

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

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Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Office of the Member of Parliament
KADIL M. SINOLINDING JR., MD, DPBO
Bangsamoro Government Center, Cotabato City

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Second Parliament
First Regular Session

BTA Bill No. 229

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION

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Introduced by **MP KADIL M. SINOLINDING, JR., MD., DPBO**

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AN ACT

ESTABLISHING BUREAU OF HEALTH QUARANTINE UNDER THE MINISTRY OF HEALTH, PROVIDING ITS MANDATES, APPROPRIATING FUNDS THEREOF AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Prophet of Muhammad (SAW) said about diseases and plagues:

“There is no disease that Allah has created, except that he also has created its treatment.”

The Bureau of Quarantine (BOQ) is a facility that provides health services to persons infected with communicable diseases that may pose a risk to the lives of the Bangsamoro people. The creation of this BOQ aims to have effective surveillance and control measures on infectious diseases and other health concerns with global impact through local and international networking, strong and comprehensive regional sanitation programs in all seaports and airports of entry in partnership with local counterparts.

On March 16, 2020, President Rodrigo Roa Duterte declared the State of Calamity through the Proclamation No. 929 due to widespread effects of Corona-Virus. During the onset of the pandemic, the region was in its infancy stage of transition and was not prepared. Our health facilities and manpower were not properly equipped and trained in managing the situations particularly in quarantine procedures. It was then a realization of the Bangsamoro Government the importance of a Health Quarantine office to oversee the prevention and control of emerging and re-emerging infection for the protection of public health.

Further, the bureau may recommend policies and guidelines to the Minister of Health for an effective and smooth implementation of the international and national infection and control protocols. In the same manner, the creation of the bureau under the Bangsamoro Autonomous

Region in Muslim Mindanao shall conform to Islamic requirements to mirror the unique context of the region.

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

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AN ACT
ESTABLISHING BUREAU OF HEALTH QUARANTINE UNDER THE MINISTRY OF HEALTH, PROVIDING ITS MANDATES, APPROPRIATING FUNDS THEREOF AND FOR OTHER PURPOSES

Section 1. Title. This Act shall be known as the “**Bangsamoro Quarantine Health Services Act of 2023.**”

Section 2. Declaration of Policy. The Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) recognizes the need of implementing its own health policies, formulates and enforces quarantine laws and regulations, conducts surveillance, and institutes measures to prevent the entry of diseases subject to International Health Regulations (IHR) and other emerging and re-emerging diseases and health concerns that may affect directly or indirectly the health of the Bangsamoro people.

Towards this end, it is stated in RA 11054 otherwise known as Bangsamoro Organic Law (BOL), Section 22 Article IX on Basic Rights, that the Bangsamoro Government shall assist and cooperate with the National Government in the provision of quarantine services for the prevention and control of epidemic and other communicable diseases.

Section 3. Definition of Terms. For purposes of this Act, the following terms shall be defined as stated below:

- a. **Bureau of Quarantine (BOQ)**— is a health authority under the Ministry of Health (MOH) mandated to ensure the security against the introduction of and spread of infectious diseases, emerging diseases and public health emergencies of international concern (PHEIC).
- b. **International Health Regulations (IHR)**- an instrument of international law that is legally-binding on 196 countries, including the 194 World Health Organization (WHO) member states that covers measures for preventing the transnational spread of infectious diseases.
- c. **Quarantine** - a state, period, or place of isolation in which people that may have been exposed to infectious disease are placed.

Section 4. Creation of Bureau of Health Quarantine. In order to carry out the international, national and regional declared policies, it is hereby created the Bureau of Quarantine Health Services for the Bangsamoro which shall be under the Ministry of Health (MOH).

Section 5. Office of the Bureau of Quarantine Health Services. The office of the Quarantine Health Services in BARMM shall have a regional wide scope of function, integrating halal-based health services, in compliance with the national policies and regulations, required standard of the International Health Regulations of the WHO.

