

HEALTHCARE ADVOCACY PAPER 2022



ABOUT ECCP

The **European Chamber of Commerce of the Philippines** (ECCP) is a service-oriented organization whose main goal is to foster close economic ties and business relations between the Philippines and Europe. The ECCP does this through offering a wide range of consultancy services and by fostering connections between companies, organizations, and individuals with existing or potential business ties to Europe and the Philippines. It is also at the forefront of pro-business, pro-growth advocacy in the Philippines, representing European business interests for increased market access and trade facilitation, at the highest level of Philippine political discussions.

The ECCP views itself as the stepping stone for Europeans into the Philippine market and for Filipinos into the European market.



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Positions expressed in the advocacy papers are the result of the activities of the Sector Committees working under the ECCP.

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We would also like to acknowledge the support of our committee members.

METHODOLOGY

The 2022 edition of the ECCP Advocacy Papers features issues and recommendations developed after extensive discussions among members of the ECCP sector committees, consultations and meetings with representatives from the Philippine Government, and other stakeholders. Information gathered from organizing events that cover relevant topics, participating in numerous hearings and committee meetings in both chambers of the Philippine Congress, as well as in private sector consultations held by several government agencies were also taken into consideration upon writing.

Further, the recommendations provided in each paper were primarily based on the discussions during the quarterly sector committee meetings. The ECCP Advocacy Team carefully examined each issue and advocacy recommendation in close collaboration with the sector committee leaders and members to make sure they were in line with European business interests and priorities. Once the Advocacy Team had finalized the first draft of each sector paper, it was then disseminated to the Committee members and other important stakeholders for consultation. This allowed for the collection of input that would later be used to create the final draft of the papers.

The assessment of the status of each recommendation included in 2021 Advocacy Papers were examined under the following criteria:

Completed/Substantial Progress: Recommended action has either been completed or there has been significant progress towards the realization of the recommendation.

Some Progress: Movement towards realizing the recommendation has been made, but substantial work still needs to be done to fully achieve and complete the proposed measure.

No Progress/Retrogression: Minimal progress or no movement towards attaining the recommended reforms were done, or the status of the issue has worsened and has evolved to an even bigger bottleneck for European businesses.

MESSAGE FROM THE ECCP PRESIDENT

I am pleased to present the latest set of the European Chamber of Commerce of the Philippines' (ECCP) Advocacy Papers. This features an overview of the country's current business landscape and industry-specific challenges identified by the Chamber's sector committees. More importantly, the papers put forward constructive policy recommendations for strengthening European-Philippine economic relations and promoting sustainability.

We have witnessed uncertainties and concerns arising from the Russia-Ukraine crisis, inflationary pressures, and disruptions in the global supply chain, among others. Nevertheless, we have seen significant progress such as the easing of COVID-19 restrictions, increased mobility for businesses and consumers, as well as solid headways in boosting business confidence and the country's position as a competitive destination for trade and investments. We are optimistic that we will see positive outcomes from the passage of game-changing economic reforms such as the amendments to the Public Services Act, the Retail Trade Liberalization Act, and the Foreign Investment Act. These will undoubtedly usher in foreign direct investments and create more jobs for Filipinos. Furthermore, for the year 2022, multilateral agencies have expressed optimism for the Philippines with an estimated 6.0% and 6.5% growth rate by the World Bank and the Asian Development Bank, respectively.

The ECCP seeks to continue to maximize the opportunities brought about by these recent socioeconomic developments. This year's set of ECCP Advocacy Papers is our contribution to addressing some of the remaining challenges to realize the potential of the European-Philippine economic ties as well as advance sustainable development. Lastly, I would like to extend my sincerest thanks to our Committee leaders, member companies, and the ECCP team who supported the completion of this publication. The ECCP is committed to working with the European-Philippine stakeholders in navigating this new era of progress, possibilities, and partnerships.

Mr. Lars Wittig
ECCP President



WHERE ARE WE NOW?

THE PHILIPPINES

The Philippines prides itself in its dynamic and robust economy, transforming into one of the region's top economic performers and attracting companies to invest and expand their operations. In the last decade, the country was able to sustain an average annual growth of 6.4% between 2010-2019 from an average of 4.5% between 2000-2009.¹ However, the onset of the unprecedented COVID-19 pandemic has resulted in a drastic decline of economic activity around the world. The Philippines has not been spared from the economic effects of the pandemic. The country's growth collapsed, with a negative growth rate of 9.6% in terms of Growth Domestic Product (GDP), in 2020 (Table 1). Among its neighboring countries in the Association of Southeast Asian Nations (ASEAN), the Philippines was ranked 10th in terms of Gross Domestic Product (GDP) growth rate (Table 1). Ranked last, the Philippines appears to be the Southeast Asian economy most affected by the pandemic in 2020.

Table 1. ASEAN GDP Year-on-Year Growth Rates, 2020 and 2021 (% per year)

Country	2020	2020 ranking	2021	2021 ranking
Brunei Darussalam	1.1	3rd	-1.5	9th
Cambodia	-3.1	6th	3	5th
Indonesia	-2.1	5th	3.7	3rd
Lao People's Dem. Rep.	-0.5	4th	2.3	7th
Malaysia	-5.6	8th	3.1	4th
Myanmar	3.3	1st	-18.4	10th
Philippines	-9.6	10th	5.6	2nd
Singapore	-5.4	7th	7.6	1st
Thailand	-6.1	9th	1.6	8th
Vietnam	2.9	2nd	2.6	6th

Asian Development Bank. Asian Development Outlook 2022²

Nonetheless, in 2021, the Philippines ranked second among the ASEAN countries in terms of growth rates. Growth was buoyed by robust private domestic demand, including a dramatic increase in investment in the second quarter of 2021 and a steady rise in household final consumption expenditure³.

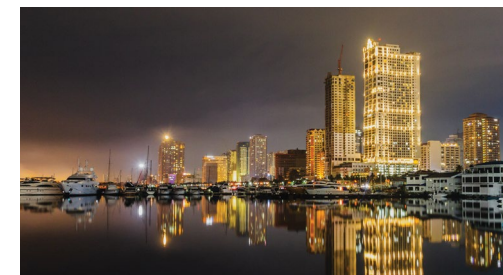
Furthermore, for the year 2022, multilateral agencies have expressed optimism for the Philippines with an estimated 6.0% and 6.5% growth rate by the World Bank and the Asian Development Bank, respectively. A strong rebound in domestic demand with the easing of COVID-19 mobility restrictions in the country will support robust growth for the Philippine economy in 2022 amidst the Russia-Ukraine conflict, inflationary pressures and disruptions in global supply chains.

The growth projection for 2023 is at 5.8% and 6.3% by the World Bank and ADB, respectively. This is attributed to monetary policy tightening and accelerating inflation affecting domestic demand.

