

COMMITTEE REPORT No. 18

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COMMITTEE REPORT No. 18

Submitted by the Committee on Public Health
and Hygiene on September 6, 1934

The Constitutional Convention
Thru the Honorable President
Manila

Gentlemen:

Your Committee on Public Health and Hygiene begs leave to report that after a conscientious deliberation it has decided to support an item or article creating a Department of Health whose head shall be a member of the Cabinet. In so deciding, the Committee members believe that among the economic values of the nation the human being is uppermost and of inestimable importance. Hence, it is held that every Filipino citizen or any alien living with us should be given all protection that science can offer in the preservation of his physical wellbeing and also given all the technical assistance that may be necessary in his fight against diseases, especially those considered preventable.

From such a premise the following considerations have been given due weight:

- The Philippines is still very much underpopulated.
- While great advances have been made in public health during the last thirty years with consequent reduction of general and infant mortality, still there is no doubt that our mortality statistics remain very high. We cannot ignore this situation or allow it to remain unchecked if we are determined to create increased manpower which is very important, from the standpoint of national defense and which we believe is our weakest point at present.
- The creation of a separate Department of Health will give notice to the people of the importance of health and health measures. All community health agencies are more or less governmental because their funds are obtained from public subscription or coming from direct appropriations by the Government. With a centralized health department under which associated charities and beneficent institutions shall be controlled, we will, for sure, prevent friction, overlapping and the duplication of work; consequently, the greatest efficiency of personnel will be attained at minimum cost. There is no doubt that once efficiency is achieved, unnecessary expenses for personnel and sundries will be readily avoided.
- Experience has shown that in such countries as England, Cuba, Poland, Hungary, Austria, Germany, Soviet Russia, Czechoslovakia, Yugoslavia, Australia, Canada, Chile, Japan and others, and France lately among them, where a separate Department of Health was introduced, health control work has been found more efficient.
- This Department of Health is not a new thing in the Philippine Islands. As far back as 1923, Senate Bill No. 202 providing for the creation of a Department of Health was approved by the Philippine Legislature, but the Chief

Executive was forced to veto it on technical grounds, stating that the limitation imposed upon our Legislature did not permit the creation of a Department of Health. Governor General Wood, however, was in full sympathy with said Department; and for the information of the Constitutional Convention, your Committee reproduces his statement verbatim:

"I am however in sympathy with the idea of creating a separate department of health, realizing that the burden which now falls upon the Department of Public Instruction, charged as it is with the supervision and direction of the activities relative to public education and public health, is greater than what should fall upon any one department of the Government."

- Now that we are drafting the Constitution of the land, in which it is true that there are certain limitations, your Committee feels, however, that creating a Department of Health will in no way be contrary to the mandatory provisions of the Tydings-McDuffie Act. Your Committee honestly and sincerely believes that the technical reason for the veto of Governor Wood is nothing at all because it is clear that he himself was in full sympathy with an independent health department, only he had to disapprove it because of the constitutional limitations in the Jones Act. It is needless for your Committee to emphasize this fact because repeatedly we have stated that manpower is and shall be the mainstay of our government. We shall try, therefore, to concentrate all our duties on the attainment of this power that makes an independent Philippines that will not be shortlived but enduring as the test of time or the Rock of Gibraltar.

The Committee, therefore, has formulated and is proposing the attached provisions for approval by the Constitutional Convention.

Respectfully submitted,

(Sgd.) ANTONIO VILLARAMA
Chairman
Committee on Public Health and
Hygiene

Section The Congress shall provide for the establishment and maintenance of the Department of Public Health, whose head shall have the rank of Secretary or Minister, who shall have exclusive supervision and control of all matters relating to public health and charities or beneficences, with such powers and duties as may be prescribed by law, and also for the establishment and maintenance of such local branches as may be necessary to be under the supervision of the department, to such extent and with such powers as may be prescribed by law.

Section..... No foreigner shall be allowed to practise medicine, pharmacy, dentistry, veterinary science and other professions of academic nature, except citizens or subjects of those countries where Filipinos are allowed and are actually practising similar professions.

Section..... There shall be a Philippine Pharmacopoeial Commission whose functions shall be determined by law.

Section All fermented, distilled or other intoxicating liquids, drugs, medicines, toilet articles, cosmetics and patent preparations passing into the Philippine Commonwealth and remaining therein for use, consumption, sale, or storage, shall be subject to the laws of the State.

Section..... The Philippine Legislature shall have legislative power as regards the following:

(a) The adoption of standards for foods and drugs.

(b) Copyrights, patents or inventions and designs and trade marks shall be protected by law.

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