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Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION OF THE 10TH SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON MARCH 10, 2022 AT NASUCOB ELEMENTARY SCHOOL, BARANGAY NASUCOB, BULALACAO, ORIENTAL MINDORO

PRESENT:

- | | |
|------------------------------|--|
| Hon. Ramon G. Magbanua | Municipal Vice Mayor/Presiding Officer |
| Hon. Dexter R. Gonzales | Sangguniang Bayan Member |
| Hon. Dennes M. Faner | Sangguniang Bayan Member |
| Hon. Edezer F. Aceron | Sangguniang Bayan Member |
| Hon. German S. Acosta | Sangguniang Bayan Member |
| Hon. Kieven E. Cantos | Sangguniang Bayan Member |
| Hon. Jess V. Sapungan | Sangguniang Bayan Member |
| Hon. Edwin C. Aceron | Sangguniang Bayan Member |
| Hon. Enrico C. Villas | Pangulo, Liga ng mga Barangay |
| Hon. Tulay M. Caring | IPM Representative |
| Hon. Kim Jonh Elco E. Cantos | SK Federation President |

ABSENT:

- | | |
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| Hon. Elpidio N. Contreras, Jr | Sangguniang Bayan Member |
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MUNICIPAL ORDINANCE NO. 22-03-315

AN ORDINANCE CREATING THE BULALACAO MULTI-SECTORAL SEXUALLY TRANSMITTED DISEASES (STD), HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) COUNCIL FOR THE PREVENTION AND CONTROL OF SEXUALLY TRANSMITTED INFECTION, DEFINING ITS FUNCTIONS AND PROVIDING FUNDS AND FOR OTHER PURPOSES

Author and Sponsor

Sangguniang Bayan Member JESS V. SAPUNGAN
Chairperson, Committee on Health and Sanitation

Sponsors

Sangguniang Bayan Member EDEZER F. ACERON
Chairperson, Committee on Ordinances and Legal Matters

Sangguniang Bayan Member DEXTER R. GONZALES
Chairperson, Committee on Finance, Budget and Appropriation

Co-Sponsors:

Sangguniang Bayan Member EDWIN C. ACERON
Sangguniang Bayan Member DENNES M. FANER

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro.

SECTION 1. - Title – This ordinance shall be known as the “**2022 Bulalacao STD, HIV/AIDS Council Ordinance**”.

SECTION 2. – Creation of the Bulalacao Multi-Sectoral STD/HIV and AIDS Council for purposes of brevity is hereby created for the prevention and control of HIV/AIDS in Bulalacao;

HON. RAMON G. MAGBANUA
HON. EDWIN C. VILLAS
HON. JESS V. SAPUNGAN
HON. DENNES M. FANER
HON. EDWIN C. ACERON
HON. ENRICO C. VILLAS
HON. GERMAN S. ACOSTA
HON. KIEVEN E. CANTOS
HON. DEXTER R. GONZALES
HON. TULAY M. CARING
HON. KIM JONH ELCO E. CANTOS
PEAVITA V. PAZ

SECTION 3. Purpose- The Council is created to be the central advisory, planning and policy making body on the prevention and control of HIV/AIDS;

SECTION 4. Definition of Terms - As used in this ordinance, the following terms are defined as follows;

