



Republic of the Philippines  
PROVINCE OF PANGASINAN  
Lingayen  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

# CERTIFICATION

**TO WHOM IT MAY CONCERN:**

*THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on May 16, 2011 at Lingayen, Pangasinan, the following provincial ordinance was approved:*

Authored by SP Member Jeremy Agerico B. Rosario

## PROVINCIAL ORDINANCE NO. 150-2011

**AN ORDINANCE IMPLEMENTING THE “NO PRESCRIPTION, NO DISPENSING OF ANTI-TUBERCULOSIS DRUGS” IN ALL DRUG OUTLETS IN THE PROVINCE OF PANGASINAN AND PROVIDING PENALTIES THEREOF**

### EXPLANATORY NOTE

**WHEREAS**, Tuberculosis ranked 6<sup>th</sup> leading cause of morbidity and 5<sup>th</sup> cause of mortality among Filipinos;

**WHEREAS**, the National Drug Policy and National Tuberculosis Program of the Department of Health provide the policy guidelines, through the adoption of the Directly Observed Treatment Short Course Strategy (DOTS) to manage and cure TB patients in the country;

**WHEREAS**, despite the implementation of the TB-DOTS strategy, there still exist new strain of tuberculosis in the country which is the Multi-Drug Resistant (MDR);

**WHEREAS**, MDR-TB patients are resistant to the TB-DOTS strategy and prefer to self-medication without proper consultation and prescribed medicines from the duly licensed physicians;

**WHEREAS**, Section 38 of R.A. No. 5921, as amended by R.A. 9502, specifically provides that: “Every Pharmacist who dispenses, sells, or delivers any drug which fall under the classification of BFAD as potent drugs shall do so only upon prescription of a duly licensed physician, dentist or veterinarian”;





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**WHEREAS**, R.A. No. 5921, otherwise known as the Pharmacy Law and R.A. 6675 known as the Generics Act, as amended by R.A. 9502, known as the “Universally Accessible Cheaper and Quality Medicines Act of 2008”, provide the policy framework in dispensing anti-tuberculosis drugs in all outlets;

**WHEREAS**, in the interest of public health safety in compliance with the provisions of R.A. 5921, as amended by R.A. 9502, the Province of Pangasinan do hereby impose the strict implementation of No Prescription, No Dispensing of Anti-TB Drug Policy;

**NOW, THEREFORE**, be it ordained by the Sangguniang Panlalawigan in session assembled that:

**SECTION 1. TITLE** – This Ordinance shall be known as the No Prescription, No Dispensing of Anti-TB Drugs in the Province of Pangasinan.

**SECTION 2. DECLARATION OF POLICY** – The Province of Pangasinan fully supports the National Government in its effort to institute program implementation in the dispensing of Anti-TB drugs, which means that drug outlets should only dispense the Anti-TB drugs with appropriate prescription from duly licensed and registered physicians.

**SECTION 3. DEFINITIONS AND TERMS –**

- a. Anti-TB Drugs – refer to the powerful first line drugs Rifampicin, Ethambutol, Pyrazinamide, Isoniazid and Streptomycin which are available program drugs in the Health Centers and Public-Private Mixed DOTS Facilities.
- b. TB-DOTS – refers to the Directly Observed Treatment Short Course Strategy used in managing TB patients in the country.
- c. Multi-Drug Resistant (MDR) – refers to patients who are resistant to Anti-TB drugs, these patients who failed to complete their treatment and those patients who self-medicate.
- d. Dispensing – is the act by a validly registered pharmacist of dealing out drugs and filling a prescription on doctor’s order on the patient’s chart.
- e. Drug Outlet – refers to drugstores, pharmacies and any other business establishment that are authorized to sell drugs and medicines.
- f. Prescription Drug – refers to drugs that can only be dispensed upon a written order of a duly registered physician, dentist or veterinarian.





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**SECTION 4. IMPLEMENTATION** – For the effective and efficient implementation of this Ordinance, the Regional Center for Health and the Provincial Health Office shall formulate the rules and regulations, within one (1) month, upon approval of the Sangguniang Panlalawigan. The Provincial Health Office shall consult stakeholders from both public and private sectors in the formulation of their rules and regulations. This Ordinance shall integrate the guidelines and necessary penalties stipulated in all related laws.

**SECTION 5. ADMINISTRATIVE FINE** – Without prejudice to the fines as defined in the national laws, any person violating the provision of this Ordinance shall be penalized with a fine of:

For the 1<sup>st</sup> Offense – a fine of P1,000.00;


For the 2<sup>nd</sup> Offense – a fine of P3,000.00 and issuance of warning;

For the 3<sup>rd</sup> Offense – a fine of P5,000.00 and possible revocation of *business license or permit after decision of the proper court.*

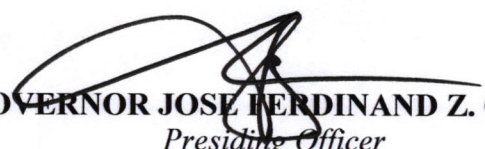
**SECTION 6. SEPARABILITY CLAUSE** – If for any reason or reasons, any portion or provision of this Ordinance is declared unconstitutional or invalid the other portion or portions hereof which are not affected shall continue to be in full force and effect;

**SECTION 7. REPEALING CLAUSE** – Any Ordinance inconsistent with the provision of this Ordinance is hereby deemed repealed and/or amended accordingly.

**SECTION 8. EFFECTIVITY CLAUSE** – This Ordinance shall take effect in accordance with the provisions of the Local Government Code.

  
**ATTY. VERNA T. NAVA-PEREZ**  
*Secretary to the Sanggunian*

ATTESTED:

  
**VICE GOVERNOR JOSE FERDINAND Z. CALIMLIM, JR.**  
*Presiding Officer*

APPROVED:

  
**AMADO T. ESPINO, JR.**  
*Governor*