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Department of Health
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ADMINISTRATIVE ORDER

No. 2007 - 0042

SUBJECT: Norms of Behavior for Officials and Employees of the Department of Health

RATIONALE

It is the declared policy of the State to promote high standards of ethics, maintain honesty and integrity in the public service and to take proactive and effective measures against graft and corruption;

The Constitution explicitly declares that a public office is a public trust and that all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives and uphold public interest over personal interest;

In the performance of their duties and responsibilities, the officials and employees of the Department of Health serve as the protectors of the people and, thus, any act of indiscretion or impropriety, or suspicion of indiscretion or impropriety, on their part will greatly affect the honor, dignity and effectiveness of the institution and the people's confidence in it;

In addition to existing laws and Civil Service rules governing the ethical conduct of public officials and employees, there is a need to adopt norms of conduct that are peculiar to officials and employees in the Department of Health by reason of the special nature of their duties and responsibilities and accountability to the people;

NOW THEREFORE, the Department of Health hereby promulgates these:

NORMS OF BEHAVIOR FOR OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF HEALTH

**RULE I
SCOPE**

The provisions of these Norms shall have common application to all officials and employees of the offices and hospitals of the Department of Health.

RULE II
DEFINITION OF TERMS

Terms as used in these guidelines shall have the following definition:

- (a) DOH refers to the offices/units and hospitals of the Department of Health
- (b) DOH officials and employees are all those employed in the DOH central office, CHDs, and DOH hospitals
- (c) CHDs are the DOH Centers for Health Development
- (d) DOH hospitals are all hospitals under the administrative and technical supervision of the DOH, including the DOH corporate hospitals
- (e) Central Office refers to the DOH offices/ units located at San Lazaro Compound, Manila, the Health Emergency Management Staff in Quezon City, the Bureau of Food and Drugs in Alabang, Muntinlupa, and the Bureau of Quarantine in Port Area, Manila.
- (f) Gift is a thing or a right given gratuitously, or an act of liberality in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall include an unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from any DOH official or employee.
- (g) Family of public officials or employees means their spouses and children.
- (h) Relatives refers to any and all persons related to a DOH official or employee up to the fourth civil degree of consanguinity or affinity, including *bilas, inso, balae*.
- (i) Conflict of interest arises when a DOH official or employee is a member of a board, an officer, a substantial stockholder of a private corporation, an owner or one who has substantial interest in a business such that the interest of such a corporation or business, or his rights or duties therein may be opposed to or affected by the faithful performance of official duty. A conflict of interest may also exist when the objectivity of a DOH official or employee in performing official duties is impaired or may reasonably appear to be impaired by the personal concerns of a DOH official and employee which run counter to the objectives of the agency; or when the official act results in unwarranted personal benefit on his/her part or that of his/her relatives.
- (j) Post-employment is when a DOH official or employee leaves the agency permanently and obtains employment in the private sector or another government agency.

RULE III
CORE VALUES

The Department of Health is committed to upholding the highest standards throughout the agency to enhance the quality and efficiency of public service. DOH officials and employees shall accept personal restrictions that might be viewed as burdensome by the ordinary citizen and shall do so freely and willingly. In particular, DOH officials and employees shall conduct themselves in a way that is consistent with the dignity and mandate of the agency. To this end, all DOH officials and employees shall adhere to the following core values:

- N Integrity
- N Excellence
- N Compassion and respect for human dignity
- N Commitment to public interest and democracy
- N Professionalism
- N Teamwork
- N Stewardship of the environment
- N Political neutrality
- N Simple living

RULE IV
FIDELITY TO DUTY

Section 1. DOH officials and employees shall, at all times, exhibit utmost respect to the public and deep sense of commitment to the mandate of the Office.

Section 2. DOH officials and employees shall not discriminate against or dispense undue favors to anyone. Neither shall they allow kinship, rank, position, affiliation or favors to influence the performance of their official acts or duties. They shall endeavor to discourage wrong perception of their roles as dispensers or peddlers of undue patronage.

Section 3. DOH officials and employees shall perform their duties efficiently, promptly, and without bias or prejudice.

Section 4. DOH officials and employees shall avoid any impropriety and the appearance of any impropriety in all of their activities.

