

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 6865

Introduced by Representatives Janette L. Garin, Tyrone G. Agabas, Michael Edgar Y. Aglipay, Marilyn "Len" B. Alonte, Juan Miguel "Mikey" Macapagal-Arroyo, Cristal L. Bagatsing, Julienne "Jam" L. Baronda, Lianda B. Bolllia, Jose Christopher "Kit" Y. Belmonte, Juan Pablo "Rimpy" P. Bondoc, Precious Hipolito Castelo, Ma. Theresa V. Collantes, Anthony Peter "Onyx" D. Crisologo, Alfred C. Delos Santos, Christopher V.P. De Venecia, Ria Christina G. Fariñas, Bernadette "BH" Herrera-Dy, Joseph Stephen "Caraps" S. Paduano, Wilter "Sharky" Wee Palma II, Rodante D. Marcoleta, Xavier Jesus "XJ" D. Romualdo, John Marvin "Yul Servo" C. Nieto, Kristine Singson-Meehan, David "Jay Jay" C. Suarez, Rowena Nina O. Taduran, Sharee Ann T. Tan, Sergio C. Dagooc, Godofredo N. Guya, Micaela S. Violago, Cyrille "Beng" F. Abueg-Zaldivar, Ruth Mariano-Hernandez, Ron P. Salo, Aleta C. Suarez, Joey Sarte Salceda, Gil "Kabarangay" A. Acosta Jr., Ma. Lucille L. Nava, Maricel Natividad G. Nagano, Teodorico T. Haresco Jr., Hector S. Sanchez, Resurreccion M. Acop, Faustino "Inno" A. Dy, Dahlia A. Loyola, Shirlyn Bañas-Nogales, Ma. Lourdes T. Arroyo, Presley C. De Jesus, Sandra Y. Eriguel, Gerardo "Gerryboy" J. Espina Jr., Arnold "Noli" D. Celeste, Alfredo A. Garbin Jr., Erico Aristotle C. Aumentado, Kristine Alexie B. Tutor, Adriano A. Ebcas, Alberto D. Pacquiao, Ma. Bernardita B. Ramos, Eddiebong G. Plaza, Emmarie M. Ouano-Dizon, Francisco G. Datol Jr., Solomon R. Chungalao, Alan 1 B. Ecleo, Stella Luz A. Quimbo, Strike B. Revilla, Estrellita B. Suansing, Cheryl P. Deloso-Montalla, Ciriaco

B. Gato Jr., Angelica Natasha Co, Jose "Bong" J. Teves Jr., Lawrence "Law" H. Fortun, Argel Joseph T. Cabatbat, Francisco Jose "Bingo" F. Matugas, Gabriel Bordado Jr., Irene Gay F. Saulog, Joaquin M. Chipeco Jr., Bienvenido M. Abante Jr., Michael B. Gorriceta, Wilfredo "Willy" S. Caminero, Edgar M. Chatto, Carlito Marquez, Sarah Jane Elago, and Macnell Lusotan

AN ACT
MANDATING THE CONDUCT OF BASELINE POLYMERASE CHAIN REACTION
COVID-19 TESTING FOR THE VULNERABLE MEMBERS OF SOCIETY TO STOP
THE TRANSMISSION OF THE DISEASE

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

SECTION 1. *Short Title.* – This Act shall be known as the “Crushing Covid-19 Act.”

SEC 2. *Declaration of Policy.* – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Towards this end, the State shall safeguard the citizenry from the threat of the recent global pandemic by requiring them to undergo testing so that coronavirus disease-2019 (COVID-19) cases are detected early enough and managed properly, and the safety of the people in their homes and places of work is assured.

SEC. 3. *Objectives.* – This Act seeks to achieve the following objectives:

- a. Sustain the gains of the government in the initial lockdown, as the Filipino people enter the “new normal”;
- b. Implement measures to contain and control the transmission of COVID-19 by locating every possible human host to the COVID-19;
- c. Reduce COVID-19 mortality through early detection and management;

- d. Significantly slow down the doubling time for the COVID-19 infections in the country; and
- e. Maximize government resources by applying cost-effective methodology and utilizing Pooled Baseline Polymerase Chain Reaction COVID-19 Testing among the vulnerable members of society.

For purposes of this Act, *new normal* refers to the emerging behaviors, situations, and minimum public health standards that will be institutionalized in common or routine practices and which will remain even after the pandemic until the disease is totally eradicated by means of widespread immunization, among other measures. These include actions that will become second nature to the general public as well as policies that ban large gatherings.

SEC. 4. *COVID-19 Testing.* – The Pooled Baseline Polymerase Chain Reaction Testing, or Pooled Baseline PCR Testing is hereby established as the protocol for COVID-19 testing for the vulnerable members of society as defined in Section 5 of this Act.

As used in this Act, Pooled Baseline Polymerase Chain Reaction Testing or Baseline PCR Testing refers to the individual collection of nasopharyngeal and/or oropharyngeal swabs from vulnerable asymptomatic persons, which are subsequently grouped into ten (10) or five (5) samples, mixed together, and from which mixture an aliquote is taken and tested using Baseline PCR Testing.