Additionally, the annual preliminary figures show that the country's employment rate rose from 89.7% in 2020 to 92.2% in 2021, with the services sector accounting for 58.1% share, followed by the agriculture sector with 22%, and the industry sector with 19.9%⁴. As of writing, the country's unemployment rate decreased to 5.2 percent in July 2022 from 7.2 percent in the same period last year.⁵

On the other hand, inflationary pressures have been widely felt. As of writing, inflation in the Philippines heated up to 6.9 percent in September 2022 from 6.3 percent in July, according to the Philippine Statistics Authority. This was mainly driven by faster rate of increases in prices of foodstuff as well as electricity and housing.⁶

In terms of the country's Foreign Direct Investments (FDI), the BSP officially recorded USD 10.518 billion net inflows for 2021. Majority of the equity capital placement came from Singapore (USD 526.69 million), Japan (USD 257 million), USA (USD 73.60 million), Germany (USD 29.20 million), and Hong Kong (USD 23.45 million)⁷. In the same year, top European FDI sources include Germany (USD 32.94 million), United Kingdom (USD 15.77 million), Sweden (USD 6.24 million), France (USD 4.43 million) and Spain (USD 4.34 million). More recently, total FDI net inflows from January to June 2022 reached USD 4.64 billion, an increase of 3% over the same period last year. Specifically, the top source country is **Singapore** with USD 526.69, followed by **Japan** (USD 257), **USA** (USD 73.60), **Germany** (USD 29.20), and **Hong Kong** (USD 23.45).



	Jan-June 2022	Jan-June 2021	2021	2020
Globally	USD 4.64 billion (+3.07% year-on-year increase)	USD 4.50 billion	USD 12.41 billion	USD 6.82 billion
Europe (both EU and non-EU states)	USD 62.54 million (+53% year-on-year increase)	USD 40.87 million	USD 48.08 million	USD 326.47 million

⁴ Philippines Statistics Authority. Percent distribution of employed persons by major industry group July 2020 and July 2021. Retrieved from <https://psa.gov.ph/statistics/survey/labor-and-employment/labor-force-survey/tab1>

⁵ National Economic and Development Authority (September 2022). Ph Records Lowest Unemployment Rate Since Covid-19 Onset—Neda. Retrieved from <https://neda.gov.ph/ph-records-lowest-unemployment-rate-since-covid-19-onset-neda/#:~:text=As%20reported%20by%20the%20Philippine,Labor%20Force%20Survey%20since%202005.>

⁶ <https://psa.gov.ph/press-releases/id/168188>

⁷ Bangko Sentral ng Pilipinas. Net foreign direct investment flows (BPM6), by country. Retrieved from https://www.bsp.gov.ph/Statistics/External/tab10_fdc.aspx.

The total external trade of the country in terms of goods was recorded at USD 192.532 billion in the year 2021, representing a growth of 24.2% compared to the USD 155.02 billion recorded during 2020, but most importantly an augmentation of 10 billion compared to the 2019, pre-pandemic data. Among the major trading partners are the People's Republic of China, Japan, and the USA⁸. The European Union (EU) followed as the fourth largest trading partner, accounting for 7.9% of the country's total trade in 2021⁹. Meanwhile, as for the Philippines' bilateral trade with the EU member countries, Germany ranked as the top trading partner, with a total of trade of USD 4.985 billion. Likewise, in 2020, Germany ranked as the highest trading partner with a total trade of USD 4.343 billion.¹⁰

Furthermore, in the 2022 World Competitiveness Ranking compiled by the Institute for Management Development (IMD), the Philippines ranked 48th out of 63 countries, climbing four spots from the previous ranking. Specifically, the report notes that the country moved up in two of the factors: Economic Performance rose 4 places to 53rd; Infrastructure climbed 2 spots to 57th. Meanwhile, the Philippines' ranking for government Efficiency slipped three more spots to 48th, and public finance fell six places to 51st.

Nevertheless, we have seen significant progress such as the easing of COVID-19 restrictions, increased mobility for businesses and consumers, as well as solid headways in boosting business confidence and the country's position as a competitive destination for trade and investments. We are optimistic that we will see positive outcomes from the passage of game-changing economic reforms such as the amendments to the Public Services Act, the Retail Trade Liberalization Act, and the Foreign Investment Act. These will undoubtedly usher in foreign direct investments and create more jobs for Filipinos.

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⁸ Philippines Statistics Authority. Highlights of the 2021 annual final international merchandise trade statistics of the philippines. Retrieved from <https://psa.gov.ph/content/highlights-2021-annual-final-international-merchandise-trade-statistics-philippines>, table 1 and 5.

⁹ European commission. Countries and Regions: The Philippines. Retrieved from https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/philippines_en.

¹⁰ Department of trade and industry of the Philippines. Philippines merchandise total trade, historical trend. Retrieved from <http://www.tradelinephilippines.dti.gov.ph:8080/total-trade>.

INTRODUCTION

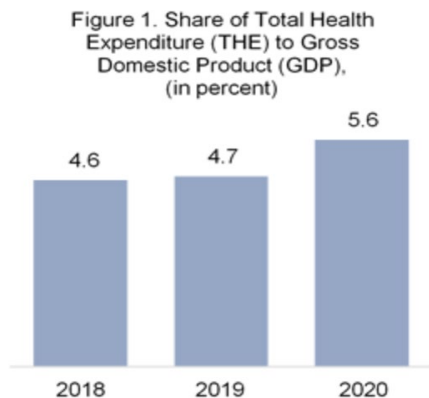
The ultimate goal for public health is to ensure that every Filipino has access to high-quality and relevant health care products and services. This was proven to be especially important in light of the numerous scenarios that have impacted the healthcare sector, particularly the COVID-19 pandemic, which has disrupted health systems and economies.

Indeed, it has been affirmed that health is strongly linked to countries' economic stability and development. A World Health Organization (WHO) report stated that in order to understand the impact of health on economic growth, it is necessary to look broadly: "Health is not only the absence of illnesses; it is also the ability of people to develop to their potential during their entire lives. In that sense, health is an asset individuals possess, which has intrinsic value (being healthy is a very important source of wellbeing) as well as instrumental value."¹

The rollout of vaccination efforts across countries, the availability of treatment, and the resulting easing of mobility restrictions has significantly supported industries and economies in their paths to recovery. This scenario further supports that the healthcare sector remains central to an economy, with the health of the public being a primary element in the conduct of activities across all supply chain levels.