Section 5. DOH officials and employees shall not engage in conduct incompatible with the faithful discharge of their official duties.

Section 6. DOH officials and employees shall, at all times, perform official duties properly and diligently. They shall fully commit themselves to the duties and responsibilities of their office during working hours.

Section 7. DOH officials and employees shall not discriminate or manifest, by word or conduct, bias or prejudice based on race, religion, national or ethnic origin, gender, political belief or affiliation.

Section 8. DOH officials and employees shall use the assets and resources of the office, including funds, properties, goods and services, economically, productively, effectively, only for official activities, and solely for the purpose required by law.

Section 9. DOH officials and employees shall carry out their duties and responsibilities as public servants with utmost and genuine courtesy, fairness, honesty and in compliance with the law.

Section 10. DOH officials and employees shall submit performance reports and other documents required by law such as Statement of Assets and Liabilities and Net worth, Income Tax Returns and other public document as may be required by the Agency.

RULE V TRANSPARENCY

Section 1. DOH officials and employees shall extend prompt, courteous, adequate and effective service to the public.

Section 2. DOH officials and employees shall state their policies and procedures in clear and understandable language, ensure openness of information, public consultation whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures.

Section 3. DOH officials and employees shall, at all times, exercise transparency in all transactions, contracts, relationship and interest of the agency especially if it involves public interest.

Section 4. DOH officials and employees shall, at all times, make accessible all public documents and transactions for inspection by the public within reasonable working hours provided it is not in violation of the rule of confidentiality required by existing laws, rules and regulations.

RULE VI
CONFIDENTIALITY

Section 1. DOH officials and employees shall not disclose any confidential information acquired by them in the course of or by reason of their employment in the Office. Pursuant to Section 7(c) of Republic Act 6713 otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, they shall not use or divulge confidential or classified information officially known to them by reason of their office and not made available to the public either: (1) to further their private interests or give undue advantage to anyone; or (2) to prejudice the public interest.

Section 2. DOH officials and employees shall not alter, falsify, conceal, destroy or mutilate any public and official record which have come into their possession in the course of, or by reason of, their employment in the Office.

RULE VII
CONFLICT OF INTERESTS

Section 1. DOH officials and employees shall, at all times, exhibit loyalty to the public and commitment to the mandate of the DOH;

Section 2. DOH officials and employees shall not engage, directly or indirectly, in any of the following or similar acts;

- a. Enter into any contract with the DOH for the supply of drugs/medicines, equipment, supplies and other related items, services, and lease or sale of property;
- b. Participate in any official action involving a party with whom either he/she or any of his relatives is negotiating for future employment;
- c. Seek additional employment or engage in any other undertaking outside the DOH that prejudices in any manner his performance of official functions, or undermines the interest of the DOH;
- d. Recommend for employment in the DOH any of his relatives except to confidential positions in the agency;
- e. Recommend any person for employment to any supplier, or any other person doing business with the DOH; or
- f. Give undue advantage to anyone to further the personal/private interest of the DOH official or employee and the one who benefitted therefrom.

RULE VIII
OUTSIDE EMPLOYMENT

Section 1. Unless authorized by the head of the agency, employment in the DOH shall be on a full-time basis and shall constitute the primary employment of its officials and employees.

Section 2. DOH officials and employees during their incumbency shall not own, control, manage or accept employment as officer, employee, consultant, counsel, broker, agent to any private corporation or company, unless authorized by the head of the agency.

Section 3. DOH officials and employees may engage in additional employment outside the agency, after securing the proper authority and subject to the following conditions:

- a. The outside employment can and shall be performed outside the normal working hours;
- b. The outside employment is not in conflict with the performance of the duties and responsibilities of the DOH official or employee, or the functions of the DOH Unit;
- c. The outside employment does not require or induce the DOH official or employee to disclose confidential information acquired in the course of or by reason of his employment in the DOH.

RULE IX
RELATIONS WITH THE PUBLIC

Section 1. DOH officials and employees shall treat the public with utmost respect, courtesy, consideration and reason.

Section 2. DOH officials and employees shall observe objectivity, impartiality and propriety in the performance of their official functions. They shall conduct themselves with dignity and refrain from conduct that might bring discredit or embarrassment to the DOH.

