



HOUSE OF REPRESENTATIVES

H. No. 6076

BY REPRESENTATIVES BONDOC, ALMARIO, ABAYA, CODILLA, REYES (V.),
PINGOY, GONZALES (N.), DE GUZMAN, AGBAYANI, VELARDE AND
ROMULO, PER COMMITTEE REPORT NO. 1863

AN ACT EXPANDING THE PROMOTION OF BREASTFEEDING,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7600,
OTHERWISE KNOWN AS “AN ACT PROVIDING INCENTIVES
TO ALL GOVERNMENT AND PRIVATE HEALTH
INSTITUTIONS WITH ROOMING-IN AND BREASTFEEDING
PRACTICES AND FOR OTHER PURPOSES”

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Expanded
2 Breastfeeding Promotion Act of 2009”.

3 SEC. 2. Section 2 of Republic Act No. 7600 is hereby amended to read
4 as follows:

5 “SEC. 2. *Declaration of Policy.* – The State adopts
6 rooming-in as a national policy to encourage, protect and support
7 the practice of breastfeeding. It shall create an environment
8 where basic physical, emotional, and psychological needs of

1 mothers and infants are fulfilled through the practice of
2 rooming-in and breastfeeding.

3 **“THE STATE SHALL LIKEWISE PROTECT WORKING**
4 **WOMEN BY PROVIDING SAFE AND HEALTHFUL WORKING**
5 **CONDITIONS, TAKING INTO ACCOUNT THEIR MATERNAL**
6 **FUNCTIONS, AND SUCH FACILITIES AND OPPORTUNITIES THAT**
7 **WILL ENHANCE THEIR WELFARE AND ENABLE THEM TO**
8 **REALIZE THEIR FULL POTENTIAL IN THE SERVICE OF THE**
9 **NATION. THIS IS CONSISTENT WITH INTERNATIONAL TREATIES**
10 **AND CONVENTIONS TO WHICH THE PHILIPPINES IS A**
11 **SIGNATORY SUCH AS THE CONVENTION ON THE ELIMINATION**
12 **OF DISCRIMINATION AGAINST WOMEN (CEDAW), WHICH**
13 **EMPHASIZES PROVISION OF NECESSARY SUPPORTING SOCIAL**
14 **SERVICES TO ENABLE PARENTS TO COMBINE FAMILY**
15 **OBLIGATIONS WITH WORK RESPONSIBILITIES; THE BEIJING**
16 **PLATFORM FOR ACTION AND STRATEGIC OBJECTIVE, WHICH**
17 **PROMOTES HARMONIZATION OF WORK AND FAMILY**
18 **RESPONSIBILITIES FOR WOMEN AND MEN; AND THE**
19 **CONVENTION ON THE RIGHTS OF THE CHILD, WHICH**
20 **RECOGNIZES A CHILD’S INHERENT RIGHT TO LIFE AND THE**
21 **STATE’S OBLIGATIONS TO ENSURE THE CHILD’S SURVIVAL AND**
22 **DEVELOPMENT.**

23 *“Breastfeeding has distinct advantages which benefit the*
24 *infant and the mother, including the hospital and the country that*
25 *adopt its practice. It is the first preventive health measure that*
26 *can be given to the child at birth. It also enhances mother-infant*
27 *relationship.*

28 *“Furthermore, the practice of breastfeeding could save the*
29 *country valuable foreign exchange that may otherwise be used*
30 *for milk importation.*

1 “Breastmilk is the best food since it contains essential
2 nutrients completely suitable for the infant’s needs. It is also
3 nature’s first immunization, enabling the infant to fight potential
4 serious infection. It contains growth factors that enhance the
5 maturation of an infant’s organ systems.