- a. Acquired Immunodeficiency Syndrome (AIDS) – a condition characterized by a combination of signs and symptoms, caused by HIV contracted from other person and which attacks and weakens the body’s immune system, making the affected individuals susceptible to other life – threatening infections.
- b. Behavioral Surveillance – a systematic and regular collection of information on risk behaviors and co-factors of the transmission of HIV infection among population groups.
- c. Entertainment Establishment – are business establishments that include but not limited to bars, nightclubs, disco houses, cocktail lounges, massage clinic, videoke bars, sing-along pub houses and other similar establishment that are required to secure a permit to operate within Bulalacao.
- d. Human Immunodeficiency Virus (HIV)-refers to the virus which cause AIDS.
- e. HIV/AIDS Education – the provision of information on the causes, prevention and consequences of HIV/ AIDS and activities designed to assist individuals to develop the confidence and skills needed to avoid HIV Transmission and to develop more positive attitudes towards people living with HIV/AIDS.
- f. Peer Educator – a person belonging to the same group or social network to the target population, who is trained to conduct HIV/AIDS health education activity.
- g. HIV/AIDS Prevention and Control – the program, strategies and measures aimed at protecting non- infected persons from contracting HIV and minimizing the impact of the condition on people living with HIV/AIDS.
- h. Prophylactic – refers to any agent or device used to prevent the transmission of the disease, i.e. condom.
- i. Reproductive Health – It is a state of complete physical, mental and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive health system and its function.
- j. Serological Surveillance – a systematic and regular collection of blood samples to identify the distribution and trends of HIV infection among selected groups.
- k. Sexually Transmitted Diseases (STD) any disease that is acquired or transmitted through sexual contact.
- l. Passive Surveillance – refer to HIV registry in which the health authorities receive report from physicians, clinics and laboratories of HIV/AIDS confirmed cases.
- m. Active Surveillance – refer to sentinel serologic surveillance which is the systematic and regular collection of blood samples to identify the distribution and trends of HIV infection among selected groups.

HON. KIEVANTE CASPOS
 PERLITA L. PAZ
 HON. GERMAN S. ACOSTA
 KIM JOHN ELCO ESCANTOS
 TULAYMI CARING
 HON. EDZIER F. ACERON
 HON. ENRICO C. VILLAS
 HON. DENNIS M. FANER
 HON. EDWIN C. ACERON
 HON. DEXTER B. GONZALES
 HON. JESS V. SAGUNGAN
 HON. ERIC A. MAGBANUA
 HON. ERNULO C. VILLAS

SECTION 5. Composition. The Council shall be composed of the following:

- | | |
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| Chairman | - Municipal Mayor |
| Co- Chairman | - Municipal Health Officer |
| Members | - Sangguniang Bayan, Committee on Health |
| | - Sangguniang Bayan, Committee on Family |
| | - Municipal Social Welfare Development Officer |
| | - DILG |
| | -Pangulo, Liga ng mga Barangay |
| | -IPMR |
| | - Sangguniang Kabataan Federation President |
| | - Chief of Hospital |
| | - Representative from DepEd |
| | - Two (2) representatives from accredited NGO's actively involved in programs, activities and advocacy with STD/HIV AIDS prevention. |

A permanent representative shall be designated by each member of the Council, who, in case of their absence, will represent them during meetings or activities of the council. The representative shall not be in any case a Job Order Worker or Contract of Service Worker.

SECTION 6. – Term of office of representatives from Non- government organization (NGO's) to the council – The term of office of the representatives from the NGO's shall be co-terminus with the term of the appointing authority; provided that the organizations from which they are representative must continue to exist and must maintain the purpose for which they are chosen;

SECTION 7. Powers and Functions - For the attainment of the aforementioned purpose, the Bulalacao STD/HIV and AIDS Council shall be charged and vested with the following powers and functions and such plan shall be subject for approval of the Sangguniang Bayan.

- a. Formulate policies and strategies for the prevention and control of STD/HIV/AIDS within the Municipality of Bulalacao.
- b. Prepare short, medium, and long term plans for the prevention and control of STD/HIV/AIDS;
- c. Monitor and evaluate the implementation of its program and plans, campaigns and strategies;
- d. Organize and encourage owners/operators/managers of registered entertainment establishments, sauna and massage parlors to actively participate in the prevention and control of STD/HIV/AIDS;
- e. Identify and recommend priorities and gaps in the local STD/HIV/AIDS related cases.
- f. Conduct periodic information, education and communication activities in the promotion of prophylactic, reproductive health, prevention and control of STD/HIV/AIDS.
- g. Conduct regular seminars in all educational institution from private to tertiary level and to distribute, disseminate, circulate, publish or broadcast modules, pamphlets, booklets, brochures or other forms of information be it written verbal, audio, or video.