For this purpose, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID), in coordination with the Department of Health

(DOH), Department of the Interior and Local Government (DILG), Department of Labor and Employment (DOLE), Department of Trade and Industry (DTI), and

Bureau of Immigration (BI), shall ensure that the COVID-19 testing centers are available,

affordable and accessible.

SEC. 5. *Coverage.* – The following vulnerable members of society shall undergo Pooled Baseline PCR Testing:

- a. Patients or healthcare workers with severe or critical symptoms, mild symptoms, and those who demonstrated no symptoms but with relevant history of travel or contact: *However*, patients or health workers who are deemed to be high risk due to their exposure to COVID-19 may be tested individually;
- b. Non-health frontliners responding against COVID-19 including the following:
 1. Personnel manning temporary treatment and quarantine facilities of the government at the local and national levels;
 2. Personnel manning quarantine control points, including those from the Armed Forces of the Philippines, Philippine National Police, Bureau of Fire Protection, and other agencies;
 3. National and Regional Local Risk Reduction and Management Teams;
 4. Barangay Health Emergency Response Teams and barangay officials providing barangay border control and those performing COVID-19 related tasks;
 5. Personnel of the Bureau of Corrections and the Bureau of Jail and Penology;
 6. Personnel manning the One-stop-shop in the Management of Returning Overseas Filipinos;
 7. Personnel serving at the COVID-19 swabbing center;
 8. Social workers providing amelioration and relief assistance to communities and performing COVID-19 related tasks; and
 9. All personnel directly involved in the response against COVID-19;
- c. Persons with co-morbidities, and other health risks such as diabetes, hypertension, heart disease, pulmonary diseases, cancer, renal failure, obesity, pregnancy, old age, and the immunocompromised who are returning to work;

- d. Persons entering the Philippine territory coming from abroad;
- e. Workers who are holders of quarantine passes who do most of the errands for their families during quarantine;
- f. Patients required by their physicians to submit a Baseline PCR test result prior to a procedure, operation or treatment.

Foreign nationals shall bear the cost of testing. Priority should be given to healthcare workers, sales personnel in public markets, groceries and supermarkets, food handlers, factory workers, construction workers, security guards, drivers of public utility vehicles, banks and transfer fund facilities personnel, laundry shop workers, house helpers, caregivers, pregnant women, embalmers, wellness and salon workers, uniformed personnel, media personnel, barangay health workers, and family members whose household has a dwelieer who went abroad from December 2019 until the present time.

The Philippine Health Insurance Corporation (PhilHealth) shall cover the full cost of testing, including the cost of services of the pathologist, laboratory specialist and other laboratory staff: *Provided*, That the PhilHealth coverage shall not be more than the prevailing market cost.

SEC. 6. *Testing Allocation in COVID-19 Testing Centers.* – Upon the effectivity of this Act, the COVID-19 testing centers shall allocate a percentage of their daily testing capacity specifically for the testing of the vulnerable members of society as provided in Section 5 of this Act. The IATF-MEID shall determine the percentage rate based on the total maximum daily Baseline PCR Testing capacity and the total number of Baseline PCR Tests available in the country.

SEC. 7. Whole-of-Government Approach. – In order to effectively mitigate the effect of the COVID-19 pandemic, a whole-of-government approach shall be adopted in the implementation of the objectives of this Act. In line with this approach, engagement with the business sector, micro, small and medium-scale enterprises, community-at-large and other stakeholders shall be consistently undertaken to ensure the full and effective implementation on the mitigation strategies of the government in containing COVID-19.

In particular, the following agencies shall implement the necessary measures and protocols in administering the Baseline PCR testing:

- a. Department of Health;
- b. Department of the Interior and Local Government;
- c. Department of Foreign Affairs;
- d. Department of Labor and Employment;
- e. Department of Trade and Industry;
- f. Department of Finance;
- g. Department of Budget and Management; and
- h. Department of Transportation.

SEC. 8. Implementing Rules and Regulations. – Within fifteen (15) days after the approval of this Act, the IATF-MEID, in coordination with the Secretaries of Health, Interior and Local Government, Social Welfare and Development, Foreign Affairs, Labor and Employment, Trade and Industry, Finance, Budget and Management, and Chairperson of the Civil Service Commission shall promulgate the rules and regulations to carry out the purposes of this Act:

Provided, That the protocols and algorithms shall be done in consultation and coordination with the Philippine Society of Pathologists (PSP) and the Philippine

Association of Medical Technologists (PAMET): *Provided, further,* That the algorithmic approach may be amended, as the case may be, to include antigen testing and other new validated assays to further refine the testing methods, and make them more economical, scientifically sound and relevant to ensure that this Act is attuned to new scientific developments and is not outdated.

SEC. 9. *Sunset Clause.* – This Act shall continue to be effective until Presidential Proclamation No. 922 s.2020 declaring a state of public health emergency throughout the Philippines shall have been lifted through another presidential proclamation or similar issuances.

SEC. 10. *Repealing Clause.* – All other laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect immediately after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,