



Republic of the Philippines
Quezon City
OFFICE OF THE MAYOR

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EXECUTIVE ORDER NO. 28
Series of 2020

**ESTABLISHING ENHANCED DISEASE SURVEILLANCE
FOR SUSPECT, PROBABLE AND CONFIRMED COVID-19 CASES**

WHEREAS, on March 8, 2020, due to the COVID-19 pandemic, President Rodrigo Roa Duterte issued Proclamation No. 922, entitled: "Declaring a State of Public Health Emergency Throughout the Philippines" to facilitate measures to address the pandemic, including mandatory reporting, quarantine, and disease control or prevention measures;

WHEREAS, on March 13, 2020, the City Council declared Quezon City to be under a state of calamity due to the COVID-19 pandemic;

WHEREAS, Sec. 6 (e) of Republic Act No. 11332, "The Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act," local governments have the authority to conduct rapid containment, quarantine and isolation, disease prevention and control measures;

WHEREAS, under Sec. 16 of the Local Government Code, a local government unit has the implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote general welfare, promote health and safety, maintain peace and order, and preserve the comfort and convenience of its inhabitants;

WHEREAS, under Sec. 455(b)(1)(vii) of the Local Government Code, the Mayor may carry out such emergency measures as may be necessary during times of calamity;

WHEREAS, in the case of *SPARK, et.al vs. Quezon City Government, et. al.* (G.R. No. 225442 dated August 8, 2017, *En Banc*), the Supreme Court declared that "... grave and overriding considerations of public interest justify restrictions even if made against fundamental rights. Specifically on the freedom to move from one place to another, jurisprudence provides that this right is not absolute. As the 1987 Constitution itself reads, the State may impose limitations on the exercise of this right, provided that they: (1) serve the interest of national security, public safety, or public health; and (2) are provided by law."

NOW, THEREFORE, I, MA. JOSEFINA G. BELMONTE, Mayor of Quezon City, by virtue of the powers vested in me by law, do order:

1. **Definition of Terms.** The following words and phrase, whenever used in this Order, shall be construed as defined in this section:

a. **Disease Surveillance Measures** - systematic collection, analysis and interpretation of data to monitor and control the spread of disease, which includes without limitation monitoring of movements of persons under home quarantine.

b. **Home Quarantine** - restriction of the movement of suspect, probable and confirmed COVID-19 infected persons to their homes.

c. **Public Place** - a place located within the jurisdictional boundaries of Quezon City, where the general public has access, including but not limited to streets, highway, sidewalks, parking lots, vacant lots, and the common areas in and about churches, apartment, buildings, office buildings, hospitals, schools, malls, shopping centers, markets, commercial establishments and places of entertainment such as movie theaters and similar places or establishments.

d. **Suspect, Probable or Confirmed Case** - A "suspect case" is a person suspected of infection of COVID-19 by a physician, due to the person's symptoms, and other relevant factors under Department of Health guidelines. A "probable case" is a suspect case that has undergone inconclusive or non-accredited testing, or cannot be tested for any reason. A "confirmed case" is a person confirmed as COVID-19 positive by an accredited laboratory.

2. **Compliance With Disease Surveillance Measures.** To ensure proper medical assistance and efficient health monitoring, all suspect, probable or confirmed cases placed by a physician under home quarantine are required to observe the following measures;

- a. Remain in their homes and refrain from going to public places;
- b. Faithfully observe the quarantine protocols implemented by the City Health Department ("City Health") to contain the spread of COVID-19 virus;
- c. Coordinate with the barangay officers and officials or QC Department of Health in case of medical emergency and such other needs that may require movement outside of their homes;
- d. Register with barangay health officers or City Health Department officials for effective monitoring, including the temporary use of GPS tracking phone application designated by City Health, if available;
- e. Abide with the existing laws, rules and regulations and measures that the QC Government, Department of Health and National Government impose in relation to home quarantine, social distancing and quarantine protocols.

3. **Barangay-Based Monitoring.** Barangay Health Emergency Response Teams (BHERTs) shall coordinate with QC Government on Disease Surveillance Measures in respect of monitoring of suspect, probable and confirmed cases, including the use of City Health-designated GPS tracking phone applications whenever possible. The BHERTs shall monitor and register all known individuals in their area who are considered suspect, probable or confirmed cases through the temporary use of the GPS tracking phone application. In this regard, for proper monitoring and health care assistance, all persons under home quarantine shall register in their respective barangay

and use the City Health Department's designated GPS tracking phone application, if available. The general public shall be encouraged to voluntarily register with their respective barangay or with City Health to determine areas under quarantine, and may use any available City Health-designated GPS tracking application or this purpose.

4. **Data Privacy.** All concerned offices and agencies shall ensure that: (i) all private information regarding individuals under home quarantine, including their identities and other private data, is disclosed only to the persons directly involved in maintaining quarantine or enforcing health measures on such persons; (ii) all disclosed information is anonymized to the greatest extent possible, and only such information that is absolutely necessary to protecting the public or ensuring the effectiveness of quarantine or other health measures shall be disclosed. In any case, use of the private information of affected individuals shall be subject to applicable requirements of the Data Privacy Act.


5. **Enforcement.** Offenders may be charged for violation of (i) Sec. 9 (e) of Republic Act No. 11332, which penalizes non-cooperation of person or entities affected by a health event of public concern; and/or (ii) Article 151 of the Revised Penal Code (*Resistance and Disobedience to a Person In Authority*). The Quezon City Police District, the Department of Public Order and Safety, the Transport and Traffic Management Task Force, Task Force COVID-19 and all barangay officials and *tanods* are hereby directed to enforce this Order. Other existing district and barangay coordination mechanisms, including task forces, committees or technical groups formed for road clearing, environmental protection, solid waste management, and other purposes, may also be assigned to supervise implementation of this Order.

6. **Duration.** This Order shall remain effective until such time that the City Mayor, upon recommendation of City Health, determines that the foregoing emergency health measures are no longer necessary. If any subsequent law, regulation, ordinance, guideline or issuance affects any portion of this Order, such portion shall be deemed amended accordingly.

7. **Dissemination.** A copy of this Executive Order shall be furnished to the Office of the President and the Metropolitan Manila Development Authority (MMDA) for information and guidance pursuant to Section 455(1)(xii) of RA 7160, as amended, and shall be posted at the official website of the Quezon City Government.

8. **Effectivity.** This Order shall take effect immediately.

DONE, 23 April 2020, Quezon City.


MA. JOSEFINA G. BELMONTE
City Mayor