



Republic of the Philippines
Province of Cavite
City of Imus

OFFICE OF THE CITY MAYOR

EXECUTIVE ORDER No. 011

Series of 2023

**"AN ORDER CREATING THE MEDICINES CONSIGNMENT COMMITTEE
(MCC) OF THE CITY OF IMUS"**

WHEREAS, the 1987 Constitution of the Philippines provides that the State shall adopt an integrated and comprehensive approach to health development, which shall endeavor to make essential goods, healthy and other social services available to all the people at affordable cost (Section II, Article XIII);

WHEREAS, consignment as defined under the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 refers to an arrangement where the following requisites are present: (a) delivery of goods by their owner (consignor), without sale, to a government agency (consignee); (b) consignee must try to sell the goods and remit the price of the sold goods to the consignor; (c) consignee accepts without any liability except for failure to reasonably protect them from damage; (d) no disbursement of government funds is involved; and (e) at terms not disadvantageous to the Government of the Philippines;

WHEREAS, the Government Procurement Policy Board (GPPB) recognizes and opines that drug consignment system is not a procurement activity and does not involve disbursement of public funds. Thus, it does not fall within the provisions of R.A. No. 9184 and its Implementing Rules and Regulations. Further, GPPB has recognized and affirmed the drug consignment system as one mode designed by the Department of Health (DOH) to bridge the gap between the mandate to deliver basic health services to the public and the inadequacy of resources to meet the mandate and adhere to the basic principle of transparency and competitiveness;

WHEREAS, R.A. No. 6675, otherwise known as the "Generics Act of 1988", is one of the mechanisms for progressive realization towards providing greater access to essential medicines. The way forward, therefore, is for the government and other key stakeholders to see these policies put into practice and make essential medicines available and affordable at the point of service delivery;



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WHEREAS, Section 19 (C)(2), Chapter 3 of R.A. No. 9502, otherwise known as the "Universally Accessible Cheaper and Quality Medicines Act of 2008", provides that the Secretary of Health shall have the power to implement any other measures that the government may avail of to effectively reduce the cost of drugs and medicines that shall include, but shall not be limited to competitive bidding, price volume negotiations, and other appropriate mechanisms that influence supply, demand, and expenditure on drugs and medicines;

WHEREAS, Rule 35, Chapter 7 of the Joint DOH-DTI-BFAD Administrative Order No. 2008-01, entitled "The Implementing Rules and Regulations of RA 9502", states that Rules governing Consignment shall follow the DOH Guidelines under A.O. No. 145, series of 2005;

WHEREAS, among the courses of action that was projected to be viable alternative in bringing into realization such commitment is the procurement of drugs through consignment method. This strategy was achieved under Administrative Order No. 2006-0039 and its addendum also known as the Amended Policies and Guidelines for the Institutionalization and Decentralization of the Department of Health Drug Consignment System;

WHEREAS, there is a need to constitute the Medicines Consignment Committee pursuant to DOH A.O. No. 2019-0058;

NOW THEREFORE, I, ALEX L. ADVINCULA, Mayor of the City of Imus, by virtue of the powers vested upon me by law, do hereby order the following:

SECTION 1. COMPOSITION. - The MCC shall be composed of the following:

Chairman	:	Dr. Mary Del Agarín-Bathan Chief of Medical Professional Staff
Co-Chair	:	Ms. Alicia Camama Head, Nursing Division
Members	:	Mr. Mark Joffrey Diato Property and Supplies Section



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Ms. Avelina Satorre
Accounting Section Head

Ms. Sarah Jane P. Parales
Chief Pharmacist

Mr. Lauro D. Monzon
General Services Officer (Procurement Section)

SECTION 2. DUTIES AND RESPONSIBILITIES. - The MCC shall perform the following duties and responsibilities:

1. Assure the dissemination of information of the consignment system and monitor its implementation;
2. Assure that the Approved Budget for the Contract (ABC) is based on the current edition and latest policy of the Drug Price Reference Index (DPRI) of the DOH;
3. Assure that all pharmaceutical products shall fall under the specifications of the current edition of the Philippine National Formulary (PNF);
4. Review the proposal made by suppliers and to determine the most responsive Consignor in consultation with the Bids and Awards Committee (BAC);
5. Conduct regular review of the consignment system and formulate action plans and operational policies for approval of the head of hospital or government health unit; and
6. Prepare an annual monitoring report that includes list of consigned medicines with prices, approved contracts, issues and concerns and shall be submitted to DOH-Health Regulation Team (DOH-HRT) through the Pharmaceutical Division (PD), copy furnished the Chief of Hospital or government health unit, Center for Health Development (CHD) Office, Pharmacy and Accounting Units, if any, on or before the 10th day of January of the following year;
7. Issue Certification that prices of consigned drugs are competitively determined.



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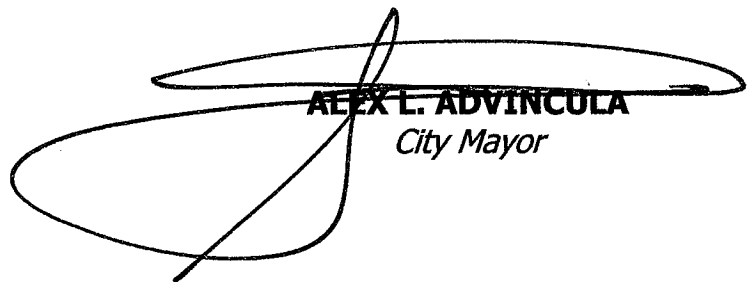
SECTION 3. OTHER PROVISIONS. - The MCC shall strictly adhere and conform to the procedures, system, and other matters as provided for under DOH Administrative Order No. 2019-0058, and any other regulations relative to the process of consignment.

SECTION 4. SEPARABILITY CLAUSE. If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 5. REPEALING CLAUSE. All orders, rules, regulations, issuances, or parts thereof which are inconsistent with this order are hereby repealed, amended, or modified accordingly.

SECTION 6. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE and **SIGNED** this 15th day of March 2023, City of Imus.


ALEX L. ADVINCULA
City Mayor