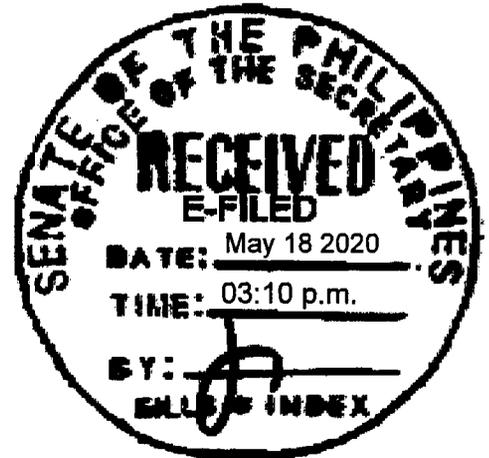


**EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
First Regular Session

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SENATE
S. B. No. 1535



Introduced by Senator SONNY ANGARA

AN ACT
ENCOURAGING A BASELINE POLYMERASE CHAIN REACTION COVID-19
TESTING FOR VULNERABLE MEMBERS OF SOCIETY FOR THE PURPOSE OF
INTERCEPTING COVID-19 TRANSMISSION

EXPLANATORY NOTE

As 2020 moves towards its first half, the Philippines, as well as the rest of the world, continues to combat the coronavirus diseases 2019 (COVID-19) pandemic. Latest data from DOH showed that the Philippines has 12,513 confirmed COVID-19 cases – 2,653 (21.2%) of which have recovered while 824 (6.6%) have died. With no effective treatment and/or available vaccine, this highly contagious virus will continue to pose a threat to public health.

One of the challenges that prevail is the country's capacity to test people for the virus. As of 13 May 2020, the DOH COVID-19 tracker reported that a total of 191,963 samples and 184,857 unique individuals have been tested for the virus. This translates to 1.97 tests per 1,000 population.

Recently, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID) announced several changes in the country's community quarantine guidelines. Majority of the areas are now under a General Community Quarantine (GCQ) which allows more industries to open and more employees to report for work. Even the National Capital Region (NCR) – where the bulk of the COVID-19 cases can be found – is

already under a Modified Enhanced Community Quarantine (MECQ) which permits some industries and establishments to operate at 50% capacity.

As the number of individuals moving around the country is expected to rise in the coming days, so will the risk of spreading the virus. Research shows that the incubation period of the virus is between 2 to 14 days which means that there could be pre-symptomatic or asymptomatic individuals who will continue to work not knowing that they are highly contagious. Hence, there is a need to ramp up the country's testing capacity in order to sustain the gains of the lockdown, detect and isolate the positive cases immediately and efficiently, and completely flatten the curve of infections.

The propose measure, which is a counterpart version to a bill filed by Representative Janette Loreto-Garin in the House of Representatives, will establish a baseline PCR testing protocol for vulnerable members of society particularly those workers who have co-morbidities such as diabetes, hypertension, and pulmonary diseases and those entering the country from abroad. In addition, the measure will also allow these individuals – should they test positive for the virus – to avail of an emergency pandemic leave which will not be charged against their available leaves.

It is the goal of this measure to prevent another spike in the number of COVID-19 cases and deaths as the country moves to relax the restrictions in mobility. According to Dr. John Wong, President of EpiMetrics Inc. and associate professor of the Ateneo School of Medicine and Public Health working with the IATF-MEID, the Philippines is currently going through its second wave of infection.¹ It is crucial, for the sake of our public health and our economy, that we prevent a third wave.

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



SONNY ANGARA

¹ Lagarde, Shai. "Why Couldn't We Do Mass Testing?" *GMA News Online*, 14 May 2020, https://www.gmanetwork.com/news/specials/content/150/why-couldn-t-we-do-mass-testing-and-other-faqs-on-the-covid-19-beat-answered/?fbclid=IwAR2l3CG2rBbsbHEBjAP1u2QzQFdy0AGshHowhN-znixfSQg7Kvn0_Kgx9uQ

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Be it enacted by the Senate and House of Representative of the Philippines in Congress assembled:

1 **SECTION. 1. *Short Title.*** – This Act shall be known as the “CRUSHING COVID
2 ACT.”

3 **SEC. 2. *Declaration of Policy.*** – It is the policy of the State to protect and
4 promote the right to health of the people during a health crisis. To safeguard the people
5 from the threat of the recent global pandemic, there is a need to require the conduct of
6 testing that will help in detection and management of the cases as we move forward to
7 the new normal.

8 This Act shall further ensure the safety of the people in the workplace and families
9 in their abode as we continue to work on identifying and determining the carriers of the
10 virus who show no symptoms at all, and remain to be a serious threat to our society.

11 **SEC. 3. *Objectives.*** – The objectives of this Act is to:

- 12 a. Sustain the gains of the government in the initial lockdown, as the
13 Filipino people enter the “new normal”;
- 14 b. Enjoin the government in halting the transmission of COVID-19 by
15 locating every possible human host;

- 1 c. Reduce COVID-19 mortality through early detection and management;
2 and
3 d. Completely flatten the curve of COVID-19 infections in the Philippines.

