

# GMA signs Cheaper Medicine Law

The long wait is over.

By MARVIN SY

Filipinos can now expect more low-cost medicine in the market with the signing into law of the Universally Accessible, Cheaper and Quality Medicine Act of 2008.

The signing ceremony for Republic Act 9052 was held yesterday at the Laguna Provincial Hospital in Sta. Cruz, Laguna with the principal authors of the bill in the House of Repre-

sentatives and the Senate joining President Arroyo.

Mrs. Arroyo said the existing generics law is an important piece of legislation that aims to bring down the cost of

medicine in the country but it is "incomplete."

"Now with the cheaper and quality medicine law, we have completed, I believe, our legislative reforms in bringing

Turn to Page 6

affordable medicine to the people," the President said.

RA 9052 allows the conduct of parallel importation of patented medicine from other countries where the prices are significantly lower than the prevailing price in the Philippines.

The government, through the Philippine International Trading Corp. (PITC), has been conducting parallel importation of medicine from countries such as Pakistan and India, selling these at state-run pharmacies aimed at the poor communities.

However, the PITC has faced strong resistance from the multinational pharmaceutical firms.

Sen. Manuel Roxas II, principal author of the bill in the Senate, said the PITC can now continue with its parallel importation with the signing of the new law.

Roxas said the PITC can now include more brands and types of medicine in its list of imports and it can also import higher volumes.

Apart from the PITC, Roxas said that even private groups or organizations can now import medicine directly from other countries provided that they register themselves with the Bureau of Food and Drugs (BFAD).

Under the law, the BFAD plays an important role as it is the agency tasked to ensure that all of the imported medicine is of high quality.

The law strengthens the

BFAD by allowing it to retain its revenues for the upgrading of its facilities, equipment and human resources.

Roxas explained that by directly importing the medicine, the private entities would be able to save more since they no longer have to go through any middlemen.

The new law also provides for the use of the "early working principle" which allows local generic medicine manufacturers to test, produce and register their generic versions of patented drugs so that these could be sold immediately upon the expiration of the patents.

In order to prevent the owners of patented drugs from extending the term of their patents by declaring newly discovered uses for the components of their medicine, the law now prohibits the grant of new patents using this provision.

The law also allows the government to use patented drugs when the interest of the public is at stake.

Upon the recommendation of the Secretary of Health, the President has the power to impose price ceilings on various drugs, including those that are used for chronic illnesses, for the prevention of diseases and those in the Philippine National Drug Formulary Essential Drug list.

Drug outlets or pharmacies are now required to carry a variety of brands, including those brought in through parallel importation, in order to provide consumers with more choices.

The Generics Act was amended so that all generic drugs would now carry a label that has the statement of the BFAD about the therapeutic efficacy of the drug.

The Pharmacy Law was also amended to allow supermarkets, convenience stores and other retail establishments to sell over-the-counter medicine.

A congressional oversight committee would be created to monitor the implementation of the new law.

The Department of Health has been tasked to formulate the implementing rules and regulations for the new law within 120 days of its signing.

"We will not allow anything, not even a comma in the IRR, that would dilute the efficacy of this law. We will continue the fight, we will continue to monitor the implementation of the law in order to ensure that our people would have access to quality affordable medicine," Roxas said.

"This new law will bring about competition. The prices of medicine will go down because of the increase in competition in the country," Roxas said.

## Healthier Philippines

Health Secretary Francisco Duque III yesterday gave assurances of a "healthier" Philippines as more Filipinos could now afford treatment for both common and potentially fatal diseases.

Duque said the DOH is set to launch very affordable treatment packs for common diseases and put 15,000 Botika ng Barangay (BnB) nationwide by

2010.

"DOH would make available treatment packs for common diseases at maximum prices of P100 for a one- to two-week treatment course," Duque said.

The health chief explained that the country spends a total of P200 billion for health, half of which is spent on drugs and medicine.

"Since the cost of medicine in the country has been consistently and continuously prohibitive, the poor have limited access to these essential goods, bringing a perpetual cycle of impoverishment, deaths and diseases," he pointed out.

"This law breathes new hope and life to all of us and gives a chance to the government to prove that health comes first before business interests," Duque said.

Even labor unions are getting ready to import and sell medicine directly to workers with the new law.

Leaders of the Trade Union Congress of the Philippines, Federation of Free Workers, Alliance of Progressive Labor and others met with the representative of the PITC and Roxas recently to discuss how their groups could distribute medicine to their members and ensure that they would benefit from the lowering of prices of medicine.

TUCP secretary-general and former senator Ernesto Herrera said they had been waiting for this kind of measure for the sake of the laborers.

He expressed appreciation for the preparatory meetings with the PITC so that they

could start immediately the importation of cheap medicine.

Herrera said laborers need maintenance medicine that are costly at present.

## 'Fight not yet over'

The principal sponsor of the Cheaper Medicine Bill in the House, meantime, said the fight for low-cost drugs is not yet over.

"Proper implementation is the key to the measure's promise of bringing down the prices of medicine," said Palawan Rep. Antonio Alvarez, trade and commerce committee chairman.

"The next battleground for the law is in the drafting of its implementing rules and regulations (IRRs), where interest groups are expected to lobby

for an interpretation of the provisions that will serve them," Alvarez said.

"But the law cannot be tweaked or twisted because a House-Senate oversight committee that the law created will be looking over the shoulders of the agencies that will issue the IRRs," he said.

An inter-agency panel composed of the DOH, Department of Trade and Industry, Intellectual Property Office, and BFAD will issue the implementing rules.

Alvarez said in addition to the rules, administrative measures are needed, including the strengthening of BFAD's technical and manpower capabilities so it can properly evaluate pharmaceutical preparations. — With Mayen Jaymalin, Aurea Calica, Jess Diaz