6 **“TOWARDS THIS END, THE STATE SHALL PROMOTE AND**
7 **ENCOURAGE BREASTFEEDING AND PROVIDE THE SPECIFIC**
8 **MEASURES THAT WOULD PRESENT OPPORTUNITIES FOR**
9 **MOTHERS TO CONTINUE EXPRESSING THEIR MILK AND/OR**
10 **BREASTFEEDING THEIR INFANT OR YOUNG CHILD. THE**
11 **IMMEDIATE LATCHING OF THE BABY TO THE MOTHER’S**
12 **BREAST WITHIN AN HOUR AFTER BIRTH, REGARDLESS OF THE**
13 **METHOD OF DELIVERY, SHALL LIKEWISE BE ENCOURAGED, SO**
14 **SHALL EXCLUSIVE BREASTFEEDING WITHIN SIX (6) MONTHS,**
15 **WITH THE INTRODUCTION OF PROPER COMPLEMENTARY FOOD**
16 **AT SIX (6) MONTHS AND BEYOND. THE STATE SHALL PROMOTE**
17 **BREASTFEEDING TO BE CONTINUED UP TO TWO (2) YEARS AND**
18 **BEYOND.”**

19 SEC. 3. Section 3 of Republic Act No. 7600 is hereby amended to read
20 as follows:

21 “SEC. 3. *Definition of Terms.* – For purposes of this Act,
22 the following definitions are adopted:

23 “a) Age of gestation – the length of time the fetus is
24 inside the mother’s womb.

25 “b) Bottlefeeding -- the method of feeding an infant using
26 a bottle with artificial nipples, the contents of which can be any
27 type of fluid.

28 “c) Breastfeeding – the method of feeding an infant
29 directly from the human breast.

1 “d) Breastmilk – the human milk from a mother.

2 **“E) BREASTMILK SUBSTITUTE – MEANS ANY FOOD**
3 **BEING MARKETED OR OTHERWISE REPRESENTED AS PARTIAL**
4 **OR TOTAL REPLACEMENT OF BREASTMILK WHETHER OR NOT**
5 **SUITABLE FOR THAT PURPOSE.**

6 **“F) DONOR MILK – HUMAN MILK FROM A**
7 **NON-BIOLOGICAL MOTHER.**

8 **“[e] G) Expressed breastmilk – the human milk which**
9 has been extracted from the breast by hand or by breast pump. It
10 can be fed to an infant using a dropper, a nasogastric tube, a cup
11 and spoon, or a bottle.

12 **“H) EXPRESSING MILK – THE ACT OF EXTRACTING**
13 **HUMAN MILK FROM THE BREAST BY HAND OR BY PUMP.**

14 **“[f] I) Formula feeding – the feeding of a newborn with**
15 infant formula usually by bottlefeeding. It is also called artificial
16 feeding.

17 **“[g] J) Health institutions – are hospitals, health**
18 infirmaries, health centers, lying-in centers, or puericulture
19 centers with obstetrical and pediatric services.

20 **“[h] K) Health personnel – are professionals and workers**
21 who manage and/or administer the entire operations of health
22 institutions and/or who are involved in providing maternal and
23 child health services.

24 **“L) HEALTH WORKERS – ALL PERSONS WHO ARE**
25 **ENGAGED IN HEALTH AND HEALTH-RELATED WORK, AND ALL**
26 **PERSONS EMPLOYED IN ALL HOSPITALS, SANITARIA, HEALTH**
27 **INFIRMARIES, HEALTH CENTERS, RURAL HEALTH UNITS,**
28 **BARANGAY HEALTH STATIONS, CLINICS AND OTHER**
29 **HEALTH-RELATED ESTABLISHMENTS, WHETHER GOVERNMENT**

1 **OR PRIVATE, AND SHALL INCLUDE MEDICAL, ALLIED HEALTH**
2 **PROFESSIONAL, ADMINISTRATIVE AND SUPPORT PERSONNEL**
3 **EMPLOYED REGARDLESS OF THEIR EMPLOYMENT STATUS.**

4 “[i] M) Infant – a child within zero (0) to twelve (12)
5 months of age.

6 “[j] N) Infant formula – the breastmilk substitute
7 formulated industrially in accordance with applicable Codex
8 Alimentarius standards, to satisfy the normal nutritional
9 requirements of infants up to six (6) months of age, and adopted
10 to their physiological characteristics.