Key sector developments, such as those in funding, health care delivery, and the broader health market, have been seen and continuously sought throughout the previous years. In a 2021 survey by the Social Weather Stations, it was shown that a vast majority of the Filipino population strongly believe that the government should provide free medicines to the public. The respondents likewise mentioned that purchasing medicines is the most burdensome healthcare expense. This is followed by the settlement of doctor's fees and laboratory fees, as well as hospital room.²

As seen in the latest data presented by Philippine Statistics Authority, the total health expenditure (THE) of the country grew by 10.4%, from PhP 909.50 billion in 2019 to PhP 1 trillion in 2020. This translated to a share of 5.6% to the country's Gross Domestic Product (GDP), higher than the recorded 4.7% back in 2019. Out of the total THE, current health expenditure (CHE) was at 89.2% or PhP 895.88 billion, while Health Capital Formation Expenditure (HK) was at 10.2% or PhP 108.09 billion. It has also been recorded that 2020's health expenditure per capita was at PhP 8,216.42, an increase of 10.7% from PhP 7,422.69 the year prior.³

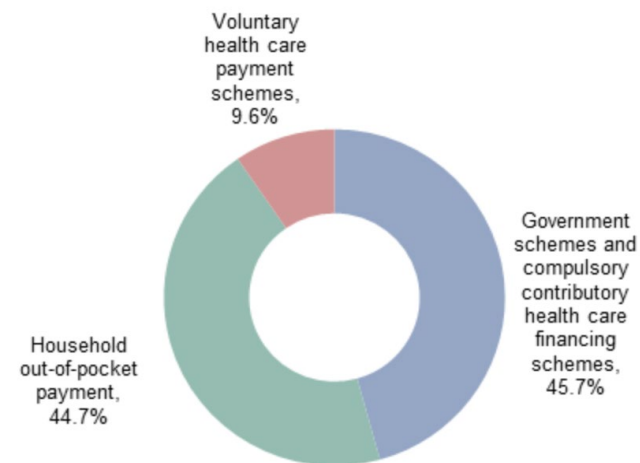


Source: Philippine Statistics Authority

¹ Walsh, G. (2021). The Health of Nations: Informing universal health care policy implementation in the Philippines through examining best practice approaches. Retrieved from https://www.eccp.com/storage/app/media/committees/ECCP%20The%20Health%20of%20Nations_2021.pdf.
² Pharmaceutical Healthcare Association of the Philippines. (March 2022). Free, subsidized medicines top Filipinos choice as best ways to get prescription when sick. SWS: Nearly all Filipinos say gov't must provide free medicines to the people. Retrieved from <https://www.phap.org.ph/pdf/SWS%20Survey%20Press%20Release%20Final.pdf>.
³ Philippine Statistics Authority. (October 2021). Philippine National Health Accounts. Retrieved from: <https://psa.gov.ph/pnha-press-release/node/165216>.

Unlike previous years wherein household-out-of-pocket payment (OOP) has held the most significant shares when breaking down the CHE health financing schemes, government schemes and compulsory contributory health care financing schemes were recorded the largest at 45.7% or PhP 409.39 billion in 2020. That year, OOP came in second, contributing 44.7% or PhP 400.10 billion and then followed by voluntary health care payment schemes at 9.6% equating to PhP 86.39 billion.⁴

Figure 2. Percent Share to Current Health Expenditure by Health Care Financing Scheme: 2020



Source: Philippine Statistics Authority

The Department of Health (DOH) was allocated PhP 242.22 billion, an around 30% increase from the DOH-wide budget allocation of the previous year. There was also an almost 40% increase in the budget allotted for the Department of Health-Office of the Secretary (DOH-OSEC), PhP 157.03 billion or 65% of the entire DOH budget. The DOH attached agencies and corporations were given the remaining 35%—the biggest percentage of 33% or PhP 79.99 billion was allocated for the Philippine Health Insurance Corporation (PhilHealth).⁵

The DOH-OSEC mostly focuses on the operations of its organizational outcomes, allotting 92.3% or PhP 144.9 billion of its total budget. The outcome that holds the biggest share of the budget is the *Access to Promotive & Preventive Health care Service Improved* at 47.1%, followed by *Access to Curative & Rehabilitative Health Care Service Improved* at 33.8% budget share, and then *Access to Safe & Quality Health Commodities, Devices and Facilities ensured* and *Access to Social Health Protection* with 0.6% and 10.8%, respectively.⁶

Meanwhile, although the country has not yet reached maximum capacity in the temporary deployment cap for healthcare workers of 7,500 due to COVID-19,⁷ reports this year show that the Philippines still lacks 92,000 physicians and 44,000 nurses.⁸ The significant gap in the supply and demand of healthcare workers

⁴ Ibid.
⁵ Department of Health. (2021). 2022 DOH Budget Briefer. Retrieved from: <https://doh.gov.ph/sites/default/files/publications/2022-DOH-Budget-Briefer.pdf>.
⁶ Ibid.
⁷ Patinio, F. (16 June 2022). 7.5K deployment cap on health workers not yet reached: POEA. Retrieved from: <https://www.pna.gov.ph/articles/1176831>
⁸ Balita, C.E. (27 July 2022). Nurses bleeding, leaving, lacking. Retrieved from: <https://businessmirror.com.ph/2022/07/27/nurses-bleeding-leaving-lacking/>

in the country persists, with many Filipino nurses and medical professionals seeking and leaving the country for job opportunities abroad. Report from the Philippine Overseas Employment Administration state that the top countries of destination for Filipino healthcare workers are Saudi Arabia, United Kingdom, Qatar, Germany, United Arab Emirates, Singapore, United States, Ireland, Oman, and Kuwait.⁹

In terms of healthcare products, the pharmaceutical market in the Philippines is one of the most robust and fastest growing pharmaceutical industries in the world and has a current value in sales of PhP 228 billion. This makes it the third largest in the ASEAN region, trailing Indonesia and Thailand. After a recorded 4% decline in 2020, the industry was able to recover by 8% in the following year. The industry is also anticipated to have a growth of around 8-11% in the next five years through the aid of the adoption of the universal health care (UHC) program. Moreover, first quarter 2022 figures post that the moving annual total value sales is at PHP 237 billion, growing at 17%.¹⁰

As UHC urges the government to provide for increased access to health, it opens up a new opportunity for large and predictable volumes of medicine sales into the country and provides opportunity for local producers and foreign traders to engage in the supply of pharmaceutical items.¹¹ An SWS Study commissioned by the Pharmaceutical and Healthcare Association of the Philippines (PHAP), on the other hand, presented options for government to ease the burden on out-of-pocket payments for medicines in the form of subsidies and provisions for free medicines.¹²

As for the medical devices sub-sector, recent data maintains that the Philippines is heavily dependent on imported medical device products, which covers 99.2% of the market. This is particularly the case for highly technological machineries such as those used for cancer treatment, dialysis and respiratory treatments, as well as diagnostic imaging. Philippine medical device industry remains limited to the production of spare parts and medical consumables.¹³

On government priority, during his State of the Nation Address (SONA), President Marcos mentioned that the health sector is one of the priorities the new administration. Focus will be on ensuring sufficient supply and bringing down prices of medicines through competition, the creation of more hospitals and health establishments, including regional specialty hospitals.¹⁴ The DOH likewise expressed its prioritization of recovery from the COVID-19 pandemic, along with improving access to primary and specialty healthcare, in line with President Marcos' directive that there will be no further lockdowns in the country.¹⁵ Truly, if we are to recover post-pandemic and prepare for future outbreaks, good healthcare must no longer be seen as a cost or burden, but as an investment.

