\(^2\) comprised in Phase I, small groups of people receive the trial vaccine; in Phase II, the clinical study is expanded and the vaccine is given to people who have characteristics (such as age and physical health) similar to those for whom the new vaccine is intended; and, in Phase III, the vaccine is given to thousands of people and tested for efficacy and safety;

WHEREAS, Phase III is divided further into two: Phase III-A is the active phase which is essential to get evidence of efficacy and safety that are statistically significant and, Phase III-B – the hospital phase which is done for further monitoring and additional claims of a medicine.

WHEREAS, the post-market surveillance (Phase IV\(^3\)), is the practice of monitoring the safety of a pharmaceutical drug or medical device after it has been released on the market and is an important part of the science of pharmacovigilance\(^4\);

WHEREAS, Phase IV clinical trials for drug development would mean that the whole world will have to use the drug first, carefully observe and analyze its effects over a period of several years, only then a country could use it;

WHEREAS, with this requirement of Phase IV under the UHC law, the whole world already has access to a certain drug or vaccine and is using it, while the Philippines is watching and every time a product changes to respond to new scientific data, our country will go back to zero;

WHEREAS, this Section 34 of UHC law contradicts the very spirit of UHC law to health care accessibility as it connotes that Filipinos will have no recourse but to travel to other countries to have access in any breakthrough in medicines and drugs;

WHEREAS, the coronavirus COVID-19 pandemic is the defining global health crisis of our time and the greatest challenge our country has faced since the World War II, and with COVID-19 cases continue to increase in an international scale, it is imperative for Congress to review the UHC law, rectify this landmark legislation and make the availability of medicines for Filipinos grounded on sound and rational legislation;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED by the House of Representatives, to direct the Joint Congressional Committee on the Universal Health Care to conduct an immediate review of the provisions of Republic Act No. 11223, in aid of legislation, to determine whether there is need for amendment of the UHC law on provisions that is restrictive on our country’s access in any breakthrough on medicines and

\(^1\) One of the criteria that must be observed in the conduct of health technology assessment

\(^2\) As provided in https://www.cdc.gov/vaccines/basics/test-approve.html

\(^3\) Developing drugs for children and treatment optimization trials often combine features of different phases, commonly blending Phases I and II and Phases II and III (World Health Organization).

\(^4\) Pharmacovigilance (PV) is defined as the science and activities relating to the detection, assessment, understanding, and prevention of adverse effects or any other drug-related problem.
drugs, so as not to cripple our public health systems especially now that we are not exempted from the unimaginable risk that COVID-19 poses.

Adopted,

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