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Republic of the Philippines
Province of Agusan del Norte
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

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ORDINANCE ENACTED BY THE 15TH SANGGUNIANG PANLALAWIGAN OF AGUSAN DEL NORTE, IN ITS 108TH REGULAR SESSION HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL COMPOUND, BUTUAN CITY ON NOVEMBER 12, 2012.

PROVINCIAL ORDINANCE NO. 307-2012

AN ORDINANCE INSTITUTIONALIZING THE NEWBORN SCREENING IN THE PROVINCE OF AGUSAN DEL NORTE, AND FOR OTHER PURPOSES

BE IT ORDAINED, by the Sangguniang Panlalawigan of Agusan del Norte, in session assembled, that:

CHAPTER I

GENERAL PROVISIONS

SECTION 1. TITLE – This ordinance shall be known as “ *An Ordinance Institutionalizing the Newborn Screening in the Province of Agusan del Norte, and for other Purposes.*”

SECTION 2. DECLARATION OF POLICY – It is hereby declared to be the policy of the Provincial Government of Agusan del Norte to adopt adequate measures to promote the Newborn Screening System within its jurisdiction and to ensure the right of every newborn baby to have an opportunity to undergo a newborn screening and thus be spared from heritable conditions that can lead to mental retardation, serious health complications and death if undetected and untreated.

SECTION 3. OBJECTIVES – This ordinance is enacted with the following objectives:

- 1) To ensure the people of Agusan del Norte with proper information on the nature and benefits of newborn screening in the life of every newborn baby;
- 2) To ensure parents recognize the rights of every children to survival and full and healthy development as normal individual, and
- 3) To protect every newborn baby from certain heritable conditions that can result in mental retardation, serious health complications and death if left undetected and untreated through newborn screening.

SECTION 4 DEFINITION OF TERMS- Under this Ordinance, the following terms shall mean:

Record of 11/28/2012
Robert R. Camba, Jr.
Lawyer (Attorney)

- 1) *Comprehensive Newborn Screening System* means a newborn screening system that includes, but is not limited to, education of relevant stakeholders; collection and biochemical screening of blood samples taken from newborns; tracking and confirmatory testing to ensure the accuracy of screening results; drugs and medical/surgical management and dietary supplementation to address the heritable conditions; and evaluation activities to assess long term outcome, patient compliance and quality assurance.
- 2) *Follow-up* means the monitoring of a newborn with a heritable condition for the purpose of ensuring that the newborn patient complies fully with the medicine of dietary prescriptions.
- 3) *Health institutions* mean hospitals, health infirmaries, health centers, lying-in centers or puericulture centers with obstetrical and pediatric services, whether public or private.
- 4) *Healthcare practitioners* means physicians, nurses, midwives, nursing aides and traditional birth attendants.
- 5) *Heritable condition* means any condition that can result in mental retardation, physical deformity or death if left undetected and untreated and which is usually inherited from the genes of either of both biological parents of the newborn.
- 6) *NIH* means the National Institute of Health
- 7) *Newborn* means a child from the time of complete delivery to 30 days old.
- 8) *Newborn Screening* means the process of collecting a few drops of blood from the newborn onto an appropriate collection card and performing biochemical testing for determining if the newborn has a heritable condition.
- 9) *Newborn Screening Center* means a facility equipped with a newborn screening laboratory that complies with the standards established by the NIH and provides all required laboratory test and recall/follow-up programs for newborns with heritable conditions.
- 10) *Newborn Screening Reference Center* means the central facility at the NIH that defines testing and follow-up protocols, maintains an external laboratory proficiency testing program oversees the national testing database and case registries, assists in training activities in all aspects of the program, oversees content of educational materials and acts as the Secretariat of the Advisory Committee on Newborn Screening.
- 11) *Parent education* means the various means of providing parents of legal guardians information about newborn screening.
- 12) *Recall* means a procedure for locating a newborn with a possible heritable condition for purposes of providing the newborn with appropriate laboratory to confirm the diagnosis and, as appropriate, provide treatment.
- 13) *Treatment* means the provision of prompt, appropriate and adequate medicine, medical, and surgical management or dietary prescription to a newborn for purposes of treating or mitigating the adverse health consequences of the heritable condition.

SECTION 5. SCOPE – This ordinance shall cover all hospitals, health infirmaries, health centers, lying-ins centers or puericulture centers with obstetrical and pediatric services within the jurisdiction of this province except to private hospitals health infirmaries, health centers, lying-ins centers or puericulture centers which are directly monitored by the Department of Health.

SECTION 6. PERFORMANCE OF NEWBORN SCREENING - Newborn screening shall be performed after twenty-four (24) hours of life but not later than three (3) days after delivery. A newborn placed in an intensive care in order to ensure survival may be exempted from the 3-day requirement but must be tested within (7) days of age.

It shall be the joint responsibility of the parent (s) and the practitioner or other person delivering the newborn to ensure that newborn screening is performed.

SECTION 7. REFUSAL TO BE TESTED- A parent or legal guardian may refuse testing on the grounds of religious beliefs, but shall acknowledge in writing their understanding that refusal for testing places their newborn at risk for undiagnosed heritable conditions. A copy of this refusal documentation shall be made part of the newborn's medical record and refusal shall be indicated in the national newborn screening database.