In both the production of health products and the provision of healthcare services, innovations and other developments continue to be crucial and a priority, as evidenced in his legislative priorities: the creation of the Philippine Center for Disease Control and the Virology Institute of the Philippines. Indeed, there remains opportunities for the industry to increase its impact on the socio-economic goals of the nation. While it goes without saying that the government has a major part to play in achieving this goal, multi-sectoral cooperation is clearly essential to the process of advancing the country's health goals through measures such as the Universal Health Care Act, pooled procurement, and streamlining of processes, among others.

RECENT REFORMS AND INDUSTRY DEVELOPMENTS

- In October 2021, the Food and Drug Administration issued **Circular No. 2021-021**, which provides the guidelines on licensing of retailers of medical devices in the Philippines. This issuance provides specific provisions on license to Operate, post-licensing inspection, and qualified person for retailers of medical devices, among others.¹⁶
- **Executive Order No. 155** was signed in December 2021, which imposes maximum retail and wholesale prices (MRP/MWP) for drug and medicine products. Among the other salient points of the said measure are the review of list of medicines and their corresponding MRPs and/or MWPs every six months, as well as the transition of 90 days for the prices to take full effect.¹⁷
 - The Food and Drug Administration (FDA), through **Circular No. 2022-005**, provided the guidelines on labeling requirements of drug products under MRP last 27 June 2022.¹⁸
- Following the issuance of FDA Circular No. 2021-002-A in August 2021, the FDA laid out the amendments to the said Circular last 21 April 2022 through Circular **No. 2021-002-B**. This issuance sought to extend the schedule of effectivity of the provision wherein non-registrable Class B, C, and D medical devices may continue to be manufactured, exported, distributed, transferred, sold, or offered for sale without a Certificate of Medical Device Notification.¹⁹
- On 27 April 2022, **Republic Act No. 11712** was signed into law by former President Duterte. This law lays out provisions on granting benefits and allowances to public and private healthcare workers under the COVID-19 pandemic as well as other future public health emergencies.²⁰ The health emergency allowance that is indicated to be provided monthly is based on the risk area by where health practitioners are deployed. The measure also provides for compensation to those that have contracted COVID-19 in their lines of duty.
- Relative to the above-mentioned, the Philippine Health Insurance Corporation (PhilHealth) issued **Circular No. 2022-0014** last 29 June 2022, which stipulates guidelines on the allocation of full financial risk protection for Filipino health workers infected with COVID-19.²¹
- PhilHealth likewise issued **Circular No. 2022-0010** last 11 May 2022, pertaining to the increase in premium contributions to 4%, in accordance with the Universal Health Care Act.²² No adjustment in premium contribution was imposed in 2021, following the directive under the previous Duterte administration in line with the COVID-19 impacts.
- **Joint Circular No. 0001 s. 2022** provides guidelines on the allocation and appropriations under the Universal Health Act of 2019 or Republic Act No. 11223.²³ This Joint Circular was signed jointly in May 2022 by the Department of Budget and Management, Department of Finance, Department of Health, Philippine Health Insurance Corporation, Philippine Amusement and

9 Valmonte, K. (21 June 2022). No shortage of nurses but low pay, lack of tenure driving them abroad. Retrieved from: <https://www.philstar.com/headlines/2022/06/21/2189974/no-shortage-nurses-low-pay-lack-tenure-driving-them-abroad>

10 IQVIA. (8 September 2022).

11 Gonzales, A.L.E. (25 March 2022). PH pharma industry seen growing by 8 to 10%. Retrieved from: <https://www.manilatimes.net/2022/03/25/business/corporate-news/ph-pharma-industry-seen-growing-by-8-to-10/1837481>

12 Social Weather Stations. (02 April 2022). SWS confirms Fourth Quarter 2021 Social Weather Survey Items for Pharmaceutical and Healthcare Association of the Philippines. Retrieved from <https://www.sws.org.ph/swsmain/artcldisppage/?artcsyscode=ART-20220402122643>.

13 International Trade Administration – US Department of Commerce. (28 March 2022). Philippine Medical Devices. Retrieved from <https://www.trade.gov/market-intelligence/philippine-medical-devices>.

14 President Marcos, Jr., F. (25 July 2022). State of the Nation Address [Speech].

15 Mocon-Ciriaco, C. (25 July 2022). DOH vows to implement PBBM's directive for pandemic recovery. Retrieved from <https://businessmirror.com.ph/2022/07/26/doh-vows-to-implement-pbbms-directive-for-pandemic-recovery/>.

16 Food and Drug Administration. (7 October 2021). FDA Circular No.2021-0021 || Guidelines on the Licensing of Retailers of Medical Devices in the Philippines. Retrieved from <https://www.fda.gov.ph/fda-circular-no-2021-0021-guidelines-on-the-licensing-of-retailers-of-medical-devices-in-the-philippines/>.

17 Official Gazette. (December 2021). Executive Order No. 155. Retrieved from <https://www.officialgazette.gov.ph/downloads/2021/12dec/20211207-EO-155-RRD.pdf>.

18 Food and Drug Administration. (27 June 2022). Circular No. 2022-005. Retrieved from <https://www.fda.gov.ph/fda-circular-no-2022-005-guidelines-on-labeling-requirements-of-drug-products-under-maximum-retail-price-mrp/>.

19 Food and Drug Administration. (21 April 2022). Circular No. 2021-002-B. Retrieved from <https://www.fda.gov.ph/wp-content/uploads/2022/04/FDA-Circular-No.2021-002-B-1.pdf>.

20 Official Gazette. (27 April 2022). Republic Act No. 11712. Retrieved from <https://www.officialgazette.gov.ph/2022/04/27/republic-act-no-11712/>.

21 Philippine Health Insurance Corporation. (29 June 2022). Circular No. 2022-0014. Retrieved from <https://www.philhealth.gov.ph/circulars/2022/circ2022-0014.pdf>.

22 Philippine Health Insurance Corporation. (11 May 2022). Circular No. 2022-0010. Retrieved from <https://www.philhealth.gov.ph/advisories/2022/adv2022-0010.pdf>.