11 “[k] O) Lactation management – the general care of a
12 mother-infant nursing couple during the mother’s prenatal,
13 immediate postpartum and postnatal periods. *It deals with*
14 *educating and providing knowledge and information to pregnant*
15 *and lactating mothers on the advantages of breastfeeding, THE*
16 *RISKS ASSOCIATED WITH BREASTMILK SUBSTITUTES AND MILK*
17 *PRODUCTS NOT SUITABLE AS BREASTMILK SUBSTITUTES SUCH*
18 *AS, BUT NOT LIMITED TO, CONDENSED MILK AND EVAPORATED*
19 *MILK, THE MONITORING OF BREASTFEEDING MOTHERS BY*
20 *PRIVATE DOCTORS FOR PRIVATE PATIENTS AND BY LACTATION*
21 *COUNSELORS FOR SERVICE PATIENTS TO ENSURE COMPLIANCE*
22 *WITH THE WORLD HEALTH ORGANIZATION (WHO) AND THE*
23 *UNITED NATIONS CHILDREN’S FUND (UNICEF) ON THE*
24 *IMPLEMENTATION OF BREASTFEEDING POLICIES, the*
25 *physiology of lactation, the establishment and maintenance of*
26 *lactation, the proper care of the breasts and nipples, and such*
27 *other matters that would contribute to successful breastfeeding.*

28 “p) LACTATION STATIONS – PRIVATE, CLEAN AND
29 WELL-VENTILATED ROOMS OR AREAS IN THE WORKPLACE OR

1 **PUBLIC PLACES WHERE NURSING MOTHERS CAN BREASTFEED**
2 **OR EXPRESS THEIR MILK.**

3 **“[l] Q)** Low birth weight infant – a newborn weighing
4 less than two thousand five hundred (2,500) grams at birth.

5 **“[m] R)** Mother’s milk – the breastmilk from the
6 newborn’s own mother.

7 **“s) FIRM, ESTABLISHMENT OR INSTITUTION – PUBLIC**
8 **PLACES AND WORKING PLACES, AS DEFINED IN**
9 **SUBPARAGRAPHS (T) AND (X), RESPECTIVELY.**

10 **“t) PUBLIC PLACE – ENCLOSED OR CONFINED AREAS**
11 **SUCH AS SCHOOLS, PUBLIC TRANSPORTATION TERMINALS,**
12 **SHOPPING MALLS, AND THE LIKE.**

13 **“[n] U)** Rooming-in – the practice of placing the newborn
14 in the same room as the mother right after delivery up to
15 discharge to facilitate mother-infant bonding and to initiate
16 breastfeeding. The infant may either share the mother’s bed or
17 be placed in a crib beside the mother.

18 **“[o] V)** Seriously ill mothers – are those who are: with
19 severe infections; in shock, in severe cardiac or respiratory
20 distress; or dying; or those with other conditions that may be
21 determined by the attending physician as serious.

22 **“[p] W)** Wet-nursing – the feeding of a newborn from
23 another mother’s breast when his/her own mother cannot
24 breastfeed.

25 **“x) WORKPLACE – WORK PREMISES WHERE NURSING**
26 **FEMALE EMPLOYEES ARE HABITUALLY EMPLOYED, WHETHER**
27 **PRIVATE ENTERPRISES OR GOVERNMENT AGENCIES,**
28 **INCLUDING THEIR SUBDIVISIONS, INSTRUMENTALITIES AND**
29 **GOVERNMENT-OWNED AND -CONTROLLED CORPORATIONS.**

1 “Y) YOUNG CHILD – A CHILD FROM THE AGE OF
2 TWELVE (12) MONTHS AND ONE (1) DAY UP TO TWENTY-FOUR
3 (24) MONTHS.”