HON. KIEVER E. CANTOS
PERMALAZ

HON. GERMA S. AGOSTA
KIM JONH E. COE CANTOS

HON. EDIEZER F. ACERON
TULYANI CARING

HON. ENRICO C. VILLAS

HON. DERMES M. FANER
HON. EDWIN C. ACERON

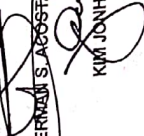
HON. BEXTER GONZALES
HON. JESS V. SAPIANGAN

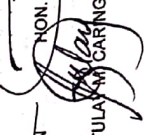
HON. RAMON E. MAGBANUA
HON. LERNIE C. VILLAS

- h. Conduct regular seminars/forums/dialogues in all government institutions and agencies and its subdivisions whether national or local including government owned or controlled corporations found within the territorial jurisdiction of the Municipality of Bulalacao as well as private establishments and to contribute, disseminate, circulate, publish or broadcast modules, pamphlets, brochures or other forms of information be it written, verbal, audio, or video
- i. Conduct yearly STD/HIV/Aids Serological and behavioural Surveillance, in coordination with the Reproductive Health Division (RHD) and the Municipal Health Office (MHO) among the people with high-risk sexual behaviour or those who by the nature of their work is prone to contacting STD/HIV/AIDS virus.
- j. Initiate skill training, advocacy program and development strategies to benefit the people with the high- risk contacting STD/HIV/AIDS virus
- k. Monitor/ inspect/examine, regularly the facilities, practices and procedures of hospitals, medical mission, medical/dental clinics, medical/dental laboratories, medical/dental testing centers and blood banks located within the territorial jurisdiction of the Municipality of Bulalacao whether they are public and private owned, for profit or charitable purpose and evaluate whether or not they have complied with the existing minimum standards in the prevention and containment of STD/HIV/AIDS diseases;
- l. Recommend to the Sangguniang Bayan enactment of laws and ordinances that shall assist in the control and prevention and containment of STD/HIV/AIDS;
- m. Recommend the closure or imposition of sanction or penalties of any establishment found violating the prohibited acts as mentioned under this ordinance;
- n. Assist in the source / request for funding and recommend allocation of resources;
- o. To act as the private agency that shall represent the Municipality of Bulalacao in all conventions, conferences, forums or gathering of other agencies, organizations, leagues, chambers or groupings whether national, local or international pertaining to the issue of STD/HIV/AIDS;
- p. To monitor in the coordination with the Municipal Health office STD/HIV/AIDS cases.
- q. To identify STD/HIV/AIDS cases through passive and active surveillance, and
- r. To reform all other task and functions related to the overall objective in the prevention and control of STD/HIV/AIDS in the Municipality of Bulalacao.

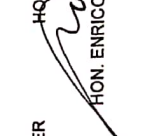

HON. KIEVEN E. CANTOS
PENATA/PAZ


HON. GERARDO S. ACOSTA
KIM, JOHN ELCO E. CANTOS

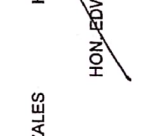

HON. EZEZER F. ACERON
TULAY, CARING

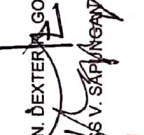

HON. DENNIS M. FANER
HON. ENRICO C. VILLAS

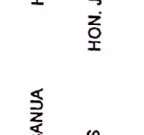

HON. DEXTER A. GONZALES
HON. EDWIN C. ACERON


HON. JESS V. SAPANGAY


HON. RAMON G. MAGBANUA
HON. ENRICO C. VILLAS


HON. RAMON G. MAGBANUA
HON. ENRICO C. VILLAS


HON. RAMON G. MAGBANUA
HON. ENRICO C. VILLAS


HON. RAMON G. MAGBANUA
HON. ENRICO C. VILLAS

SECTION 8. Meeting. The council shall meet at least once a month or as often as maybe necessary by serving notice to all member at least a day before the meeting.