23 Department of Health. (30 May 2022). Joint Circular No. 0001 s. 2022. Retrieved from <https://dmas.doh.gov.ph:8083/Rest/GetFile?id=719363>.

Gaming Corporation, and Philippine Charity Sweepstakes Office.

- On 17 June 2022, the FDA issued **Circular No. 2022-004** pertaining to the guidelines on the implementation of facilitated registration pathways for drug registration applications following the issuance of Administrative Order No. 2020-0045 last 2020.²⁴ The ECCP expressed its support to the issuance of the said rules in its position paper submitted to the DOH and FDA in May 2022.
- To provide guidelines on Section 35(b) of the Universal Health Act, **AO 2021-0036**²⁵ was released by the FDA on 8 June 2021 specifically on what is required in the submission of a written disclosure report to DOH-FDA. Manufacturers, traders, repackers, distributor-importers, and distributor-wholesalers of FDA-registered drugs, biologicals, medical devices, and other medical supplies and health care providers must declare all financial relationships in this report.
- As mandated by the National Integrated Cancer Control Act (NICCA), **AO 2022-0013**²⁶ provides a comprehensive guide on how to properly implement and operationalize the Cancer and Supportive-Palliative Medicines Access Program (CSPMAP) which aims to reduce the out-of-pocket spending of cancer patients.
- In reference to RA No. 7581 or the “Price Act”, **AO 2022-0015**²⁷ was released to ensure that drugs are available at a reasonable price and follow the given suggested retail price (SRP) as well as to give the FDA authority to carry out investigations and sanctions due to violations when necessary. It also includes the identification of the different DOH office’s roles and responsibilities in pursuance of the Price Act pertaining to drugs.
- With regards to significant changes in the pharmaceutical landscape, **AO 2022-0025**²⁸ or the Philippine Medicines Policy (PMP) for 2022-2030 was created as an amendment to the previous PMP to address gaps that were found. It serves as a roadmap to the implementation of the revised PMP and contains frameworks and strategies on how to overall improve Filipinos’ access to quality and affordable medicines.
- **FDA Circular no, 2021-020**²⁹ was released on 19 August 2022 to provide an update on the revised post-marketing surveillance requirement on newly-released drugs under monitored release. All applicants and marketing authorization holders of new drugs, vaccines, and biologics under monitored release are subject to this.
- To create a more efficient process to facilitate access to pharmaceuticals, the FDA released **FDA Advisory 2021-2037**³⁰ to clarify that the requirement of a Lot or Batch Release Certification as stated in Administrative Order No. 47-a s. 2001 is only applicable to vaccines, toxoids and immunoglobulins.

24 Food and Drug Administration. (16 June 2022). FDA Circular No.2022-004 || Implementing Guidelines on the Abridged and Verification Review Pathways for New Drug Registration Applications in accordance with Administrative Order No. 2020-0045 “Establishing Facilitated Registration Pathways for Drug Products including Vaccines and Biologicals”. Retrieved from <https://www.fda.gov/ph/fda-circular-no-2022-004-implementing-guidelines-on-the-abridged-and-verification-review-pathways-for-new-drug-registration-applications-in-accordance-with-administrative-order-no-2020-0045/>.

25 Department of Health. (08 June 2021). Guidelines on Compliance with Section 35 (b) of Republic Act No. 11223 (Universal Health Care Act): All Drug, Medical Device, Biological and Medical Supplies Manufacturers to Submit Reports on Disclosure of Financial Relationships with Health Care Providers and Health Care Professionals. Retrieved from: https://philippinecollegeofradiology.org.ph/wppcr/wp-content/uploads/AO_2021-0036_Disclosure-Reports-1.pdf

26 Department of Health. (28 June 2022). Guidelines for the Implementation of Cancer and Supportive -Palliative Medicines Access Program (CSPMAP). Retrieved from: <https://dmas.doh.gov.ph:8083/Rest/GetFile?id=719015>

27 Department of Health. (28 June 2022). Implementing Guidelines on Stabilizing the Prices of Drugs by virtue of Republic Act (R.A.) No. 7581, as amended by R.A. No. 10623, otherwise known as the “Price Act”. Retrieved from: <https://dmas.doh.gov.ph:8083/Rest/GetFile?id=719453>

28 Department of Health. (30 June 2022). Strategic Framework and Implementing Guidelines of the Philippine Medicines Policy 2022-2030. Retrieved from: <https://sites.google.com/view/doh-hfdb/updates/ao-2022-0025>

29 Food and Drug Administration. (21 September 2021). FDA Circular No.2021-020 || Revised Post-marketing Surveillance Requirements for New Drugs under Monitored Release. Retrieved from: <https://www.fda.gov/ph/fda-circular-no-2021-020-revised-post-marketing-surveillance-requirements-for-new-drugs-under-monitored-release/>

30 Food and Drug Administration. (19 August 2021) FDA Advisory No.2021-2037 || Clarification on the Coverage of Lot or Batch Release Certification Pursuant to Administrative Order No. 47-a s. 2001. Retrieved from: <https://www.fda.gov/ph/fda-advisory-no-2021-2037-clarification-on-the-coverage-of-lot-or-batch-release-certification-pursuant-to-administrative-order-no-47-a-s-2001/>

ADVOCACY RECOMMENDATIONS

1. Expand PhilHealth Coverage and Strengthen its Capacity to Support the Provision of Health Services and Products

Health financing plays a critical role in promoting an inclusive and sustainable health system. Relative to this, insurance is among the fundamental elements that provide a safety net to individuals, especially in cases of hospitalization and other health emergencies. As the country’s national health insurance provider, PhilHealth is among the key government agencies that help individuals gain access to innovative and life-saving health services and products. The importance of insurance in the healthcare ecosystem has been highlighted by the increasing demand for health services and products as a result of the COVID-19 epidemic. There has been a recorded rise in COVID-19-related claims, from PHP 2 billion in 2020 to PHP 17.7 billion in 2021.^{31,32}

In 2020, PhilHealth introduced the *Konsultasyong Sulit at Tama* or *Konsulta* Package, which sought to “integrate the existing Primary Care Benefit and Expanded Primary Care Benefit packages”.³³ As of 31 July 2022, there are 643 accredited *Konsulta* Package Providers across the country.³⁴ Earlier reports, however, indicate a low turnout in registrations of beneficiaries. In August 2021, there were 30,084 registered beneficiaries, including 7,709 dependents, which translates to a 0.027% coverage rate.³⁵

Meanwhile, a recent policy development for PhilHealth is the increase in premiums for all contributors, as provided under the UHC Act. Reports indicate that PhilHealth is looking into the expansions and improvements in the agency’s services and healthcare package, along with the hike in premium contributions.³⁶

Relative to this review, the ECCP recommends that aspects such as differential pricing, co-payment, and expanded reimbursement methods be made available. The Chamber and its Healthcare Committee members remain committed to engaging with the said agency to further support the inclusive and universal healthcare agenda.

