

[EXECUTIVE ORDER NO. 118, November 04, 2020]

DIRECTING THE DEPARTMENT OF HEALTH, IN COORDINATION WITH THE DEPARTMENT OF TRADE AND INDUSTRY, TO ENSURE ACCESSIBILITY AND AFFORDABILITY OF COVID-19 TESTS AND TEST KITS

WHEREAS, Article II, Section 15 of the Constitution declares it a policy of the State to protect and promote the right to health of the people;

WHEREAS, Article XIII, Section 11 of the Constitution provides that 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 people at affordable cost;

WHEREAS, Proclamation Nos. 922 (s. 2020) and 1021 (s. 2020) declared a state of public health emergency and an extension of the state of calamity, respectively, throughout the country due to the COVID-19 pandemic;

WHEREAS, Section 3 of Republic Act (RA) No. 11494 or the "*Bayanihan to Recover as One Act*," declares it a policy of the State to sustain efforts to test, trace and treat COVID-19 cases to mitigate the transmission of the disease and prevent further loss of lives, and to reduce the adverse impact of COVID-19 on the socioeconomic well-being of all Filipinos through the provision of socioeconomic relief;

WHEREAS, Section 4(c)(1) of RA No. 11494 provides that the Inter-Agency Task Force for the Management of Emerging Infectious Diseases, in full cooperation with the Department of Health (DOH) and other concerned government agencies, shall ensure adequate number of COVID-19 testing centers that provide available, affordable and accessible testing;

WHEREAS, Section 4(r) of RA No. 11494 grants the President temporary authority to enforce measures to protect the people from hoarding, profiteering, injurious speculations, manipulation of prices in restraint of trade or other pernicious practices affecting the supply, distribution and movement of medicine and medical supplies, whether imported or locally produced or manufactured;

WHEREAS, Section 7 of RA No. 7581 or the "Price Act," as amended, provides that the President, upon the recommendation of an implementing agency, or the Price Coordinating Council, may impose a price ceiling on any basic necessity or prime commodity during the existence or effects of a calamity or emergency;

WHEREAS, it is a priority of the State to ensure that the general public, especially those from low and middle income households, have an equitable access to quality and affordable health care services such as COVID-19 tests; and