

MALACAÑANG

Manila

MFN 359

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 49

DIRECTING THE MANDATORY USE OF THE PHILIPPINE NATIONAL DRUG FORMULARY (PNDF) VOLUME I AS THE BASIS FOR PROCUREMENT OF DRUG PRODUCTS BY THE GOVERNMENT

WHEREAS, the 1987 Constitution of the Philippines provides as State Policies that:

- a. "The State shall protect and promote the right to health of the people and instill health consciousness among them" (Section 15, Article II, 1987 Constitution).
- b. "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost" (Section 11, Article XIII, 1987 Constitution).
- c. "The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems" (Section 12, Article XIII of the 1987 Constitution).

WHEREAS, paragraphs 3 and 4, Section 2, of the Generics Act of 1988 declare as the policy of the State, among others, that:

- aa. "To encourage the extensive use of drugs with generic names through a rational system of procurement and distribution."
- bb. "To emphasize the scientific basis for the use of drugs, in order that health professionals may become more aware and cognizant of their therapeutic effectiveness."

WHEREAS, Section 4 of the Generics Act of 1988 provides that:

- aaa. "In the promotion of the generic names for pharmaceutical products, special consideration shall be given to drugs and medicines which are included in

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the essential drug list to be prepared within one hundred eighty (180) days from approval of this Act and updated quarterly by the Department of Health on the basis of health conditions obtaining in the Philippines as well as on internationally-accepted criteria.'

bbb. "The exclusive use of generic terminology in the manufacture, marketing and sales of drug and medicines, particularly those in the essential drug list, shall be promoted through such system of incentives as the Board of Investments jointly with the Department of Health and other government agencies as may be authorized by law, shall promulgate in accordance with existing laws, within 180 days after approval of this Act."

WHEREAS, in order to promote rational use of drugs and medicines in government and as a logical extension of the successful implementation of DOH-D.O. 104, s. 1991, which makes mandatory the use of the Philippine National Drug Formulary (PNDF) (Volume I) or Essential Drugs List as the basis for the procurement of drug products by the Department of Health, ALL GOVERNMENT ENTITIES CONCERNED ARE MANDATED TO USE THE CURRENT PNDF (VOL. I) AS THE BASIS FOR PROCUREMENT OF DRUG PRODUCTS;

WHEREAS, the PNDF (Volume I) is the Essential Drugs List for the Philippines prepared by the National Drug Committee (NDC) in consultation with experts and specialists from organized professional medical societies, medical academe, and pharmaceutical industry, and which is updated every year, consisting of two parts, namely: the Core List and the Complementary List, wherein the Core List drugs are the essential drugs which are needed by the majority of the population and should therefore be available at all times in appropriate dosage forms and in sufficient quantities, while the Complementary List drugs are those drugs needed for treating rare disorders, drugs with special pharmaceutical properties, and alternative drugs to be used when there is no response to the Core List drugs or when the Core list drugs cannot be administered for one reason or another;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

The following procedures shall be followed to implement this Order:

1. The Therapeutic Committee/Physician-in-Charge of the Clinic or Infirmary/Procurement Officer, whichever is applicable, shall be responsible for determining which products and the corresponding quantity to be procured by the respective government entities.
2. Every requisition and issue voucher (RIV) or any request to purchase drug, including those falling under Emergency Purchase authorized under the General Appropriation Act shall be accompanied by a certification signed by the requisitioning officer that the drug products being requisitioned or procured fall within and conform with PNDF Volume I, current edition
3. The Commission on Audit shall instruct all unit auditors/heads of auditing unit to monitor compliance with this order and to disallow in audit, claims/disbursements, either from regular budget, local and/or trust funds, covering the procurement by any mode, of drugs and medicines which are not within the PNDF Volume I, current edition.
4. For drugs not listed in the PNDF Vol. I, a written request with corresponding justification addressed to the Head of the National Drug Policy Office who may approve or disapprove the request. In determining whether the drug(S) requisitioned is justified or not, the said Head may refer such request to the National Drug Committee (NDC), as needed.

Any violation of this Order shall be construed as a conduct grossly prejudicial to the best interest of the service or grave misconduct, as the case may be, per P.D. 807 and CSC-M No. 30, s. 1989.

This Order shall take effect immediately.

Done in the City of Manila, this ^{21st} day of ^{January} in the year of Our Lord, nineteen hundred and ninety three ^N

By the President:



ANTONIO T. CARPIO



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