2. Strengthen Delivery of Primary Health Care Services

Among the critical elements of an inclusive and sustainable healthcare environment is a strengthened primary health care system. Primary healthcare plays a key role in providing individuals with comprehensive care that ultimately contributes to their overall wellbeing. In relation to this, the WHO stated that primary health care investments “improve equity and access, health care performance, accountability of health systems, and health outcomes.”³⁷

For this reason, the ECCP expresses its recommendation and support to continuously enhancing primary care services through the following:

31 Philippine Health Insurance Corporation. (2021). Stats and Charts 2020. Retrieved from https://www.philhealth.gov.ph/about_us/statscharts/snc2020_v1.pdf.

32 Philippine Health Insurance Corporation. (2021). Stats and Charts 2021. Retrieved from https://www.philhealth.gov.ph/about_us/statscharts/snc2021_v1.pdf

33 Philippine Health Insurance Corporation. (2021). PhilHealth Circular No. 2020-0002. Retrieved from <https://www.philhealth.gov.ph/circulars/2020/circ2020-0002.pdf>.

34 Philippine Health Insurance Corporation. (2022). List of Accredited Konsulta Package Providers for CY 2022 Updated as of July 31, 2022. Retrieved from https://www.philhealth.gov.ph/partners/providers/institutional/accredited/KONSULTA_073122.pdf.

35 CNN Philippines. (21 August 2022). Lawmakers urge PhilHealth to review primary care benefit package. Retrieved from <https://www.cnnphilippines.com/news/2021/8/24/PhilHealth-review-primary-care-benefit-package-.html>.

36 Philippine Information Agency. (26 July 2022). PhilHealth pushes for improved healthcare services. Retrieved from <https://pia.gov.ph/news/2022/07/26/philhealth-pushes-for-improved-healthcare-services>.

37 World Health Organization. (1 April 2021). Primary health care. Retrieved from <https://www.who.int/news-room/fact-sheets/detail/primary-health-care>

- (1) Mandatory registration of Filipinos to public or private primary health care provider of choice;
- (2) Accessibility of patient records to primary health care providers; and
- (3) Capacity-building for health professionals on the provision of primary care services

Furthermore, and in light of the efforts to increase and ease access to health services and products with the use of technological innovations,³⁸ the Chamber likewise continues to advocate for bridging the gap in access to primary healthcare services by addressing infrastructure-related connectivity concerns, especially in rural areas.

3. Improve Distribution and Implement Measures Towards the Retention of Health Professionals Across the Country

The Philippines was further challenged in terms of health human resources in the past recent years, especially with the increased need for health practitioners due to the COVID pandemic. This has underpinned the fundamental role that health human resource management plays to ensure the availability of accessible and quality health care for Filipinos. In this context, the ECCP maintains that policies and programs that will enhance the skill, expands benefits, and safeguards health workers should be put in place. Likewise, we strongly believe that the adequate and needs-based distribution of health professionals in the country will be beneficial in ensuring that equitable healthcare is available to the population.

For these reasons, the ECCP advocates for the effective implementation of and puts forth its recommendations on promoting the health workforce management, including those outlined in the UHC Act.

- The continuous review of benefits and safeguard measures for health workers, which also looks into employment permanency and provision of competitive salaries
- Crafting strengthened and expanded health-related training and degree programs and scholarship opportunities
- Further development and maintenance of a registry of medical professionals that will include records the number of practitioners and their designated areas
- Capacity building opportunities for health workers
- The prioritization of geographically isolated and disadvantaged areas (GIDAs) in the deployment of health. The ECCP also advocates for an overall improvement in quality of life in GIDAs order to encourage health professionals to practice in these areas.

In addition to the above-mentioned, the Chamber continues to support the preservation of ethics in public health policy and practice in health-care delivery, as provided in the UHC Act.³⁹ In this regard, we also recommend that the FDA Adoption of the Mexico City Principles⁴⁰ through Circular No. 2013-024 be strictly enforced, including the establishment of mechanisms to oversee industry players' compliance and further encourage ethical relationships between health practitioners and patients.

4. Strengthen National Health Information Systems

The availability of centralized health data management is beneficial in the country's provision of health care services. Enhanced efficiency and streamlining of data management are imperative in

ensuring the availability of accurate information in a timely manner, which will support decision-making in healthcare policy interventions, thereby ultimately benefiting the delivery of health services and products.

With this, the ECCP recommends strengthening national health information systems to manage the submission and compilation of relevant health-related data in accordance with the Data Privacy Act and other applicable laws. Likewise, the ECCP strongly believes that technology is a key enabler in advancing this agenda, therefore the ECCP advocates for improved data collection and integration capabilities through maximising innovations in the sector.

To this end, ECCP likewise acknowledges the inclusion of provisions in the UHC Act that aim to strengthen the national health information system. We also recognise that the National ID initiative also assists the delivery of health benefits and services to Filipinos and supports its fast-tracked implementation.

5. Institutionalization of an Effective and Efficient Health Technology Assessment System

Following the enactment of the UHC Act in 2019, the Health Technology Assessment Council (HTAC) was created at the DOH. Since then, the HTAC has been contributing to the healthcare system by providing recommendations on health interventions and technologies to key health agencies such as the DOH and PhilHealth.

On this note, the ECCP strongly urges that the HTAC continues to take an active role in reviewing and advancing health interventions, including efforts on product procurement, development of PhilHealth benefits packages, as well as healthcare-related investment measures. ECCP recommends:

- The establishment of dedicated HTA methods for specific technologies such as those for cancer and rare diseases that are inherently smaller in magnitude (i.e. frequency) but are more catastrophic
- Parallel submission between FDA and HTA, to facilitate its availability in public channels
- Consider the social value of medicines in the HTA process
- Establish a predictable and transparent process by publishing a Citizen's Charter, in line with the requirements of Ease of Doing Business

The Chamber looks forward to further engaging with the HTAC to present the Healthcare committee's recommendations and initiatives to support the government in attaining its health goals.

Further to this, we look forward to further engaging with relevant agencies and partners to exchange plans and views on the HTAC's priorities as well as its transition from DOH to the Department of Science and Technology (DOST).⁴¹

6. Facilitation of Access to Medicines and Medical Devices

Implementation of Pooled Procurement and Price Negotiation for Health Products

Healthcare financing is a critical factor in increasing access to medicines and medical devices, resulting in a more inclusive and improved health care system. In this regard, the ECCP upholds that policies and objectives must be complementary and work together to achieve national health goals.