SECTION 9. Quorum. The presence of at least a majority of all the members of the Council shall constitute a quorum for purpose of doing business.

SECTION 10. The Secretary. The Council shall have a secretary who shall be designated as such by the Municipal Mayor to be taken from the organic personnel of Local Government Unit of Bulalacao.

SECTION 11. Functions of the Secretary. The Secretary shall have the following functions and duties:

- a. Prepare the agenda of the meeting of the Council and record the minutes of the same;
- b. Shall keep the record of the Council;
- c. To submit an annual report to the Council within two months after the close of each calendar.
- d. To oversee the implementation of the policies, program, and activities of the Council; and
- e. To perform such other functions as may be required by the Council.

SECTION 12. Mandatory STD/HIV/ AIDS Education. It shall be mandatory for all operators and/or managers, entertainers of entertainment and masseuse and masseurs of barber shops and massage clinics to attend seminars on STD/HIV/AIDS prevention conducted by the Municipal Health Office, Bulalacao Council, or NGO's accredited by Bulalacao Government, otherwise no permit to operate shall granted to the aforementioned establishments.

SECTION 13. Agencies Tasked to Conduct Seminars. The Municipal Health Office, Bulalacao STD/HIV/AIDS Council and NGO's accredited by Bulalacao Government are hereby tasked to conduct seminars on Reproductive Health, STD/HIV/AIDS periodically and to make themselves accessible and available for seminar purposes to the above- mentioned individuals and to persons who may need such service; provided that the facilitator have attended trainings and seminars

SECTION 14. Issuance of Permit to Operate. In compliance with this Ordinance, the establishment mentioned in this ordinance shall not be allowed to continue the operation unless a certificate of attendance in STD/HIV/AIDS seminar has been issued to its operator and to all of its employees.

SECTION 15. Peer Education. All registered entertainments should be required to have at least one (1) peer educator.

SECTION 16. Availability of Prophylaxis. To prevent STD/HIV/AIDS, all entertainment establishment are required to make prophylaxis or availability of condoms within their establishment.

SECTION 17. – Regular STD Screening for Entertainers and others with similar occupation. All entertainers, masseur and other with similar occupation shall undergo compulsory weekly medical check-up (gramstaining) to be conducted on regular basis at the reproductive health clinic of the Municipality health office. The MHO shall provide Reproductive Health Card (RHC) to all entertainers and workers.

SECTION 18. Compilation of roster of entertainers/employees in entertainment. The Municipal Health Office shall maintain roster of entertainers/employees indicating their ages and places of employment. In relation thereto, all owners/operators/managers of entertainment establishment shall submit to the Municipal Health Office quarterly updated list of their employees.

HON. KIEVENE CANTOS
 HON. GERMAN S. ACOSTA
 HON. ENRIQUE F. ACERON
 HON. ENRICO C. VILLAS
 HON. DENNIS M. FANER
 HON. DEXTER M. GONZALES
 HON. RAMON S. MAGBANUA
 HON. ERNILDO VILLAS
 HON. JONHILCO B. CANTOS
 TULAY M. CARING
 HON. JESUS V. SAPIRANGAN

SECTION 19. – Monitoring Programs. The Councils shall establish a comprehensive STD/HIV/AIDS monitoring program in coordination with the Municipal Health Office’s similar monitoring program to determine and monitor the magnitude and progression of STD/HIV/AIDS infection in Municipality of Bulalacao and for the purpose of evaluating the adequacy and efficacy of the countermeasures being employed by the council, Municipal Health Office and NGO’s.

Further, the Council in coordination with the Municipal Health office shall monitor STD/HIV/AIDS cases through passive and active surveillance. Active surveillance includes conduct of a yearly STD/HIV/AIDS serological and behavioural surveillance among people with high- risk sexual behaviour or those who by the nature of their work is prone to contacting STD/HIV/AIDS.