4 **SEC. 4. *Coronavirus Diseases-2019 (COVID-19) Testing.*** – There is hereby
5 established a protocol on the conduct of a Baseline Polymerase Chain Reaction Testing
6 (Baseline PCR Testing) for COVID-19 specifically for the vulnerable members of society
7 as defined in Section 5 of this Act.

8 For this purpose, the Inter-Agency Task Force for the Management of Emerging
9 Infectious Diseases (IATF-MEID), in full cooperation with the Department of Health
10 (DOH), the Department of Interior and Local Government (DILG), the Department of
11 Labor and Employment (DOLE), the Department of Trade and Industry (DTI), and the
12 Bureau of Immigration (BoI), shall ensure that the COVID-19 testing centers are
13 available, affordable, and accessible.

14 **SEC. 5. *Coverage.*** – Under this Act, the vulnerable members of society shall be:

- 15 a. Those persons returning to work with co-morbidities such as, but not
16 limited to:
17 Diabetes, hypertension, pulmonary diseases, cancer, renal failure,
18 pregnancy, old age, obesity, and the immunocompromised; and,
19 b. Those persons entering the Philippine territory coming from abroad
20 including foreign nationals.

21 *Provided,* That the cost of testing for foreign nationals shall be at their own
22 expense: *Provided, further,* That priority shall be given to the following: Health care
23 workers, sales personnel in public markets, groceries and supermarkets, food handlers,
24 factory workers, construction workers, security guards and drivers, banks and transfer
25 fund facilities personnel, laundry shop workers, house helpers, caregivers, pregnant
26 women, embalmers and crematory operators, wellness and salon workers, uniformed
27 personnel, media personnel, barangay health workers, and family members whose
28 household has a dweller who went abroad last December 2019 until the present time:

29 *Provided, furthermore,* That the Philippine Health Insurance Corporation (PhilHealth) shall

1 provide full or partial coverage in the testing of these individuals and may seek additional
2 financial assistance from the IATF-MEID.

3 **SEC. 6. Testing Allocation in COVID-19 Testing Centers.** – Immediately
4 after the approval of this Act, the COVID-19 Testing Centers shall allocate a percentage
5 of their daily testing capacity specifically for the testing of the vulnerable members of
6 society covered in this Act: *Provided*, That the IATF-MEID shall determine the percentage
7 based on the total maximum daily baseline PCR testing capacity and the total number of
8 baseline PCR tests available in the country.

9 **SEC. 7. Emergency Pandemic Leave.** – Should a member of vulnerable society
10 test positive for COVID-19, he/she shall undergo immediate isolation and quarantine in
11 accordance with the guidelines provided by the DOH. In the event the case progresses,
12 the IATF shall provide rules for his/her management to protect his/her family and ensure
13 a safer workplace.

14 For this purpose, the concerned worker may avail of an Emergency Pandemic
15 Leave covering the period of quarantine and/or treatment. The DOLE is hereby tasked to
16 provide regulations for the availment of the Emergency Pandemic Leave: *Provided*, That
17 the Emergency Pandemic Leave is a separate and distinct type of leave and shall not be
18 charged against his/her existing leave.

19 **SEC. 8. Implementation.** – The IATF-MEID shall be primarily responsible in
20 implementing the provisions of this Act. The IATF-MEID shall formulate, identify, and
21 promulgate the implementing guidelines, rules and regulations, necessary to immediately
22 carry out the purposes of this Act.

23 **SEC. 9. Whole-of-Government Approach.** – In order to effectively mitigate
24 the effect of the COVID-19 pandemic, a whole-of-government approach shall be adopted.
25 This approach shall facilitate engagement with the business sector, MSMEs, community-
26 at-large, and other stakeholders to ensure the full and effective implementation on the
27 mitigation strategies of the government in containing COVID-19.

28 All government agencies concerned, including the following, shall implement the
29 necessary measures and protocols in administering the baseline PCR COVID-19 test:

- 30 I. Department of Health (DOH);

- 1 II. Department of Interior and Local Government (DILG);
- 2 III. Department of Foreign Affairs (DFA);
- 3 IV. Department of Labor and Employment (DOLE);
- 4 V. Department of Trade and Industry (DTI);
- 5 VI. Department of Finance (DOF);
- 6 VII. Department of Budget and Management (DBM); and,
- 7 VIII. Department of Transportation (DOTr).

8 **SEC. 10. *Sunset Clause.*** – This Act shall expire as soon as the declaration of the
9 pandemic will be lifted.

10 **SEC. 11. *Separability Clause.*** – If any provision of this Act is declared invalid
11 or unconstitutional, the other provisions not affected thereby shall continue to be in full
12 force and effect.

13 **SEC. 12. *Repealing Clause.*** – All other laws, decrees, orders, rules and
14 regulations, other issuances, or parts thereof inconsistent with the provisions of this Act
15 are hereby repealed or modified accordingly.

16 **SEC. 13. *Effectivity.*** – This Act shall take effect immediately after its publication
17 in the Official Gazette or in a newspaper of general circulation.

18 ***Approved.***