Among the mechanisms for achieving access to medicines provided under the UHC Act and the National Integrated Cancer Control Act or NICCA are pooled procurement and price negotiation. The

³⁸ Malaya Business Insight. (28 May 2021). DOH to boost digital health solutions. Retrieved from https://malaya.com.ph/news_news/doh-to-boost-digital-health-solutions/

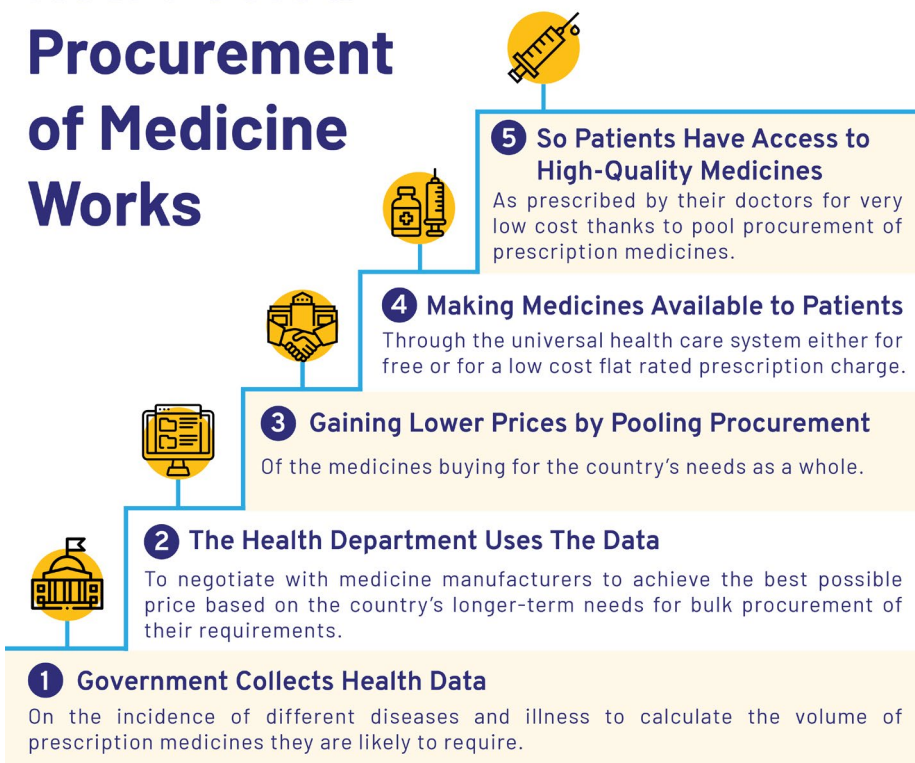
³⁹ "All manufacturers of drugs, medical devices, biological and medical supplies registered by the FDA shall collect and track all financial relationships with healthcare professionals and healthcare providers and report these to the DOH, which shall then make this list publicly available in accordance with existing laws."

⁴⁰ FDA. (2013). FDA Circular No. 2013-024. Retrieved from <https://www.fda.gov/wp-content/uploads/2021/08/FDA-Circular-No.2013-024.pdf>.

⁴¹ Under the UHC Act, the HTA function will be transferred from the DOH to the DOST five years after the implementation of the law or by 2024.

NICCA further provided for public-private partnerships that can be explored to improve access to medicines and services. We strongly believe that employing these approaches will ultimately aid the Philippine government in the efficient delivery of life-saving health goods at sufficient volumes and in a timely manner.

How Pooled Procurement of Medicine Works



Source: ECCP (The Health of Nations, 2021)⁴²

These also support the WHO's access to medicines framework,⁴³ which emphasizes the importance of equitable pricing and affordability, bulk procurement, and long-term financing as key mechanisms for improving access to medicines.

On pooled procurement, the ECCP particularly advocates for the employment of a single-payer system, pooling orders from national and local government units, to allow the government to negotiate prices for bulk purchases, thereby being able to better negotiate lower prices of products. This facility may also be extended to private health care facilities subject to pricing agreements.

Strengthen Market Competition and Use Price Regulation Only as a Last Resort

Under the recent health scenario, it has been further established that pharmaceutical and medical device products are central in ensuring a continually operational health system. Particularly, innovative healthcare products have played a significant role in the COVID-19 health crisis response through the development of treatments and vaccines, and are critical in achieving the "no lockdown" directive of President Marcos.

Relative to this, the ECCP underscores that among the longstanding advocacies of the ECCP and its Healthcare Committee is the provision of quality and innovative health products and services.

However, we note that the policy on imposition of price ceilings for pharmaceutical products, and more recently, medical devices, remains.⁴⁴ This can have serious implications especially for Filipino patients. In an MRP Impact Assessment Study by IQVIA, commissioned by the PHAP, four products (for asthma, diabetes, hypertension and cancer) were withdrawn, and many companies reduced investment plans including those for the conduct of clinical research in the country. The Chamber strongly believes that this measure poses significant impact on the viability of businesses operating in the healthcare sector, which may eventually result to counteractive results against the backdrop of promoting inclusive and expanded access to healthcare products and services.

In support to this position, the ECCP points out that studies have shown that the price capping mechanisms for medicines has not been effective in increasing access to health products.⁴⁵ Furthermore, price capping has been identified only as a reserve measure, according to the Cheaper Medicines Act of 2008. Meanwhile, a WHO-OECD study has revealed the high 85% out-of-pocket share for medicines in the Philippines, compared to only 9% in Thailand.⁴⁶ This finding not only points to why medicines are perceived to be more expensive in the Philippines, but also strengthens the proposition to look into new financing mechanisms to support medicine purchases among Filipinos.

To this end and in line with the government's thrust, the ECCP maintains that strengthening competition should be the primary approach in bringing medicine prices down, as this will likewise encourage healthcare players to further innovate and participate in the local market. In alignment with and support to the current administration's thrust for the healthcare sector,⁴⁷ we strongly believe that developing a competitive healthcare market will ultimately bolster the sector's capability to address ongoing and future health crises, at the same time, aid in economic recovery and growth.

7. Implementation of the Reliance Pathway

The ECCP has long supported and advocated for ease of doing business, including streamlining and aligning policies and procedures for business or product application and registration. With this, the Chamber and its Healthcare Committee looks forward to the continuous implementation of measures that further promote efficiency in the review processes of healthcare products.

In its position paper submitted to the DOH and FDA in May 2022, the ECCP expressed its support to the release of the draft Circular on the "Implementation of Abridged and Verification Review Pathways for New Drug, Initial Registration and Post-Approval Changes Applications of Drug Products, including Vaccines and Biologicals",⁴⁸ while likewise presenting its recommendations pertaining to the selection of reference drug regulatory authorities, submission of assessment reports, as well as

⁴² Walsh, G. (2021). The Health of Nations: Informing universal health care policy implementation in the Philippines through examining best practice approaches. Retrieved from https://www.eccp.com/storage/app/media/committees/ECCP%20The%20Health%20of%20Nations_2021.pdf.

