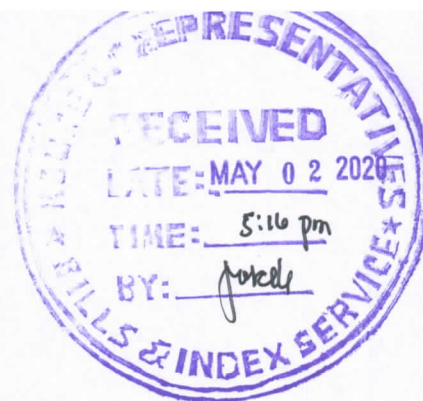


**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**EIGHTEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 6645



INTRODUCED BY REPRESENTATIVE ALYSSA SHEENA TAN

EXPLANATORY NOTE

The Corona Virus Disease of 2019 or COVID-19 has proved itself to be lethal in so many ways, resulting in a world pandemic that strikes at the very foundation of normal human life without exceptions.

Consequently, an effective and responsive policy must be set to address even the fundamental concept of equality, which has become problematic especially in the fight against the virus itself by those who are in the frontlines.

With this in mind, it is submitted that a law must be passed to address the issue of discrimination against those who are exposed, actual or not, to any highly communicable or contagious disease such as the COVID-19. Acts that create or promote stigma, incite hatred or violence, inflict harm on one's well-being and engage in profiling are discriminatory in nature and must be penalized not only to prevent social instability but to protect the rights of every person such as those who are called upon to render essential services.

Discrimination in times of a health crisis, or worse in a pandemic, is quite unacceptable and must not be tolerated. Just like what is happening now at this time of pandemic as shown on at least three (3) occasions. On 03 April 2020 in the province of Quezon, an ambulance driver was shot for parking his vehicle in a residential area after transporting medical personnel. The suspect accused him of ferrying COVID-19 patients and thus endangering the lives of the people in the community. Last 27 March 2020, this time in the city of Sultan Kudarat, five (5) men doused a hospital utility worker with bleach on his way to work. He nearly lost his sight. 433 kilometers away on the same day, a motorcycle-riding tandem splattered chlorine on a nurse who was on his way home from duty in Cebu City.

Discrimination has no place in any war. In fact, in actual warfare, prisoners of war are still accorded rights and are treated humanely by the victors, at least in a theoretical sense. Hence, what more in a fight against a dreaded disease where the persons to be discriminated against are health professionals and workers, drivers, bank tellers, security guards, the police, the soldiers, to name a few, or people who perform essential services and work not to be imprisoned but to defeat the enemy.

Thus, it is respectfully submitted that this bill be evaluated and considered not only as a reactionary proposal to the current pandemic but as a lesson

learned that needs to be laid down as a policy applicable to address discrimination in any public health issue.

In view of the foregoing, the immediate approval of this bill is earnestly sought.


ATTY. ALYSSA SHEENA P. TAN
Representative, 4th District of Isabela

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AN ACT
PROHIBITING DISCRIMINATION ON THE BASIS OF HEALTH
CONDITION AND MEDICAL HISTORY

1
2 **SECTION 1. *Short Title.*** This Act shall be known and cited as the "Anti-
3 Discrimination on the Basis of Health Law."

4 **SEC. 2. *Definition of Terms.*** For the purposes of this Act, the following shall be
5 defined as follows:

6 ***Health Condition or Medical History*** refers to the past and present
7 state of an individual relative to his or her exposure to a contagious
8 disease as a result of being a patient or a survivor, or on account of his or
9 her nature or place of work, and residence.

10 ***Discrimination*** means any distinction, exclusion, preference, restriction
11 or any other form of unequal treatment based on health condition and
12 medical history.

13 **SEC. 3. *Prohibited Acts.*** It shall be unlawful for any person to commit an act of
14 discrimination on the basis of health condition and medical history such as when
15 he or she treats a person less favorably than other persons having or under
16 similar circumstances, or when he or she imposes a supposed equal condition or
17 requirement which has the effect of disadvantaging a person, both on account of
18 health condition and medical history.

19 **SEC. 4. *Exclusion.*** No act of discrimination is committed if a person shall impose
20 a requirement or condition for the purpose of promoting public health and public
21 order.

22 **SEC. 5. *Penalties.*** Any person who shall commit an act of discrimination shall
23 suffer the penalty of Twenty Thousand Pesos (Php20,000.00) to Fifty Thousand
24 Pesos (Php50,000.00) or an imprisonment of at least one (1) month but not to
25 exceed one (1) year, or both such fine and imprisonment at the discretion of the
26 court.

27 **SEC. 6. *Implementing Guidelines.*** To effectively implement the provisions of this
28 Act, the Department of Health together with the Departments of Justice and the
29 Interior and Local Government shall issue the corresponding implementing
30 guidelines, outlining in detail the acts penalized hereof, within sixty (60) days
31 from the effectivity of this Act.

32 **SEC 7. *Repealing Clause.*** All laws, orders, issuances, circulars, rules and
33 regulations or parts thereof, which are inconsistent with the provisions of this
34 Act, are hereby repealed or modified accordingly.

35 **SEC. 8. *Separability Clause.*** If any provision of this Act is declared
36 unconstitutional or invalid, other parts or provisions hereof not affected shall
37 continue in full force and effect.

1 **SEC. 9. Effectivity.** This Act shall take effect fifteen days (15) days following its
2 publication in the Official Gazette or at least two (2) newspapers of general
3 circulation.

4

5 ***Approved,***