4 SEC. 4. Section 4 of Republic Act No. 7600 is hereby amended to read
5 as follows:

6 “SEC. 4. *Applicability.* – **WHENEVER APPLICABLE,**
7 **[T]The provisions in this Chapter shall apply to [all] BOTH**
8 **private and government [health institutions adopting rooming-in**
9 **and breastfeeding as defined in this Act.] FIRMS,**
10 **ESTABLISHMENTS OR INSTITUTIONS.**

11 “UPON APPLICATION TO AND DETERMINATION BY THE
12 **SECRETARY OF THE DEPARTMENT OF LABOR AND**
13 **EMPLOYMENT FOR THE PRIVATE SECTOR AND THE**
14 **CHAIRPERSON OF THE CIVIL SERVICE COMMISSION FOR THE**
15 **PUBLIC SECTOR, PRIVATE AND GOVERNMENT FIRMS,**
16 **ESTABLISHMENTS OR INSTITUTIONS MAY BE EXEMPTED FOR A**
17 **RENEWABLE PERIOD OF TWO (2) YEARS FROM THE PROVISION**
18 **OF THIS ACT WHERE THE ESTABLISHMENT OF LACTATION**
19 **STATIONS IS NOT FEASIBLE OR NECESSARY DUE TO THE**
20 **PECULIAR CIRCUMSTANCES OF THE WORKPLACE OR PUBLIC**
21 **PLACE, TAKING INTO CONSIDERATION, AMONG OTHERS,**
22 **EMPLOYEE COMPOSITION, PHYSICAL SIZE OF THE**
23 **ESTABLISHMENT, AND THE AVERAGE NUMBER OF PATRONS**
24 **WHO VISIT.**

25 “THE FIRMS, ESTABLISHMENTS OR INSTITUTIONS WHICH
26 ARE EXEMPTED IN COMPLYING WITH THE PROVISIONS OF THIS
27 ACT BUT NEVERTHELESS OPTED TO ESTABLISH AND MAINTAIN
28 ROOMING-IN AND LACTATION STATIONS ARE ENTITLED TO THE
29 BENEFITS HEREIN STATED: *PROVIDED*, THAT THEY GIVE THEIR
30 EMPLOYEES THE PRIVILEGE OF USING THE SAME.”

1 WHICH SHALL BE DEFINED BY THE DEPARTMENT OF HEALTH
2 (DOH).

3 "IN ADDITION, THE FIRMS, ESTABLISHMENTS OR
4 INSTITUTIONS SHALL TAKE STRICT MEASURES TO PREVENT
5 ANY DIRECT OR INDIRECT FORM OF PROMOTION, MARKETING,
6 AND/OR SALES OF INFANT FORMULA AND/OR BREASTFEEDING
7 SUBSTITUTES WITHIN THE LACTATION STATIONS, OR IN ANY
8 EVENT OR CIRCUMSTANCES WHICH MAY BE CONDUCTIVE TO
9 THE SAME.

10 "APART FROM THE SAID MINIMUM REQUIREMENTS, THE
11 FIRMS, ESTABLISHMENTS OR INSTITUTIONS MAY PROVIDE
12 OTHER SUITABLE FACILITIES OR SERVICES WITHIN THE
13 LACTATION STATION, ALL OF WHICH, UPON DUE
14 SUBSTANTIATION, SHALL BE CONSIDERED ELIGIBLE FOR
15 PURPOSES OF SECTION 14 OF THIS ACT."

16 SEC. 7. A new Section 12 is hereby added to read as follows:

17 "SEC. 12. *LACTATION PERIODS.* - IN COOPERATION
18 WITH THE DOH AND SUBJECT TO SUCH REGULATIONS AS THE
19 SECRETARY OF THE DEPARTMENT OF LABOR AND
20 EMPLOYMENT (DOLE) MAY PRESCRIBE FOR THE PRIVATE
21 SECTOR AND THE CHAIRPERSON OF THE CIVIL SERVICE
22 COMMISSION (CSC) FOR THE PUBLIC SECTOR, NURSING
23 FEMALE EMPLOYEES SHOULD BE GIVEN REASONABLE
24 COMPENSABLE TIME DURING WORKING HOURS TO
25 BREASTFEED OR EXPRESS THEIR MILK."

1 women on current and updated lactation management and infant
2 care, through participatory strategies such as organization of
3 mothers' clubs and breastfeeding support groups and to
4 distribute written information materials on such matters free of
5 charge.