⁴³ World Health Organization. (March 2004). Equitable access to essential medicines: a framework for collective action. Retrieved from https://apps.who.int/iris/bitstream/handle/10665/68571/WHO_EDM_2004.4_eng.pdf?sequence=1&isAllowed=y.

⁴⁴ Food and Drug Administration. (n.d.). Republic Act No. 9502. Retrieved from <https://www.fda.gov/wp-content/uploads/2021/03/RA-9502-Cheaper-Medicines-Act.pdf>.

⁴⁵ Philippine Institute for Development Studies. (2017). Access to Medicines in the Philippines: Overcoming the Barriers. Retrieved from <https://pidswebs.pids.gov.ph/CDN/PUBLICATIONS/pidspn1723.pdf>.

⁴⁶ World Health Organization. (31 January 2018). How pharmaceutical systems are organized in Asia and the Pacific. Retrieved from <https://www.who.int/publications/i/item/9789290618485>.

⁴⁷ President Marcos, in his 25 July State of the Nation Address, expressed that an open market will allow Filipinos to access more products at cheaper prices.

⁴⁸ Food and Drug Administration. (2021). Draft for Comments II Implementation of Abridged and Verification Review Pathways for New Drug, Initial Registration and Post-Approval Changes Applications of Drug Products, including Vaccines and Biologicals. Retrieved from <https://www.fda.gov/ph/draft-for-comments-implementation-of-abridged-and-verification-review-pathways-for-new-drug-initial-registration-and-post-approval-changes-applications-of-drug-products-including-vaccines-and-bio/>

application of documentary requirements, among others.

As a positive development, the FDA released Circular No. 2022-004 in June 2022. With this, the ECCP underscores its support and looks forward to the full implementation of the reliance procedures to bolster a health environment where there is increased availability of safe, effective, and quality medicines for Filipino patients. We also look forward to the development of similar reliance schemes in other regulatory processes.

8. Establish Regular Dialogue Between the Government and Private Sector

Recent health emergencies have underscored the critical role of multi-stakeholder partnership and collaboration. Particularly with the launch of initiatives such as the Taskforce T3 (Test, Trace and Treat), as well as the widened efforts under the GoNegosyo, the Philippines witnessed a boost in public-private sector engagement and collaboration to address national concerns pertaining to the COVID pandemic.

In this light, the committee looks forward to being able to foster stronger partnerships with health stakeholders through various efforts, including regular dialogue and discussions. We strongly believe that these mechanisms serve as avenues for health stakeholders to present health sector developments and priorities, exchange best practices, and support the implementation of much-needed health interventions that will advance the country's healthcare system.

Healthcare will continue to be high in ECCP's agenda, and together with its Healthcare Committee members and partners, the Chamber remains committed to supporting the Philippine government in advancing the country's health objectives.

9. Build an Environment Conducive to Biopharmaceutical Innovation

One of the recent experiences and lessons for world economies is that promoting innovation and supporting research and development efforts lead to an enhanced health system which helps address health emergencies such as the COVID pandemic. In relation to this, an OECD report⁴⁹ stated that innovations in the healthcare sector contribute to improving value for patients, while maximizing the opportunities brought about by new technologies and health information.

It is in this context that the ECCP and its Healthcare committee puts forth its recommendation for stakeholders to discuss the development of an innovation hub in the country. We strongly believe that this poses numerous benefits, including:

- (1) Promoting early access to innovative life-saving drugs for Filipino patients;
- (2) Leveling up of biopharmaceutical science in the country; and
- (3) Driving investments from innovative pharmaceutical companies which lead to valuable economic and trade implications.

To this end, the ECCP and its Healthcare Committee remains steadfast in collaborating with the Philippine government and health stakeholders in shaping a healthcare environment that benefits the public.

49 Organisation for Economic Co-operation and Development. (2018). Pharmaceutical Innovation and Access to Medicines. Retrieved from <https://www.oecd.org/health/health-systems/Pharmaceutical-Innovation-and-Access-to-Medicines-Executive-Summary-ENGLISH.pdf>.



ASSESSMENT OF 2021 RECOMMENDATIONS

ISSUE	RECOMMENDATION	COMPLETED / SUBSTANTIAL PROGRESS	SOME PROGRESS	NO PROGRESS / RETROGRESSION
Achieve Universal Health Care for All	Expand PhilHealth Coverage and Strengthen its Capacity to Support the Provision of Health Services and Products			<p>There has been increase in PhilHealth premium, as per the agency's issuance in May 2022.</p> <p>While this was implemented in accordance with the Universal Health Care Act of 2019, the healthcare sector has yet to see further reforms in terms of the scope of coverage and benefits from PhilHealth as well as health financing and/or payment schemes.</p>
	Strengthen Delivery of Primary Health Care Services		<p>The COVID-19 has led to a significant limitation in face-to-face consultations, primary care or otherwise. The development in the increased availability of tele-consultation are welcome developments.</p> <p>However, the implementation of mandatory registration to health care providers as well as the further improvement in promoting access to health services remain to be seen.</p>	
	Improve Distribution and Implement Measures Towards the Retention of Health Professionals Across the Country			<p>While benefits and incentives are offered to healthcare practitioners in the Geographically Isolated and Disadvantaged Areas (GIDAs), the overall quality of life in is seen as a deterrent in the deployment of individuals in these areas.</p> <p>The country also continues to experience a significant number of health practitioners leaving the country to work in other jurisdictions.</p>
	Strengthen National Health Information Systems			<p>The government has taken several measures to further improve health technology management and information system. The National ID initiative also continues to be implemented.</p>
	Institutionalization of an Effective and Efficient Health Technology Assessment System			<p>Since the institutionalization of HTA following the passage of the UHC Act, HTAC has continued to function as a recommendatory body to the DOH and PhilHealth.</p>

ISSUE	RECOMMENDATION	COMPLETED / SUBSTANTIAL PROGRESS	SOME PROGRESS	NO PROGRESS / RETROGRESSION
Facilitation of Access to Medicines and Medical Devices	Implementation of Pooled Procurement and Price Negotiation for Health Products			Pooled procurement has been practiced in purchasing COVID-19 vaccine doses, although it yet to be implemented for most non-COVID-19 health products.
	Strengthen Market Competition and Use Price Regulation Only as a Last Resort			The Department of Health issued several policies that impose price ceilings for both drug and medical device products, with the most recent one being Executive Order No. 155 s. 2021.
Establish Regular Dialogue Between the Government and Private Sector				The ECCP has had several engagements including participation meetings and dialogues, as well as submission of letters and position papers, have been made with Philippine government officials and other health stakeholders. However, a regular dialogue is yet to be established.





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