SECTION 20. Reporting. All hospitals, clinics, laboratories, and testing centers, birthing facilities and lying-in clinics are required to immediately report to the Municipal Health Office any Identified STD/HIV/AIDS cases.

SECTION 21. Contact Tracing. STD/HIV/AIDS contact tracing and all other related health intelligence activities may be pursued by the council in coordinate with the Municipal Health Office; provided, such shall not contravene to the general purpose of R.A 8504. Provided, further, that any information gathered shall remain confidential and classified, and can only be used for statistical and monitoring purposes and not as basis or qualification for any employment, school attendance, freedom to abode, or travel.

SECTION 22. Medical Confidentiality. All health professionals, medical instructors, workers, employers, hospitals, laboratories, recruitment agencies, insurance companies, data encoders and other custodians of any medical record, file, data, or test results are directed to strictly observe confidentiality in the handing of all medical information, particularly the identify and status of person with STD/HIV/AIDS.

SECTION 23. Exceptions to the mandate of confidentiality. Medical confidentiality shall not be considered breached in the following:

- a. When informing other health workers directly involved or about to be involved in the treatment or care of the person with HIV/AIDS: Provided, that, such treatment or care carry the risk of HIV transmission; Provided, further, that such workers shall be obliged to maintain the shared medical confidentiality; and
- b. When responding to a subpoena duces tecum and subpoena and testificandum issued by a Court with jurisdiction over a legal proceeding where the main issue in the HIV status of an individual; Provided. That the confidential medical record shall be properly sealed by its lawful custodian after being double checked for accuracy by the head of the office or department, hand delivered, and personally opened by the judge: Provided, further, that the judicial proceedings be held in executive session.

SECTION 24. – Release of HIV/AIDS Test Result. All results of HIV/AIDS testing shall be confidential and shall be released only to the following persons:

- a. The person who submitted himself/herself to such test.
- b. Either parent of minor child who has been tested;

HON. KIEFER E. CANTOS
 HON. KIMMELCO E. CANTOS
 HON. GERMAR S. ACOSTA
 HON. TULAY M. CARING
 HON. EDZAR E. ACERON
 HON. ENRICO C. VILLAS
 HON. DENNES V. FANER
 HON. EDWIN C. ACERON
 HON. DEXTER R. GONZALES
 HON. JESS V. SARJANGAN
 HON. RAMON C. MAGBANUA
 HON. ERNILLO C. VILLAS
 PERLITA V. PAZ

- c A legal guardian in the case of insane persons or orphans;
- d. A person authorizes to receive such result in conjunction with the surveillance program of Municipal Health Office as provided in accordance with the provisions of in Section 27 of R.A 8504; and
- e. A justice of the Court of Appeals or Supreme Court, as provided in accordance with the provisions of Section 16 of R.A 8504.

SECTION 25. Reporting Procedure. All hospitals, Clinics, Laboratories, and testing centers for STD/HIV/AIDS shall adopt measures in assuring the reporting and confidentiality of any medical record, personal data, and file, including all data which may be accessed from various data banks of information systems of the Municipal Health Office.

SECTION 26. Disclosure to sexual partner. Any person with HIV is obliged to disclose his/her HIV status and health condition to his/her spouse or sexual partner at the earliest opportune time.

SECTION 27. Discrimination in the work place. Discrimination in any form from pre-employment to post employment, including hiring, promotion or assignment, based on the actual, perceived or suspected HIV status of an individual is prohibited. Termination from work on the sole basis of actual perceived or suspected HIV status is deemed unlawful.

SECTION 28. Discrimination in school. No educational institution shall refuse admission or expel, discipline, segregate, deny participation, benefits or services to a student or prospective student on the basis of his/her actual, perceived or suspected HIV status.

