Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Resolution No. **940**

Introduced by Rep. Rosanna "Ria" V. Vergara

RESOLUTION
DIRECTING THE APPROPRIATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PRICE DIFFERENCES AMONG COVID-19 RAPID TEST KITS AS WELL AS THE IMPLEMENTING STRATEGIES AND MEASURES, INCLUDING BUT NOT LIMITED TO THE DETERMINATION OF PRICE CEILINGS OF COVID-19 RAPID TEST KITS, BY THE DEPARTMENT OF TRADE AND INDUSTRY AND THE DEPARTMENT OF HEALTH TO EFFECTIVELY CURB PROFITEERING AND OTHER ILLEGAL PRICE MANIPULATION INVOLVING RAPID TEST KITS

WHEREAS, President Rodrigo Roa Duterte issued Proclamation No. 922 on 08 March 2020 declaring a "State of Public Health Emergency" throughout the Philippines.

WHEREAS, Proclamation No. 929 was subsequently issued on 16 March 2020 declaring a "State of Calamity Throughout the Philippines due to Coronavirus Disease 2019".

WHEREAS, Section 4 (i) of Republic Act No. 11469, or the Bayanihan to Heal As One Act, provides for the continued enforcement of measures to protect the people from hoarding, profiteering, injurious speculations, manipulation of prices, product deceptions, and cartels, monopolies or other combinations in restraint of trade, or other pernicious practices affecting the supply, distribution and movement of medicine and medical supplies, among others.

WHEREAS, Section 7 of Republic Act No. 7581, as amended and otherwise known as the "Price Act", allows for the imposition of a price ceiling on any basic necessity or prime commodity if any of the following conditions so warrants: (1) the impendency, existence, or effects of a calamity; (2) the threat, existence, or effect of an emergency; (3) the prevalence or widespread acts of illegal price manipulation; (4) the impendency, existence, or effect of any event that causes artificial and unreasonable increase in the price of the basic necessity or prime commodity; and (5) whenever the prevailing price of any basic necessity or prime commodity has risen to unreasonable levels.

WHEREAS, Section 4 of the Price Act allows, subject to the conditions stated therein, for further inclusions in the definition of basic necessities or prime commodities.

WHEREAS, mass testing has been widely accepted as among the more potent measures of stemming the spread of the Coronavirus Disease 2019 (COVID-19).

WHEREAS, as of 27 May 2020, a total of 121 COVID-19 test kits have been registered with the Food and Drug Administration for commercial use. Of such registered test kits, 75 have been identified as COVID-19 Serologic Test Kits (Rapid, Immunoassays). [1]

WHEREAS, rapid test kits have been deemed a complementary measure to the Reverse Transmission - Polymerase Chain Reaction (RT-PCR) confirmatory tests.[2]

WHEREAS, this representation has received various reports and information on the alarming price differences among the various rapid test kits that are commercially available.

WHEREAS, profiteering and other similar schemes of illegal price manipulation in relation to the sale of rapid test kits should be vigilantly guarded against especially during times of a health pandemic.

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives to direct the appropriate committee to conduct an inquiry, in aid of legislation, on the price differences among COVID-19 Rapid Test Kits as well as the implementing strategies and measures, including but not limited to the determination of price ceilings of COVID-19 Rapid Test Kits, by the Department of Trade and Industry and the Department of Health to effectively curb profiteering and other illegal price manipulation involving Rapid Test Kits.

BE IT RESOLVED FINALLY that the appropriate committee shall work with the concerned stakeholders to determine further legislative measures or possible amendments that will more comprehensively address reported gaps and/or circumventions of existing laws on the foregoing matter.

Adopted.

Hon. Rosanna V. Vergara
Representative, 3rd District of Nueva Ecija

[1] Food and Drug Administration, accessed on 02 June 2020 at: https://www.fda.gov.ph/fda-approved-17-additional-kits-1-pcr-16-serologic-as-of-27-may-2020-total-registered-covid-19-test-kits-for-commercial-use-is-now-121/.
[2] Roy Stephen C. Canivel, "Philippine Medical Association now supports antibody rapid test kits", 01 June 2020, accessed on 02 June 2020 at: https://newsinfo.inquirer.net/1284497/philippine-medical-association-now-supports-antibody-rapid-test-kits.