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Of Trees and Forest

Cheaper Medicines: a Relentless Pursuit

MANILA, Philippines --- The Philippines marked the fourth anniversary of Republic Act 9502, "The Universally Accessible Cheaper and Quality Medicines Act," last June 6.

I find it lamentable that the anniversary of the enactment of that law did not merit even a modest celebration. That law has a personal significance for me not only because I authored it in the House of Representatives, but also because I consider it as one of the most important pro-poor legislative achievements of Congress, then and now.

Millions of our people slipping into indigence have benefited, and continue to benefit, from that law, known as the Cheaper Medicines Law. Many lives may have even been saved because it lowered prices of essential medicines to make them affordable to the poor.

I believe the law and the enforcement of its provisions should be improved if the objective of the law is to be realized to the fullest. That is why the Senate Committee on Trade and Commerce, which I chair, has been conducting public hearings since March 8.

Since then some people have approached me, asking if the hearings are over. Some probably thought my pursuit would not go beyond the hearings, where I invited both the drug manufacturers and the health authorities. I will not stop, I told them, and I will be relentless in this pursuit.

Actually, I am drafting legislation to introduce amendments both to the Cheaper Medicines Law and the Generics Act. And I am also calling on the government, principally the Department of Health, to adopt measures that do not require legislation but which would maximize the benefits provided by the two laws.

I must clarify that my intention is not to hurt the drug manufacturers but to rationalize their industry and make them realize that the days of very fat margins at the expense of the poor are over.

Getting sick is costly and sometimes tragic. Recent news reports cited data from the World Health Organization which showed that pneumococcal diseases account for 4,500 deaths of Filipino children below five years old every year. The Philippine Health Insurance Corp. reportedly spent R1.2 billion in pneumonia claims in the first half of 2011 alone.

It's time to review, make changes, and improve the enforcement of the Cheaper Medicines Law and the Generics Law. This is in line with the administration's thrust to uplift the lives of the poor, and will be a good complement to the government's health programs.

I am urging the Department of Health to expand the list of medicines that should be sold at discounted prices from the current 22 types of medicines. As a general guide, I suggest that priority be given to the top five diseases among Filipinos. The health department listed these diseases in 2005 as follows: Acute lower respiratory tract infection and pneumonia; Bronchitis/Bronchiolitis; Acute watery diarrhea; Influenza, and Hypertension.

If the medicines for these illnesses are not yet on the list of the discounted medicines, then by all means put them on the list. There may have been changes in the types of diseases that afflict most Filipinos since 2005, and may now include diseases of the heart, dengue fever, malaria, and tuberculosis.

I believe the Cheaper Medicines Law (RA 9502) and the Generics Law authorized the Executive Department to expand the list without going amending the laws. Other measures that can be done without new legislation, including stricter implementation of RA 9502 and the Generics Act, higher budgets for the Food and Drug Administration and for government hospitals.

The proposal to increase the budget of the Food and Drug Administration merits further discussion. (To be continued)

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