SECTION 29. Restrictions on travel and habitation. The freedom of abode, lodging and travel of a person with HIV shall not be abridged. No person shall be quarantined, placed in isolation, or refused lawful entry into or deported from Philippine territory on account of his/her actual, perceived or suspected HIV status.

SECTION 30. Penalty. Any violation of this Ordinance shall be punished by a fine of not less than Five Hundred Pesos (Php500.00) but not more than Two Thousand Five Hundred Pesos (Php2,500.00) or an imprisonment of not less than one (1) month but not more than six (6) months or both such fine and imprisonment at the discretion of the Court.

SECTION 31. Declaration of AIDS Awareness Month. The month of December is hereby declared as AIDS Awareness Month to coincide with the commemoration day for persons living with HIV/AIDS and International Day of Action in Women's Health.

Likewise, AIDS awareness should culminate on the month of being the World's Aids Day.

SECTION 32. Appropriations. There shall be an appropriation every year in the Annual Budget for the purpose of implementing this Ordinance.

SECTION 33. Formation of Implementing Rules and Regulations. Within one (1) month after the approval of this Ordinance, the Council thru Secretary shall formulate and issue the appropriate rules and regulations necessary for the efficient and effective implementation of any and all provisions of this Ordinance.

HON. KIEVIN E. CANTOS
 HON. JONH ELCO E. CANTOS
 HON. GERMAN S. ACOSTA
 HON. JONH ELCO E. CANTOS
 HON. ENRIQUE F. ACERON
 TULIA M. CARING
 HON. ENRIQUE F. ACERON
 HON. ENRICO C. VILLAS
 HON. DENNIS M. FANER
 HON. EDWIN C. ACERON
 HON. DEXTER A. GONZALES
 HON. JESS V. SAPIRAN
 HON. RAFAEL M. MABANUA
 HON. ERNILDO VILLAS

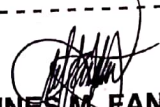
SECTION 34. Separability Clause. The provisions of this ordinance are hereby declared to be separable and in the event one or more of such provision are held unconstitutional, the validity of the other provision shall not be affected thereby.

SECTION 35. Repealing Clause. Any existing ordinance or any of its provision or provisions, which are inconsistent with this ordinance, shall be deemed repealed, amended or modified accordingly. Any higher laws, rules and regulations superseding this ordinance shall prevail.

SECTION 36. Effectivity. This ordinance shall take effect immediately upon its approval.


ENACTED this 10th day of March 2022 Barangay Nasucob, Bulalacao, Oriental Mindoro.



Hon. DEXTER R. GONZALES
Sangguniang Bayan Member

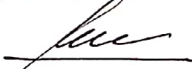

Hon. DENNES M. FANER
Sangguniang Bayan Member


Hon. EDEZER F. ACERON
Sangguniang Bayan Member

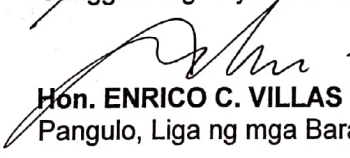

Hon. GERMAN S. ACOSTA
Sangguniang Bayan Member


Hon. KIEVEN E. CANTOS
Sangguniang Bayan Member


Hon. JESS V. SAPUNGAN
Sangguniang Bayan Member

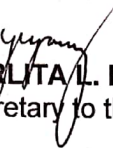

Hon. EDWIN C. ACERON
Sangguniang Bayan Member


Hon. KIM JONH ELCO E. CANTOS
Sangguniang Kabataan Fed. President


Hon. ENRICO C. VILLAS
Pangulo, Liga ng mga Barangay


Hon. TULAY M. CARING
IPM-Representative


CERTIFIED TRUE AND CORRECT:


PERLITA L. PAZ
Secretary to the Sangunian

ATTESTED:


Hon. RAMON G. MAGBANUA
Municipal Vice Mayor/Presiding Officer

APPROVED:


Hon. ERNILO C. VILLAS
Municipal Mayor
Date Signed: April 16, 2022

22/03/25/JVS/jpc