6 **"THE DOH IS HEREBY MANDATED TO DEVELOP AND**
7 **PROVIDE BREASTFEEDING PROGRAMS FOR WORKING**
8 **MOTHERS WHOSE EMPLOYERS ARE ENCOURAGED TO AVAIL OF**
9 **IT AS PART OF THEIR HUMAN RESOURCE DEVELOPMENT**
10 **PROGRAMS.**

11 **"TO EQUIP WOMEN OF REPRODUCTIVE AGE WITH**
12 **ACCURATE INFORMATION ON MATERNAL NUTRITION AND**
13 **PROPER NOURISHMENT IN PREPARATION FOR SUCCESSFUL AND**
14 **SUSTAINABLE BREASTFEEDING, THE DOH IS LIKEWISE**
15 **MANDATED TO PRODUCE AND MAKE AVAILABLE RELEVANT**
16 **INFORMATION AND PROGRAMS WHICH SHOULD BE**
17 **DISSEMINATED TO ALL CITY, MUNICIPAL AND BARANGAY**
18 **HEALTH CENTERS.**

19 **"EMPLOYERS ARE ALSO HIGHLY ENCOURAGED TO**
20 **DEVELOP BREASTFEEDING OR LACTATION SUPPORT**
21 **PROGRAMS WHOSE MAIN FUNCTIONS ARE TO ASSESS THE**
22 **NEEDS OF LACTATING WOMEN IN THEIR COMPANY AND**
23 **PROVIDE PREGNANT AND LACTATING EMPLOYEES WITH**
24 **ADEQUATE INFORMATION REGARDING LACTATION**
25 **MANAGEMENT IN THE FORM OF BROCHURES, PAMPHLETS AND**
26 **OTHER EDUCATIONAL MATERIALS."**

27 SEC. 10. A new Section 15 is hereby added to read as follows:

28 **"SEC. 15. INTEGRATION OF BREASTFEEDING**
29 **EDUCATION IN THE CURRICULA. – TO ENCOURAGE AND**
30 **PROMOTE BREASTFEEDING, THE DEPARTMENT OF**
31 **EDUCATION, THE COMMISSION ON HIGHER EDUCATION, AND**

1 THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT
2 AUTHORITY SHALL INTEGRATE IN THE RELEVANT SUBJECTS IN
3 THE ELEMENTARY, HIGH SCHOOL, AND COLLEGE LEVELS,
4 ESPECIALLY IN THE MEDICAL AND ALLIED MEDICAL COURSES,
5 AND IN TECHNICAL VOCATIONAL EDUCATION, THE
6 IMPORTANCE AND BENEFITS OF BREASTFEEDING.”

7 SEC. 11. A new Section 16 is hereby added to read as follows:

8 “SEC. 16. *BREASTFEEDING AWARENESS MONTH*. – TO
9 RAISE AWARENESS ON THE IMPORTANCE OF AND TO FURTHER
10 PROMOTE BREASTFEEDING, THE MONTH OF AUGUST IN EACH
11 AND EVERY YEAR THROUGHOUT THE PHILIPPINES SHALL BE
12 KNOWN AS ‘BREASTFEEDING AWARENESS MONTH.’”

13 SEC. 12. A new Section 17 is hereby added to read as follows:

14 “SEC. 17. *PUBLIC EDUCATION AND AWARENESS*
15 *PROGRAM*. – TO ENSURE THE MEANINGFUL OBSERVANCE OF
16 BREASTFEEDING MONTH AS HEREIN DECLARED, A
17 COMPREHENSIVE NATIONAL PUBLIC EDUCATION AND
18 AWARENESS PROGRAM SHALL BE UNDERTAKEN TO ESTABLISH
19 A NATIONAL HEALTH POLICY FOR BREASTFEEDING THAT
20 SHALL PROVIDE INFORMATION ON THE BENEFITS AND
21 SUPERIORITY OF BREASTFEEDING AS THE NORMAL, NATURAL
22 AND PREFERRED METHOD OF FEEDING INFANTS AND YOUNG
23 CHILDREN COMPARED TO THE HIGH RISKS AND COSTS OF
24 GIVING BREASTMILK SUBSTITUTES WHETHER TO AN INFANT
25 OR YOUNG CHILD, AND CONDUCT AND SUPPORT VARIOUS
26 ACTIVITIES TO PROMOTE BREASTFEEDING.

