

Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

**TWENTIETH CONGRESS**  
First Regular Session

**HOUSE BILL No. 43**

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Introduced by **HONORABLE ERNESTO "ERNIX" M. DIONISIO, JR.**

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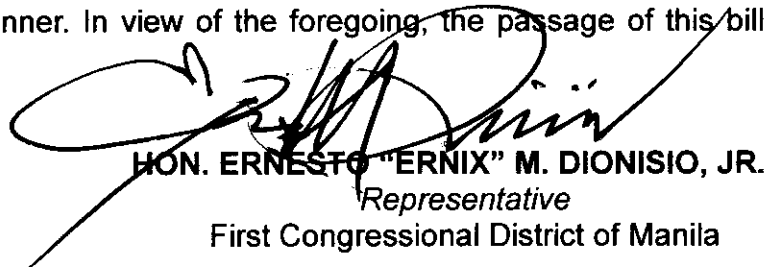
**AN ACT**  
**INSTITUTIONALIZING A NATIONAL TELEMEDICINE SYSTEM**  
**IN THE PHILIPPINES**

**EXPLANATORY NOTE**

Considering the multitude of technological advancements in and for the medical field, the need for a hybrid mode of consultation with physicians is heightened, and the same becomes not just a convenience, but a cost-efficient avenue for medical concerns. While some private hospitals have started this initiative, there is still a need to pool the resources available to strengthen healthcare in this country.

Section 11, Article XIII of the 1987 Constitution states: "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost".

In line with this Constitutional mandate, this proposed bill seeks to introduce measures to expand the reach of Telemedicine in the Philippines in coordination with relevant stakeholders. This will allow Filipinos to reach and consult with health professionals and receive proper instructions and advice on how to address their health concerns in an accessible manner. In view of the foregoing, the passage of this bill is highly sought.



**HON. ERNESTO "ERNIX" M. DIONISIO, JR.**  
*Representative*  
First Congressional District of Manila



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*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 "Telemedicine Act."

**SECTION 2. Declaration of Policy.** - The State shall protect and promote the right to health of the people and instill health consciousness among them. Hence, it is the declared policy of the State to formulate innovative ways and systems to fully protect and uphold the right to health of all Filipinos. It shall likewise be the policy of the State to enact measures for promoting health in times of emergencies and calamities through the use of information and communication technology.

**SECTION 3. Definition of Terms.** - For the purposes of this Act, the following definitions shall apply:

- (a) Telemedicine - also referred to as telehealth or electronic healthcare, is a system of delivering healthcare services through the use of information and communications technology as a complement to traditional healthcare systems. It includes the total management of a patient's health care from consultation, diagnosis, and treatment to prescription of medicine and record-keeping. It likewise includes the education and training of health personnel to capacitate them to use telemedicine systems as

well as the development of applications and programs for the furtherance of health.

- (b) Information and Communications Technology includes but is not limited to:
  - i. Digital interactive video, audio, and/or data transmission;
  - ii. Video or web-conferencing technology;
  - iii. Still image capture or asynchronous store and forward;
  - iv. Modern medical devices for patient care and diagnosis.

**SECTION 4. National Telemedicine Council.** - A National Telemedicine Council, hereinafter referred to as "Council," is hereby established and composed of the following:

- (a) Secretary of Health, who shall serve as Chairperson;
- (b) Secretary of Information and Communication Technology;
- (c) Secretary of Science and Technology;
- (d) Secretary of the Interior and Local Government;
- (e) President of the Philippine Health Insurance Corporation;
- (f) Director-General of the Food and Drug Administration;
- (g) Presidents of healthcare professional associations such as the
- (h) Philippine Medical Association, Philippine Nurses Association, and the Philippine
- (i) Pharmacists Association; and
- (j) Director of the Office for Telemedicine.

**SECTION 5. Functions of the Council.** -The Council, with regard to telemedicine in the Philippines, shall:

- (a) Establish guidelines and regulations on the practice and provision of services;
- (b) Create a national roadmap for the achievement and furtherance of the objectives of this act;
- (c) Establish and provide for a mechanism of accreditation for electronic healthcare providers;
- (d) Establish a national integrated database system for medical information;
- (e) Establish a system for electronic prescription of medicine;
- (f) Spearhead and promote research and development activities;
- (g) Capacitate and train existing and new healthcare professionals on the provision of health services; and
- (h) Set quality standards for systems, professionals and services.

The Council shall convene as frequently as necessary to perform its mandated functions.

**SECTION 6. Implementing Agency and Secretariat.** - The Department of Health shall be the lead agency in implementing this Act. For this purpose, an Office for Telemedicine

shall be created under the Department which shall serve as the Secretariat for the Council. The Office for Telemedicine shall be headed by a Director.

**SECTION 7. Establishment of Telemedicine Centers in Rural Local Government Units (LGUs).** - A Telemedicine Center shall be established in Rural LGUs which shall be located and established in convenient locations to deliver community-based health care services.

**SECTION 8. Practice of Medicine.** - The provision of Telemedicine services shall be limited only to registered physicians. Telemedicine services shall be deemed as acts constituting practice of medicine, and shall result to the establishment of a doctor-patient relationship.

**SECTION 9. Emergency.** - The Council shall establish special rules and systems for the enhanced utilization of Telemedicine in times of emergencies and calamities.

**SECTION 10. Privacy.** - All medical records generated, including records maintained via video, audio, electronic, or other means acquired through Telemedicine must conform to the laws regarding the confidentiality of healthcare information of the patient, rights to medical information, and recordkeeping requirements. Any violation of this provision shall be penalized to the maximum extent under the law.

**SECTION 11. Standard of Care.** - The standard of care shall be the same as the standard of care required in traditional or non-Telemedicine healthcare services.

**SECTION 12. Implementing Rules and Regulations.** - The Council shall promulgate the necessary rules and regulations for the effective implementation of this Act within ninety (90) days from its effectivity.

**SECTION 13. Appropriations.** - The amount necessary for the initial implementation of this Act shall be taken from the current appropriations of the DOH. Thereafter, the amount needed for the continued implementation of this Act shall be included in the annual appropriations of the DOH as a distinct and separate item.

**SECTION 14. Separability Clause.** - If any provision of this Act is declared invalid or unconstitutional, the remaining provisions shall continue to be in full force and effect.

**SECTION 15. Repealing Clause.** - All laws, decrees, executive orders, proclamations, rules and regulations, and issuances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

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

Approved,