Section 3. DOH officials and employees shall avoid making inappropriate public comments, including statements of personal opinions that can be construed as official.

Section 4. DOH officials and employees shall commit themselves to fairness and equality. They shall take an active role in ensuring that their work environment is free from any form of discrimination and harassment.

RULE X
POST EMPLOYMENT

Section 1. Former DOH official and employees who have joined private institutions and whose present employment bears a direct relationship with their former positions are strictly prohibited from making transactions, directly or indirectly, with incumbent DOH officials and employees, on any matter/case pending with the DOH, the approval of which had been dependent on the former DOH official/employee.

Section 2. Incumbent DOH officials and employees shall observe the following ethical standards in dealing with former DOH officials and employees:

- a. Except as provided herein, in no instance or occasion, inside or outside the office, shall incumbent DOH officials and employees transact, directly or indirectly, on any matter with former DOH officials and employees who are presently suppliers, manufacturers, and distributors of any pharmaceutical products, hospital and office equipment and supplies; owners of services such as security, catering, janitorial; and other companies with similar dealings with the DOH.
- b. The preceding prohibition shall likewise apply to any transaction with the agent or representative of said former DOH officials and employees.
- c. By way of exceptions, the following circumstances may be considered regular and proper.
 - 1) During DOH legal and/or administrative proceedings
 - 2) During requests for DOH assistance. For requests for DOH assistance, the Public Assistance Office (PAO) or the appropriate DOH agency may extend assistance to former DOH officials and employees on official business only.
 - 3) Meeting by chance or accident. If due to some unavoidable circumstances, there is a meeting by chance or accident between an incumbent DOH official or employee and a former DOH official or employee who is covered by the prohibitions under this Rule, this meeting shall not be considered a violation of this order.

- Section 3. In order to discourage the wrong perception that they are peddlers of undue patronage, all incumbent officials and employees shall not recommend the hiring of services of former DOH officials and employees engaged in the private practice of their profession and/or engaged in the pharmaceutical , hospital equipment and supply businesses, security services, janitorial services, catering services.
- Section 4. Unless authorized by law or regulation, any former DOH official or employee cannot practice his profession in connection with any matter before the DOH office or unit he/she used to work for, within a year after such resignation, retirement, or separation. Any violation hereof shall be ground for administrative disciplinary action upon re-entry into government service.

RULE XI
PUBLIC INTEREST

- Section 1. Public interest, at all times, shall be given due course. DOH officials and employees, at all times, shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, or loan, regardless of cost, in the course of their official duties and in connection with any operation being regulated or any transaction which may be affected by the functions of their office.
- Section 2. DOH officials and employees shall faithfully observe the DOH Rules on Gift-Giving (AO s. 2007)

RULE XII
SUPPLEMENTARY RULES

All provisions of law, rules and regulations governing the conduct of public officials and employees in general shall apply suppletorily to these Rules.

RULE XIII
ACKNOWLEDGEMENT OF CODE

Each individual DOH official and employee shall sign the Acknowledgement of Code appearing below. A copy of this signed Acknowledgement shall be kept in each agency's personnel files.

Acknowledgement of these Norms of Behavior for Officials and Employees of the
Department of Health

I _____
(name in full)

of _____
(organization)

acknowledge that I received these Norms of Behavior on _____
(date)

By making this acknowledgement I am confirming the obligation I have to apply these
Norms of Behavior to the work that I do for the Department of Health.

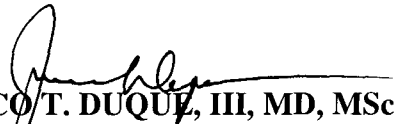
Signed _____
(date)

RULE IV
PENALTY

Any violation of these Rules shall be a ground for administrative and disciplinary
actions pursuant to CSC Rules and Regulations, RA No. 6713, DOH Rules and
Regulations and Policies, without prejudice to the filing of appropriate criminal charges,
if warranted.

RULE XIV
EFFECTIVITY

These Rules shall take effect after fifteen (15) days following its publication in
newspaper of general circulation.


FRANCISCO T. DUQUEZ, III, MD, MSc.
Secretary of Health