27 “THE DOH SHALL LEAD IN THE IMPLEMENTATION OF
28 THE COMPREHENSIVE NATIONAL PUBLIC EDUCATION AND
29 AWARENESS PROGRAM ON BREASTFEEDING THROUGH A
30 COLLABORATIVE INTER-AGENCY AND MULTI-SECTORAL
31 EFFORT AT ALL LEVELS.”

1 SEC. 13. A new Section 18, which shall be under the renumbered
2 Chapter V of Republic Act No. 7600, is hereby added to read as follows:

3 “CHAPTER [IV] V

4 “MISCELLANEOUS PROVISIONS

5 “SEC. 18. *DEPARTMENT OF HEALTH CERTIFICATION.* –

6 **ANY FIRM, ESTABLISHMENT OR INSTITUTION SATISFYING THE**
7 **REQUIREMENTS OF SECTION 6 HEREIN RELATIVE TO A PROPER**
8 **LACTATION STATION MAY APPLY WITH THE LOCAL DOH**
9 **OFFICE FOR A ‘WORKING MOTHER-FRIENDLY’ CERTIFICATION.**
10 **THE DOH SHALL PROMULGATE GUIDELINES TO DETERMINE**
11 **ELIGIBILITY FOR SUCH CERTIFICATION, WHICH SHALL**
12 **INCLUDE AN ANNUAL DOH INSPECTION TO CONFIRM THE**
13 **CONTINUED COMPLIANCE WITH ITS STANDARDS.**

14 “THE DOH SHALL MAINTAIN A LIST OF ‘MOTHER-
15 FRIENDLY’ ESTABLISHMENTS, WHICH IT SHALL MAKE
16 AVAILABLE TO THE PUBLIC.”

17 SEC. 14. Section 13 of Republic Act No. 7600 is hereby renumbered
18 and amended to read as follows:

19 “SEC. [13.]19. *Incentives.* – The expenses incurred by a
20 private [health institution] **FIRM, ESTABLISHMENT OR**
21 **INSTITUTION**, in complying with the provisions of this Act, shall
22 be deductible expenses for income tax purposes up to twice the
23 actual amount incurred: *Provided*, That the deduction shall apply
24 for the taxable period when the expenses were incurred:
25 *Provided, further*, That the hospital shall comply with the
26 provisions of this Act within six (6) months after its approval.

27 “Government [health institutions] **FIRMS,**
28 **ESTABLISHMENTS OR INSTITUTIONS** shall receive an additional

1 appropriation equivalent to the savings they may derive as a
2 result of [adopting rooming-in and breastfeeding] **COMPLYING**
3 **WITH THE PROVISIONS OF THIS ACT.** The additional
4 appropriation shall be included in their budget for the next fiscal
5 year.”

6 SEC. 15. A new Section 20 shall be added to read as follows:

7 “**SEC. 20. *OVERSIGHT.* – AN INTER-AGENCY**
8 **COMMITTEE (IAC) COMPOSED OF THE SECRETARIES OF**
9 **HEALTH, TRADE AND INDUSTRY, JUSTICE, SOCIAL WELFARE**
10 **AND DEVELOPMENT, LABOR AND EMPLOYMENT, EDUCATION,**
11 **INTERIOR AND LOCAL GOVERNMENT; COMMISSIONERS OF**
12 **THE CIVIL SERVICE COMMISSION, COMMISSION ON HIGHER**
13 **EDUCATION; THE HEADS OF THE TECHNICAL EDUCATION AND**
14 **SKILLS DEVELOPMENT AUTHORITY, PROFESSIONAL AND**
15 **NONGOVERNMENTAL ORGANIZATIONS CONCERNED SHALL BE**
16 **CREATED TO OVERSEE, MONITOR, AND ENSURE STRICT**
17 **IMPLEMENTATION OF THIS ACT AND ITS RULES AND**
18 **REGULATIONS.”**

