

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

 Office of the Secretary

'22 AUG -8 A10 :27

SENATE
S. No. 1069

RECEIVED BY: _____



Introduced by Senator Grace Poe

AN ACT
CREATING A VACCINE AND HEALTH PASSPORT PROGRAM, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 11525, OTHERWISE KNOWN AS THE COVID-19 VACCINATION PROGRAM ACT OF 2021, AND PROVIDING FUNDS THEREFOR

EXPLANATORY NOTE

The significance of the COVID-19 vaccine is two-fold. First is to inoculate our people and protect them from the virus. Second is to build back the confidence of people and make them feel safe about moving around. The profound effect of a healthy citizenry and a safe environment is economic growth which was hampered due to the pandemic.

In an effort to institutionalize the government's strategy in carrying out the country's vaccination program, Republic Act No. 11525 or the COVID-19 Vaccination Program Act was passed into law last 26 February 2021. It outlines the vaccine sourcing, procurement, and inoculation procedures, as well as compensation for any serious adverse effects through a National Vaccine Indemnity Fund. Among others, the law also provides for the issuance of a free vaccine card which indicates information about the vaccine administered to the card holder¹.

However, due to the purely informative nature of the vaccine card as provided for in the law, it remains to be an insufficient proof of inoculation to allow individuals

¹ <https://www.officialgazette.gov.ph/downloads/2021/02feb/20210226-RA-11525-RRD.pdf>

to travel, especially the Overseas Filipino Workers (OFWs) who need to leave the country for employment². Currently, Filipinos traveling abroad need to apply for an International Certificate of Vaccination, known as the Yellow Card, a certification recognized by the World Health Organization issued by the Bureau of Quarantine; while some countries require only the VaxCertPH digital certificate issued by the Department of Health (DOH). Regardless of whether a yellow card or a digital vaccine certificate is required of the individual to travel, this means that aside from the physical Local Government issued vaccine cards, he/she needs to secure another document of the same purpose.

Moreover, in the 15 June 2021 Senate Committee of the Whole Hearing on the COVID-19 vaccination, Senate President Vicente Sotto III recognized the role of a unified vaccine card in facilitating the safe mobility of vaccinated individuals and in spurring economic growth. It was also perceived as instrumental in promoting and encouraging vaccination in the country citing how private businesses are offering discounts and incentives upon presentation of the vaccine card for those who are fully vaccinated.³

This measure seeks to expand the objectives of a vaccine card from being a purely informative record to a recognized document that a fully vaccinated individual can use for international and domestic travel, ease of access to business establishments and public places, and other privileges provided for in this Act. Moreover, the vaccine and health passport created under this bill will become a record not only of the COVID-19 immunization but of future immunization programs against vaccine-preventable diseases. This will allow the government to track who has been vaccinated, determine where priority vaccinations should take place, monitor the vaccine's effectiveness and the effectiveness of immunization programs. This measure is in no way making vaccination compulsory or discriminating against the unvaccinated.

² <https://mb.com.ph/2021/06/15/iatf-doh-urged-to-clarify-confusing-policy-on-proof-of-full-vaccination/>

³ June 15 Committee of Whole Hearing transcript, page 8 and 9

By providing these privileges, individuals, especially the OFWs, can now use the vaccine card as proof of inoculation to travel for employment or other purpose allowed by the government. In a way, the privileges also encourage more individuals to have themselves inoculated. The expansion of the objectives of the vaccine card is the realization of the significance of vaccination mentioned above.

In view of the foregoing, immediate approval of this measure is eagerly sought.



GRACE POE

The image shows a handwritten signature in black ink that reads "Grace Poe". Below the signature, the name "GRACE POE" is printed in a bold, sans-serif font. To the right of the printed name, there is a small, stylized handwritten mark that resembles a lowercase "g" or a similar flourish.

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

1 Section 1. *Short Title.* - This Act shall be known as the "Vaccine and Health
2 Passport Program Act".

3 Sec. 2. *Declaration of Policy.* -The Constitution mandates that the State shall
4 protect and promote the right to health of the people and instill health consciousness
5 among them. The State recognizes the importance of preventive healthcare and the
6 need to take proactive measures in the fight against diseases, particularly COVID-19.
7 It acknowledges that a comprehensive and sustainable immunization program for
8 vaccine-preventable diseases is indispensable to achieve the objectives of universal
9 healthcare and the country's commitments to the Sustainable Development Goals
10 (SDGs), particularly on SDG 3 (Good Health and Well-Being).

11 A Vaccine and Health Passport Program can help facilitate COVID-19
12 immunization and future immunization programs by allowing the State to track who
13 has been vaccinated and where priority vaccinations should take place. It also serves
14 as a means to monitor the vaccines' effects and the effectiveness of immunization
15 programs. Towards this end, the State shall adopt and implement a Vaccine and
16 Health Passport Program to facilitate its COVID-19 and future immunization programs
17 against vaccine-preventable diseases.

1 *Sec. 3. Vaccine and Health Passport Program.* - Subject to the provisions of
2 Republic Act No. 10173 or the "Data Privacy Act of 2012" and to the guidelines to be
3 promulgated by the Department of Health (DOH), the Local Government Units (LGUs)
4 shall issue a vaccine and health passport, which shall contain the following
5 information:

- 6 a. Basic personal information such as full name, present and/or permanent
7 address, and birthdate;
- 8 b. Manufacturer, brand name, and batch number or other identifier of the 12
9 COVID-19 vaccine;
- 10 c. Date/s of vaccination;
- 11 d. Name of the hospital, health center, or health facility where the vaccine was
12 received;
- 13 e. Name, signature and license number of the duly licensed physician, nurse or
14 other authorized health worker administering the vaccine;
- 15 f. Date and results of the last RT-PCR testing and the name of the laboratory that
16 conducted the last RT-PCR testing, if applicable; and
- 17 g. Such other information which may be determined as necessary by the Secretary
18 of Health or the IATF-EID in line with the declared policy of this Act.