The Bureau shall have an Administrative Unit, Local Health Surveillance Unit, Special Services Unit, and Domestic Ports/Airports Health Services Unit and shall have the following roles and functions:

- a. **Administrative Unit-** The Administrative unit shall provide general administrative and logistics support services such as personnel, finance, communication, documentation, security, facility operation and maintenance services.
- b. **Local Health Surveillance Unit-** The Local Health Surveillance Unit provides maximum security against the introduction and spread of diseases, develops an integrated approach for more effective local health surveillance networks and develops communication methods for wider and more effective delivery of critical public health information locally.
- c. **Special Services Unit-** The Special Services Unit shall supervise, manage, control, and direct health quarantine or isolation stations or facilities not covered by the Provincial Health Quarantine Office. The unit shall provide immunization and examination or laboratory services to local travellers and conduct health education and /or seminars for stewards, food handlers, and other clientele.
- d. **Domestic Ports/Airports Health Services Unit-** The Domestic Ports/ Airports Health Services Units shall promote and supervise sanitation in domestic ports and airports of entry to include the environs, eating establishments, and catering points. It conducts operations for mosquito and arthropod-borne diseases subject to the IHR, and it shall manage local carriers or vessels with rodent and other pest infestation in cooperation with other line agencies excluding those of army and navy, their wharfage, anchorage, and over their aircraft which shall be under the regional BOQ's responsibility.

Section 6. Organization Structure. The Bureau shall be headed by a Director I (SG 25) who shall be appointed by the Chief Minister.

The organizational structure and all other personnel requirement of the office shall be determined by the Selection Board of the Ministry of Health and in accordance with the Civil Service requirements. In carrying out its functions as the implementing arm of the region, the Director I shall be supported by the following:

1. One (1) Medical Officer IV - Salary Grade 23
2. One (1) Medical Officer III - Salary Grade 21
3. One (1) Quarantine Medical Officer II - Salary Grade 18
4. One (1) Medical Technologist II- Salary Grade 15
5. One (1) Health Education Promotion Officer I- Salary Grade 11
6. One (1) Administrative Assistant I - Salary Grade 8
7. Two (2) Administrative Aide VI - Salary Grade 6
8. Two (2) Administrative Aide IV - Salary Grade 4

Section 7. Jurisdiction and General Function of the Bureau. The Bangsamoro Government through the Ministry of Health shall examine the seaports and airports of entry and exit of incoming and outgoing domestic vessels and aircrafts within the Bangsamoro region. The necessary surveillance over the sanitary conditions, as well as over the cargoes, passengers, crews, and all personal effects, and the issuance of quarantine certificates, bills of health, or other equivalent documents without prejudice with the Bureau of Quarantine (BOQ) shall be vested in and be conducted by the Health Quarantine Office.

The Bureau shall have authority over incoming and outgoing domestic vessels, including those of army and navy, the wharfage, anchorage and over aircraft and airports, insofar as it is necessary for the proper enforcement of the provision of this Act.

Section 8. Authority to promulgate and enforce rules and regulation and provide penalties.

a. The Director of the Health Quarantine Bureau, with the approval of the Ministry of Health, shall promulgate and enforce rules and regulations necessary to prevent the introduction, transmission or spread of "public health emergencies of international concern" from foreign countries into BARMM or from one (1) domestic seaport/airport to another. For purposes of implementing these regulations, the Director may provide interventions strategies such as health education and advisories, inspections, fumigations, disinfection, pest extermination, vaccination for international and local travel, and destruction, of animals or articles found to be infected or contaminated as to be sources of infection to human beings in coordination with other concerned quarantine agencies such as Veterinary Quarantine, Plant Quarantine, etc. and other measures as in his judgment may be necessary.

b. Regulations prescribed under this section shall provide for the apprehension, detention or surveillance for the purpose of preventing the introduction, transmission, or spread of such public health emergencies of international concern as may be specified from time to time in Department Orders by the Minister of Health upon the recommendation of the international and national health surveillance.

c. Whenever it is deemed necessary for the protection of the public health of the Bangsamoro from public health emergencies of international concern, immunization and other preventable measures against these diseases shall be mandatory on all persons arriving at any seaports/airports of entry in the BARMM.