CHAPTER II

IMPLEMENTATION

SECTION 8. PROGRAM MANAGEMENT- The Office of the Governor through the Provincial Health Office headed by the Provincial Health Officer and in coordination with the offices of the City/Municipal Mayors and their respective City/Municipal Health Officers shall be the lead agencies for the effective implementation of this Ordinance;

SECTION 9. DUTIES AND FUNCTIONS OF THE PROVINCIAL HEALTH OFFICER- Unless otherwise provided by law, the Provincial Health Officer shall have the following functions:

1. To implement, monitor, supervise and evaluate the newborn screening implementation in all district and municipal hospitals situated within its jurisdiction.
2. To establish a functional case management referral system with strategically accessible National Comprehensive Newborn Screening System treatment network (NCNBSS);
3. To create a program for purposes of information, education, communication, screening and recall on the Newborn Screening System; and .
4. Establish rules and regulations relating the implementation of this Ordinance.

SECTION 10. MUNICIPAL/ CITY MAYORS- It shall be the responsibility of the City/Municipal Mayors, through their respective City/Municipal Health Officers to monitor and evaluate the implementation of the Newborn Screening System in their respective Rural Health Centers and to perform other roles and responsibilities as may deem necessary for the effective implementation of this ordinance in their respective localities.

SECTION 11. MUNICIPAL / CITY LEGISLATIVE BODIES- The offices of the Sangguniang Panlungsod/Bayan shall enact local ordinances and resolutions integrating Newborn Screening System in the health delivery within their respective territorial jurisdiction and shall encourage creative financial packages to make Newborn Screening accessible to the most economically-deprived populace. Unless otherwise provided by law, no collection of Newborn Screening Test shall be collected more than the maximum standard imposed by the Department of Health.

SECTION 12. BIRTH DELIVERIES- All birth deliveries within the jurisdiction of this province shall be required to perform newborn screening test in every newborn baby without prejudice to the provision of Section.7, Chapter I of this Ordinance.

SECTION 13. RECALL- Every city/municipal government with birthing facilities situated within this province shall establish a recall system for purposes of locating a newborn with possible heritable condition for purposes of providing the newborn with appropriate laboratory to confirm the diagnosis and, as appropriate, provide treatment.

SECTION 14. REFERRAL SYSTEM- There shall be a Provincial Newborn Screening Reference Center, which shall be responsible for the provincial testing database and case registries, training, technical assistance and continuing education for laboratory staff in all Newborn Screening Centers.

SECTION 15. NEWBORN SCREENING FEE- Government health facilities such as hospitals, lying- ins centers, rural health units, health centers are authorized to collect fee/cost for the performance of the Newborn Screening Test the amount of five hundred fifty pesos (Php550.00) and an allowable maximum service fee of fifty pesos(Php50.00) which shall not be more than the prescribed amount imposed by the Department of Health.

SECTION 16. APPROPRIATION - The cost for the purchase of the newborn screening kits and other related expenses for the newborn screening services shall be charged against the respective budgets of the Provincial Health Office, city/municipal district hospitals and the Rural Health Units.

SECTION 17. SANCTION- Except in private hospitals, health infirmaries, health centers, lying-ins centers or puericulture centers with obstetrical and pediatric services where the management and monitoring is under the Department of Health, refusal to provide the Newborn Screening services to the newborn babies in all government hospitals, health infirmaries, health centers, lying-ins centers or puericulture centers with obstetrical and pediatric services within the jurisdiction of this province shall be dealt administratively.

SECTION 18. SEPARABILITY CLAUSE- If, for any reason or reasons, any part of the provisions of this Ordinance shall be declared null and void by the court having jurisdiction, the other portions thereof shall remain legal and valid and in full effect.

SECTION 19. EFFECTIVITY- This Ordinance shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

APPROVED :
ADOPTED : November 12, 2012
AUTHOR : Honorable Daniel O. Racaza
CO-AUTHORS : Honorable Rodolfo A. Pitogo
 : Honorable Francisco J. Rosales
MOVANT : Honorable Daniel O. Racaza
SECONDER : Honorable Rodolfo A. Pitogo

Voting of this ordinance is as follows:

Affirmative : 9 votes
Negative : None
Absent : Hon. Joseph E. Tomaneng
 (Attended a conference held at Almont Inland Resort
 Hotel, Butuan City)
 Hon. Ernie M. Ceniza
 (in Cagayan de Oro City)

CERTIFIED CORRECT:

ATTESTED:


ENRICO R. CORVERA
Vice Governor, Presiding Officer


ALFREDO M. RAFANAN
Secretary to the Sanggunian,

26 NOV 2012

JOSEPH E. TOMANENG
Board Member



AQUINO W. GAMBE
Board Member


REY G. JAMBOY
Board Member


JAMES T. RESERVA
Board Member


LORITO C. MARAGAÑAS
Board Member


RODULFO A. PITOGO
Board Member


DANIEL O. RACAZA
Board Member


FORTUNATO J. ROSALES
Board Member


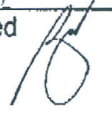
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ERNIE M. CENIZA
Board Member, PCL


RAYMUNDO M. BELUAN, JR.
Board Member, FABC

RONICA P. CHUNG
Board Member, FSK

APPROVED:
SUBMITTED TO THE GOVERNOR
DATE: 26 NOV 2012


ERLPE JOHN M. AMANTE
Provincial Governor
27 NOV 2012
Date Approved 

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