

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS

First Regular Session

3167
HOUSE BILL NO. _____

Introduced by REP. ANTONIO T. ALBANO

AN ACT
TO EXCLUDE CANNABIS AND ANY FORM OR DERIVATIVE THEREOF
CULTIVATED, CULTURED, USED, SOLD, DISTRIBUTED OR DISPENSED
EXCLUSIVELY FOR MEDICINAL AND MEDICAL RESEARCH PURPOSES
FROM THE LIST OF DANGEROUS DRUGS AND SUBSTANCES
UNDER EXISTING LAWS,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9165
OTHERWISE KNOWN AS THE
COMPREHENSIVE DANGEROUS DRUGS ACT OF 1972 AS AMENDED

EXPLANATORY NOTE

The Constitution upholds health as a human right and as a primary social justice concern. Thus, it is a policy of the State to adopt an integrated and comprehensive approach to health development which endeavors to make essential goods, health and other social services available to the people at affordable cost, and which gives priority attention to the needs of the underprivileged sick, elderly, disabled, women and children. The State is also constitutionally mandated to establish and maintain an effective food and drug regulatory system and to undertake appropriate health research responsive to the country's health needs and problems (*Art. XIII, Secs. 11-12, Constitution*).

Enabling and regulating the production, distribution and use of new and regulated materials and substances solely for medical and medicinal purposes, and the conduct of research on the use of such materials and substances exclusively for discovering and producing new medical formulations, drugs and related products for the treatment and alleviation of specific diseases and other medical conditions falls squarely within the policy parameters mandated by the Constitution for an enabling environment that allows accessibility of goods and services that can responsively address the health needs of our people.

When traditional treatments and medicine fail to improve existing health conditions of a citizen, it is the right of that citizen to explore and use alternative means of treatment to restore his health, prolong his life and even improve the quality of his life, especially when there is convincing data and proof that certain alternative treatments offer relief and remediation to particular medical conditions not otherwise sufficiently addressed by traditional treatments, drugs or medicines. Children and young people, adults in their productive years suffering from rare conditions that rob them and their families of a better quality of life cannot be denied their rights to explore the use of alternative treatments.

Cannabis used solely for medicinal and medical purposes, and research relative thereto, widen the spectrum of available compassionate and affordable remedial and treatment alternatives for our people, especially the young and the able youth.

In this light, this bill seeks to exclude medical cannabis from the classification of dangerous drugs within a strict regulatory framework : that it is solely for medical and medicinal use and is prescribed in such amounts and doses for specific patients with specifically identified and described medical conditions by a duly authorized medical doctor or practitioner, with the drug formulation or medical cannabis, distributed, dispensed, sold or made available only by duly authorized or licensed government medical or

health agencies, or by duly authorized and licensed private medical or health entities.

Recreational use of cannabis remains proscribed and punishable under the law. Only the use of cannabis in any form or formulation for medical and medicinal purposes under strict regulatory conditions is proposed in this bill. Research using cannabis for the production of new drugs is already allowed under RA 9165 and is simply reiterated in this bill.

Under the premises, approval of this bill is strongly recommended.


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

1 Section 1. *Declaration of Policy.* – It is the policy of the State to adopt a
2 comprehensive approach to health development and health care including the
3 undertaking of appropriate research responsive to the country's health needs
4 and problems. Pursuant to this policy, the State shall allow and strictly regulate
5 the production, use and distribution of goods, medicines and substances used
6 for their production or formulation, that can help provide citizens with affordable
7 health and medical goods and services.

1 Section 2. *Exclusion of Medical Cannabis.* – Section 3 (j) of Article I of
2 Republic Act 9165 (RA 9165) is hereby amended to read as follows:

3 “ Section 3. *Definitions.* – As used in this Act, the following terms
4 shall mean:

5 (a) xxxx

6 (b) xxxx

7 (c) xxxx

8 (d) xxxx

9 (e) xxxx

10 (f) xxxx

11 (g) xxxx

12 (h) xxxx

13 (i) xxxx

14 (j) Dangerous Drugs. – Include those listed in the Schedules annexed
15 to the 1961 Single Convention on Narcotic Drugs, as amended by the
16 1972 Protocol, and in the Schedules annexed to the 1971 Single
17 Convention on Psychotropic Substances as enumerated in the
18 attached annex which is an integral part of this Act [.] , **PROVIDED,**
19 **THAT CANNABIS OR ANY OTHER NAME THEREOF, AND ANY**
20 **FORM , DERIVATIVE AND FORMULATION OF THE SAME AS**
21 **PROVIDED IN SECTION 3 (V) IN THIS ACT, THAT IS**
22 **CULTIVATED, CULTURED, PURCHASED, PRODUCED,**
23 **DISTRIBUTED, SOLD, DISPENSED, ADMINISTERED OR USED**
24 **SOLELY AND EXCLUSIVELY FOR (A) MEDICINAL AND MEDICAL**
25 **INTERVENTION PURPOSES, IN SUCH MANNER AND AMOUNTS**
26 **AS DETERMINED AND PRESCRIBED FOR THE USE OF**
27 **IDENTIFIED PATIENTS BY DULY LICENSED MEDICAL**
28 **DOCTORS FOR THE TREATMENT, REMEDIATION OR**
29 **ALLEVIATION OF SPECIFIC MEDICAL AND HEALTH**
30 **PROBLEMS, DISORDERS OR CONDITIONS, AND PROCURED OR**

1 RECEIVED FROM, DISTRIBUTED OR SOLD, BY DULY
2 AUTHORIZED GOVERNMENT HEALTH AGENCIES AND
3 INSTRUMENTALITIES, AND BY LICENSED OR DULY
4 AUTHORIZED PRIVATE MEDICAL AND HEALTH ENTITIES, OR
5 (B) FOR PURPOSES OF MEDICAL AND HEALTH RESEARCH
6 PARTICULARLY FOR THE PRODUCTION OF NEW MEDICINES,
7 DRUGS OR DRUG FORMULATIONS BY DULY AUTHORIZED
8 GOVERNMENT AND PRIVATE ENTITIES, SHALL BE EXCLUDED
9 FROM THE LIST OF SUBSTANCES HEREIN CLASSIFIED AS
10 DANGEROUS DRUGS.”

11 Section 3. *Implementing Rules and Regulations.*- The Dangerous
12 Drugs Board (DDB) with the DOH, DILG, DOJ, DSWD, DepEd, PNP, NBI,
13 the Chairpersons of the Committees on Dangerous Drugs of the Senate
14 and the House of Representatives and at least two (2) representatives of
15 concerned stakeholders, shall promulgate the implementing rules and
16 regulations necessary to implement this Act within sixty days from the
17 date of its effectivity.

18 Section 4. *Separability Clause.* – If any provision or portion of this
19 Act is declared invalid or unconstitutional, the remainder of this Act shall
20 remain valid, in force and in effect.

21 Section 5. *Effectivity.* – This Act shall take effect fifteen (15) days
22 after its publication in the Official Gazette or in any two (2) newspapers of
23 general circulation.

Approved,