



Republic of the Philippines
MUNICIPALITY OF PANIQUI
 Province of Tarlac

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BAYAN OF PANIQUI, TARLAC FOR THE TERM YEAR 2019-2022 HELD ON MAY 29, 2020 AT THE SB SESSION HALL.

PRESENT: Hon. Javerne C. Santillan, *member-Temporary Presiding Officer*
 Hon. Felomina F. Bravo, *member*
 Hon. Christian Alfred F. Cuchapin, *member*
 Hon. Charo G. Oca, *member*
 Hon. Nestor B. Castro, *member*
 Hon. Robert J. Torio, *member*
 Hon. Mary Anne B. Fernandez, *member*
 Hon. Linda B. Manuel (ABC Pres.), *Ex-Officio member*
 Hon. Karl Bernard M. Obcena (SK Pres), *Ex-Officio member*

ABSENT: Hon. Aida D. Roxas II-Vice Mayor- *Privilege Leave*
 Hon. Rachilda Myra O. Garcia, *member-Privilege Leave*

ORDINANCE NO. 005-S2020

AN ORDINANCE PROHIBITING ANY PERSON FROM COMMITTING ANY ACT, WHICH CAUSES STIGMA, DISGRACE, SHAME, HUMILIATION, HARASSMENT OR OTHERWISE KNOWN AS DISCRIMINATING AGAINST A PERSON INFECTED, UNDER MONITORING OR INVESTIGATION, SUSPECT OR PROBABLE CASES DUE TO THE COVID-19 VIRUS INCLUDING PUBLIC AND PRIVATE DOCTORS, NURSES, HEALTH WORKERS, EMERGENCY PERSONNEL AND VOLUNTEERS, SERVICE WORKERS WHO ARE ASSIGNED TO HOSPITALS OR OTHER FACILITIES WHERE THESE PERSONS ARE BEING TREATED, AND IMPOSING THE APPROPRIATE PENALTIES THEREIN, HEREIN OTHERWISE KNOWN AS THE "ANTI COVID-19 DISCRIMINATION ORDINANCE OF THE MUNICIPALITY OF PANIQUI"

Author: Coun. Mary Anne B. Fernandez; Co-authors: Coun. Felomina F. Bravo; Coun. Christian Alfred F. Cuchapin; Coun. Javerne C. Santillan; Coun. Charo G. Oca; Coun. Nestor B. Castro; Coun. Robert J. Torio; ABC Pres. Linda Manuel; SK Pres. Karl Bernard M. Obcena

WHEREAS, on March 9, 2020, President Rodrigo Duterte issued Proclamation No. 922, declaring a State of Public Health Emergency throughout the Philippines due to the Corona Virus Diseases 2019 (Covid-19) and the Code Alert System for COVID-19 was raised to Code Red Sub-Level Two (2) in accordance with the recommendation of the Department of Health (DOH) and the Inter-Agency Task Force for Emerging Infectious Diseases (IATF). Further, Presidential Proclamation No. 929, Series of 2020 was issued declaring a State of Calamity throughout the Philippines due to Covid-19.

WHEREAS, since the emergence of COVID-19 we have seen instances of public stigmatization among persons who have contracted the diseases, including PUIs and PUMs or the so called SUSPECTS and PROBABLE patients, and the rise of harmful stereotypes. This means that people are being labeled, stereotyped, separated and/or experience loss of status and discrimination because of a potential negative affiliation with the disease. Stigmatization could drive people to hide the illness to avoid discrimination or prevent people from seeking health care immediately and discourage them from adopting healthy behaviors; this is detrimental to public health and safety.

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WHEREAS, the Department of Health recently warned the public against discrimination against persons reported to have contracted COVID-19 as well as PUIs, PUMs including health workers and emergency workers who are among those in the frontlines of the battle against the rapidly spreading COVID-19; The DOH stated “that with the world confronted with a virus with little information known, it is human to be afraid. But we must not allow hysteria and paranoia to result in irrational treatment of people”.

WHEREAS, the 1987 Philippine Constitution under Article III, Section 1 provides that every person has the right to life, liberty, security of person and privacy and the right to be free from discrimination. Furthermore, under Section 11 thereof, the State values the dignity of every person and guarantees full respect for human rights.

NOW THEREFORE, on motion of Councilor Mary Anne B. Fernandez, unanimously seconded, **RESOLVED**, as it is hereby Resolved, to enact AN ORDINANCE PROHIBITING ANY PERSON FROM COMMITTING ANY ACT, WHICH CAUSES STIGMA, DISGRACE, SHAME, HUMILIATION, HARASSMENT OR OTHERWISE KNOWN AS DISCRIMINATING AGAINST A PERSON INFECTED, UNDER MONITORING OR INVESTIGATION, SUSPECT OR PROBABLE CASES DUE TO THE COVID-19 VIRUS INCLUDING PUBLIC AND PRIVATE DOCTORS, NURSES, HEALTH WORKERS, EMERGENCY PERSONNEL AND VOLUNTEERS, SERVICE WORKERS WHO ARE ASSIGNED TO HOSPITALS OR OTHER FACILITIES WHERE THESE PERSONS ARE BEING TREATED, AND IMPOSING THE APPROPRIATE PENALTIES THEREIN, HEREIN OTHERWISE KNOWN AS THE “ANTI COVID-19 DISCRIMINATION ORDINANCE OF THE MUNICIPALITY OF PANIQUI”

Be it ordained by the SANGGUNIANG BAYAN OF PANIQUI, TARLAC in session assembled. THAT:

SECTION 1. TITLE – This Ordinance shall be known as “Anti Covid-19 Discrimination Ordinance of the Municipality of Paniqui.