19 SEC. 16. A new Section 21 shall be added to read as follows:

20 “**SEC. 21. *IMPLEMENTING AGENCY.* – THE DOH SHALL**
21 **BE PRINCIPALLY RESPONSIBLE FOR THE IMPLEMENTATION**
22 **AND ENFORCEMENT OF THE PROVISIONS OF THIS ACT.”**

23 SEC. 17. Section 14 of Republic Act No. 7600 is hereby renumbered
24 and amended to read as follows:

25 “**SEC. [14.] 22. *Sanctions.* – ANYONE WHO**
26 **UNJUSTIFIABLY REFUSES OR FAILS TO COMPLY WITH THIS LAW**
27 **AND ITS RULES AND REGULATIONS SHALL BE IMPOSED A FINE**
28 **OF NOT LESS THAN FIFTY THOUSAND PESOS (Php50,000.00)**

1 BUT NOT MORE THAN TWO HUNDRED THOUSAND PESOS
2 (Php200,000.00) ON THE FIRST OFFENSE.

3 “ON THE SECOND OFFENSE, A FINE OF NOT LESS THAN
4 TWO HUNDRED THOUSAND PESOS (Php200,000.00) BUT NOT
5 MORE THAN FIVE HUNDRED THOUSAND PESOS
6 (Php500,000.00).

7 “ON THE THIRD OFFENSE, A FINE OF NOT LESS THAN
8 FIVE HUNDRED THOUSAND PESOS (Php500,000.00) BUT NOT
9 MORE THAN ONE MILLION PESOS (Php1,000,000.00):
10 *PROVIDED*, THAT FOR PRIVATE HEALTH OR NON-HEALTH
11 INSTITUTIONS, THE BUSINESS PERMITS OR LICENSES TO
12 OPERATE SHALL BE CANCELLED OR REVOKED.

13 “IN ALL CASES, THE FINE IMPOSED SHOULD TAKE INTO
14 CONSIDERATION, AMONG OTHERS, EMPLOYEE COMPOSITION,
15 PHYSICAL SIZE OF THE ESTABLISHMENT AND THE AVERAGE
16 NUMBER OF PATRONS WHO VISIT.

17 “IN ADDITION, [T]he Secretary of Health is hereby
18 empowered to imposed sanctions ON GOVERNMENT FIRMS,
19 ESTABLISHMENTS OR INSTITUTIONS for the violation of this Act
20 and the rules issued thereunder. [Such sanctions may be in the
21 form of reprimand or censure and in cases of repeated willful
22 violations, suspension of the permit to operate of the erring
23 health institution.]”

24 SEC. 18. *Rules and Regulations.* – The DOH, as the lead agency, in
25 consultation with the Department of Trade and Industry, the Department of
26 Justice, the Department of Social Welfare and Development, the Department
27 of Labor and Employment, the Department of Education, the Department of
28 the Interior and Local Government, the Civil Service Commission, the

1 Commission on Higher Education, the Technical Education and Skills
2 Development Authority and professional and nongovernmental organizations
3 concerned, shall be authorized to prepare the rules and regulations necessary to
4 carry out the provisions of this Act.

5 SEC. 19. *Separability Clause.* – If any clause, sentence, paragraph or
6 part of this Act shall be declared to be invalid, the remainder of this Act or any
7 provision not affected thereby shall remain in force and effect.

8 SEC. 20. *Repealing Clause.* – All laws, presidential decrees, executive
9 orders, rules and regulations or parts thereof which are not consistent with this
10 Act are hereby repealed, amended or modified accordingly.

11 SEC. 21. *Effectivity Clause.* – This Act shall take effect fifteen (15)
12 days after its publication in the *Official Gazette* or in at least two (2)
13 newspapers of general circulation, whichever comes earlier.

Approved,

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