- d. The Minister of Health upon the recommendation of the Director of the Health Quarantine Office may prescribe examination of any individual believed to be infected with a disease of international concern on board vessels and aircraft entering any seaport or airport in BARMM. Such rules and regulations may provide that if upon examination, any such individual is found to be infected or has been exposed to infection considered as dangerous contact, he may be isolated aboard a vessel, in a hospital with facilities for infectious diseases, at a quarantine station or confinement, or at any nearest isolation facility, and in such a manner as may be prescribed by the said regulations.

Section 9. Prohibition of Entry of Hazardous Cargo and Materials. Whenever the Director of the Bureau determines that there is an existence of any public health emergency of international concern in a foreign country or any other region in the Philippines and that there is imminent danger of introduction of hazardous cargoes or materials into any areas within BARMM jurisdiction, the Director, in coordination with the Bureau of Customs and other concerned agencies, may recommend to the Chief Minister through the MOH, the prohibition of its entry for public health interest.

Section 10. Quarantine/Isolation Stations or Facilities. The bureau shall control, direct, and manage all quarantine/ isolation stations or facilities, grounds and anchorages, and designate their boundaries, With the approval of the Minister of Health, the Director shall establish such additional quarantine/ isolation station or facilities, grounds and anchorages if, in Director's judgment, these are necessary to prevent the introduction and spread of diseases of international concern into BARMM areas. In the same manner, the Minister of Health upon the recommendation of Director, may also order the closure of non-functional quarantine/ isolation stations or facilities, grounds and anchorages, or any other similar establishment.

Section 11. Quarantine Documents/ Clearances of Vessels and Aircraft.

- a. All vessels or aircraft, including those of the army and navy, from foreign and local ports arriving at any port of the BARMM shall be required to submit the required maritime declaration of health/ general declaration and other documents as prescribed by the regulations.
- b. All ocean-going vessels or international and local aircraft from foreign and local seaports/ airports calling at any seaport or airport in BARMM to disembark its passenger or discharge its cargo, or for other purposes must secure a quarantine clearance in compliance with the health regulations. This quarantine certificate/ clearance (*pratique*) shall be honored and accepted provided that such *Pratique* is valid.
- c. After compliance with the quarantine laws and regulations, all vessels or aircraft leaving any seaport or airport of BARMM shall secure quarantine outgoing clearance. This certificate/ clearance shall also be a prerequisite to customs clearance of outgoing vessels and aircraft.

Section 12. Fees and Fines. All fees and fines provided in R.A Nos. 1972 and 11469 shall be implemented by the Bureau. The collections and income of the Bureau shall be forwarded to the Bangsamoro Treasury Office subject to the conditions provided by law. The Bureau may utilise at least fifty percent (50%) of the income generated subject to accounting and auditing rules and regulation provided by law and in compliance to the regulations provided by the Ministry of Finance and Budget Management for the effective implementation of its programs, projects and activities.

Section 13. Appropriations. The Bangsamoro Government shall appropriate an amount, as may be necessary to carry out the objectives of this Act which shall be included in the annual budget of the Ministry of Health to be approved by the Bangsamoro Parliament.

Section 14. Implementing Rules and Regulations. The MOH shall promulgate the implementing rules and regulations of this Act within sixty (60) days after the enactment of this Act.

Section 15. Separability Clause. In the event any provision of this Act or the application of such provision to any person or circumstances is declared invalid, the remainder of this Act or the application of the said provisions to other persons or circumstances shall not be affected by such declaration.

Section 16. Repealing Clause. All acts and regulations regarding foreign and local quarantine not consistent with this Act are hereby repealed.

Section 17. Effectivity. This Act shall take effect fifteen (15) days after its publication in at least one (1) national newspaper and one (1) local newspaper of general circulation.

Author:

A handwritten signature in blue ink, appearing to read 'KADIL M. SINOLINDING, JR.', written over a horizontal line.

KADIL M. SINOLINDING, JR, MD, DPBO
Member of Parliament

Certified Correct:

PROF. RABY B. ANGKAL
Secretary General

Attested by:

HON. PANGALIAN M. BALINDONG
Speaker