SECTION. 2. DEFINITIONS

1. SUSPECT CASE

- A. A patient with acute respiratory illness (fever and at least one sign/symptom of respiratory disease eg. cough, shortness of breathing and a history of travel to or from a location with reported community transmission of COVID19 virus during the 14 days prior to symptom onset.
- B. A patient with acute respiratory illness and having been in contact with a confirmed or probable COVID19 patient in the last 14 days prior to onset of symptoms.
- C. A patient with acute severe respiratory illness (fever and at least one sign/symptom of respiratory disease eg. shortness of breath, cough and requiring hospitalization) and in the absence of an alternative diagnosis that fully explains the clinical condition

2. PROBABLE CASE

- A. A suspect case which COVID testing performed is inconclusive (being the result of the test as reported by the laboratory that performed the test.
- B. A suspect of which testing could not be performed for certain reasons as deemed by the attending health personnel.

The block contains two handwritten signatures in black ink. The top signature is a stylized, cursive name that appears to be 'MAY'. The bottom signature is also cursive and appears to be 'MAY' followed by a flourish.

3. **CONFIRMED CASE** – A person with laboratory confirmation of COVID19 infection, irrespective of clinical signs and symptoms.
4. **CONTACT** – is a person who experienced any of the following exposures during the 2 days before and the 14 DAYS after the onset of symptom of a probable confirmed case:
 - A. Face to face contact with a probable or confirmed case within 1 meter and for more than 15 minutes. The period of contact is measured as the 2 days before through the 14 days after the date on which the sample was taken that led to confirmation.
 - B. Direct physical contact with a probable or confirmed case
 - C. Direct care for a patient with probable or confirmed COVID19 disease without using proper personal protective equipment.
 - D. Other indications as indicated by local risk assessments.
5. **HEALTH WORKERS** – are those who deliver care and services to the sick and ailing either directly or indirectly. Health workers include among others, doctors, nurses, hospital, and clinic aides and laboratory technicians as well as ambulance drivers and patient carriers and transporters.
6. **FRONTLINERS** – include officers and members of the PNP, AFP, PCG and instrumentalities of the government rendering emergency frontline services, border control and other critical services. It may also include service workers who are working in private establishments providing basic necessities and such activities related to food and medicine production, i.e. public markets, supermarkets, groceries, convenience stores, hospitals, medical clinics, pharmacies and drug stores, food preparation and delivery services, water-refilling stations, manufacturing and processing plants of basic food products and medicines, banks, money transfer services, power, energy, telecommunications and water supplies and other related facilities.

SECTION 3. - UNLAWFUL ACTS

- a. It shall be unlawful for any person, whether natural or juridical, to commit any act or make utterances which cause or tend to cause stigma, disgrace, shame, humiliation, harassment or otherwise discriminating against a person infected, under investigation or monitoring due to Covid-19, health worker or frontliner as defined under this Ordinance which is not limited to the use of social media ,media and the likes weather it be verbally directing to abovementioned persons or written posts on social media.
- b. If any public official refuses or fails to give assistance to a person infected, under investigation or monitoring due to Covid-19, health worker or frontliner who intends to return to his/her place of residence or domicile, after obtaining clearance of the Covid-19 infection from the proper health officials, he/she shall be equally liable under this section.
- c. Any person who shall publicly claim, post on social media, spread or announce that a person is infected, is under investigation or monitoring due to Covid-19 whether or not the same has been confirmed or validated from the list given by authorized proper health officials, agency or department, shall also be liable under this section. EXCEPT when the patient concerned waived his/her right to privacy and for purposes of contact tracing and other medical purposes.




- d. Unauthorized disclosure of private and confidential information pertaining to a patient's medical condition. Furthermore disclosure of confidential information will not be considered violation of this Ordinance if the disclosure was made to comply with legal order issued by court of law with competent jurisdiction.
- e. Tampering of records or intentionally providing misinformation or fake news.
- f. Non cooperation of persons and entities that should report and/or respond to notifiable diseases or health events of public concern
- g. Non cooperation of the person or entities identified as having the notifiable disease, or affected by the health event of public concern.
- h. Denying or refusing recovered COVID19 patients, health workers, and essential workers to basic goods and services, accommodation, or lodging.
- i. inflicting physical harm or threatening to inflict physical harm on persons suspected, probable, or confirmed COVID19 cases.
- j. Inflicting or threatening health workers and essential workers.

SECTION 4. PENALTIES – Any person caught in violation of Section 3 hereof shall be fined with **TWO THOUSAND FIVE HUNDRED PESOS (PHP2,500,00)** or imprisonment not exceeding six (6) months or both at the discretion of the court. If the offender is a public officer, the maximum penalty herein shall be imposed.

Juridical Person – If committed by a juridical person, the President, General Manager, Corporate Secretary or person with related interest in the Corporation or Partnership or Association shall be held liable or penalized accordingly.


SECTION 5. ENFORCEMENT – This Ordinance shall be primarily implemented by the Office of the Local Chief Executive, to be assisted by the following authorities: a.) PNP-Paniqui, b.) Municipal Health Office c.) Punong Barangays and their Bantay Bayan.

SECTION 6. SEPARABILITY CLAUSE – If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts of provisions hereof, which are not affected thereby, shall continue to be in full force and effect.


SECTION 7. EFFECTIVITY CLAUSE – This Ordinance shall take effect immediately upon approval by the Sangguniang Bayan subject to existing posting and publication rules and regulations.

SO ORDAINED.

CERTIFIED CORRECT:


RUBY C. FRONDA
 Secretary to the Sanggunian

ATTESTED:


HON. JAVERNE C. SANTILLAN
 Councilor/Temporary Presiding Officer

APPROVED:


HON. LEONARDO M. ROXAS
 Municipal Mayor