19 The LGUs shall issue vaccine and health passports in printed form or, as far as
20 practicable, in digital form: Provided, That the DOH shall maintain a central database
21 of vaccinations where the information provided in the passport can be verified, and
22 mandate a format for the vaccine and health passport to ensure uniformity and
23 authenticity, the contents of which shall be updated accordingly to conform with
24 globally accepted standards: Provided, further. That vaccine cards and other similar
25 certificates already issued prior to the implementation of this Act shall remain valid
26 and may be replaced with the new format as mandated by the DOH.

27 No funds shall be collected for the issuance, amendment, or replacement of a
28 vaccine and health passport.

29 *Sec. 4. Benefits of Receiving the COVID-19 Vaccine.* -Individuals partially or
30 fully vaccinated against COVID-19 as evidenced in their vaccine and health passport
31 may be granted certain benefits or exemptions, subject to guidelines issued by the
32 IATF-EID and/or the DOH, such as but not limited to:

- a. Non-essential domestic travel;
- b. International travel, as may be allowed in foreign jurisdictions;
- c. Local checkpoint and quarantine exemptions or reduced quarantine time; and
- d. Access to business establishments allowed to operate based on IATF-EID guidelines, such as but not limited to, indoor and outdoor dining, entertainment venues, cultural centers such as museums and galleries, and sports venues.

Provided, That regardless of vaccination status, existing rules and regulations on COVID-19 positive individuals and their close contacts shall apply. Individuals partially or fully vaccinated against COVID-19, as indicated in the vaccine and health passport, shall not be considered immune from COVID-19, unless otherwise declared by the DOH based on reliable scientific evidence and consensus.

Sec. 5. Non-Discrimination Against Persons Who Cannot Be Vaccinated. -

Nothing in this Act shall be interpreted as to discriminate against:

- a. Persons who are unable to get vaccinated due to unavailability of vaccines;
- b. Persons with valid health conditions that prevent them from being vaccinated; and
- c. Persons who belong to an age group that are unable to be vaccinated 25 and are not included in the COVID-19 vaccination program. Provided, That the IATF-EID and LGUs shall continue to implement minimum safety and health protocols to ensure the safety and minimize the risks of the above enumerated unvaccinated persons and those living and interacting with them out of necessity, and may impose the necessary restrictions to prevent the further spread of COVID-19 and ensure the safety of persons who cannot be vaccinated and those who may be exposed to them.

Sec. 6. Interoperability of the Vaccine and Health Passport Program. -

All vaccine cards and other similar certificates issued prior to the implementation of this Act, as well as the vaccine and health passports to be issued under this Act, and existing and future government systems and databases that collect, store, and process information on COVID-19 vaccination and testing as provided in Section 3 herein, may be integrated, as far as practicable, with the Philippine Identification System as provided in Republic Act No. 11055 or the "Philippine Identification System Act".

1 The Department of Information and Communications Technology, DOH, the
2 Department of the Interior and Local Government, the Philippine Statistics Authority
3 insofar as it refers to the "Philippine Identification System Act", and other concerned
4 agencies, in coordination with the LGUs, shall ensure the interoperability of the
5 systems and databases involved, the authenticity, security and integrity of the
6 information, and the quality, safety, ease of use and accessibility for all Filipinos, in
7 accordance with existing laws, rules and regulations.

8 *Sec. 7. Adoption of the Vaccine and Health Passport Program for Other*
9 *Immunization Programs.* - The DOH may adopt the Vaccine and Health Passport
10 Program to document other immunization programs, including but not limited to
11 mandatory basic immunization as provided by Republic Act No. 10152 or the
12 "Mandatory Infants and Children Health Immunization Act of 2011", subject to
13 guidelines to be issued by the DOH.

14 *Sec. 8. Recognition of Vaccine and Health Passports/Cards/Certificates Issued*
15 *Abroad.* - The Bureau of Quarantine, in coordination with the Department of Foreign
16 Affairs, shall issue guidelines on the recognition of vaccine and health
17 passports/cards/certificates issued abroad: Provided, That the guidelines shall be
18 updated accordingly to always conform with globally accepted standards.

19 *Sec. 9. Acts Punishable.* -The falsification of a vaccine and health passport shall
20 be punishable under Act No. 3815, otherwise known as "The Revised Penal Code".

21 *Sec. 10. Implementing Rules and Regulations.* - Within 15 days from the
22 effectivity of this Act, the DOH shall promulgate and issue the necessary guidelines
23 for the effective implementation of this Act. The implementing rules and regulations
24 issued pursuant to this Section shall take effect upon its publication in the Official
25 Gazette or in a newspaper of general circulation.

26 *Sec. 11. Appropriations.* -The amount needed for the initial implementation of
27 this Act shall be charged against available funds for the purpose. Thereafter, such
28 sums as may be necessary for its continued implementation shall be included in the
29 annual General Appropriations Act.

30 *Sec. 12. Separability Clause.* - If any provision of this Act is declared
31 unconstitutional or otherwise invalid, the validity of the other provisions shall not be
32 affected thereby.

1 ~~Sec. 13. Repealing clause. - All orders, rules, decrees, rates and~~
2 regulations, other issuances, or parts thereof inconsistent with the provisions of this
3 Act are hereby repealed or modified accordingly.

4 Sec. 14. *Effectivity.* - This Act shall take effect 15 days after its publication in
5 the Official Gazette or in a newspaper of general circulation.

Approved,