

Republic of the Philippines  
**QUEZON CITY COUNCIL**

Quezon City  
18<sup>th</sup> City Council

PO2012-20

66<sup>th</sup> Regular Session

ORDINANCE NO. SP- 2195, S-2012

**AN ORDINANCE ESTABLISHING A HUMAN MILK BANK IN THE QUEZON CITY OWNED HOSPITALS FOR THE SUPPORT OF WOMEN AND CHILDREN IN NEED OF BREASTMILK.**

*Introduced by Councilor JULIENNE ALYSON RAE V. MEDALLA*

*Co-Sponsored by Councilors Dorothy A. Delarmente, Jessica Castelo Daza, Francisco A. Calalay, Jr., Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Joseph P. Juico, Alexis R. Herrera, Precious Hipolito Castelo, Alfredo D. Vargas III, Eden "Candy" A. Medina, Roderick M. Paulate, Godofredo T. Liban II, Julian ML. Coseteng, Allan Benedict S. Reyes, Jaime F. Borres, Jose Mario Don S. De Leon, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Jesus Manuel C. Suntay, Raquel S. Malañgen, Vincent DG. Belmonte, Marvin C. Rillo, Ivy Lim-Lagman, Ranulfo Z. Ludovica and John Ansell R. De Guzman.*

*WHEREAS, local government units, pursuant to the powers given it under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, should provide for and respond to the basic needs and necessities of its inhabitants, as well as defend the rights of children to have access to proper care and nutrition in all forms;*

*WHEREAS, breastmilk is the healthiest, cheapest, most accessible form of milk, the most efficient way of providing adequate nutrition to babies and helps in the treatment of conditions associated with prematurity and other neonatal illnesses, the same being proven through scientific publications;*

WHEREAS, in its 2002 paper entitled, *Infant and Young Child Nutrition: Global Strategy on Infant Young Child Feeding*, the World Health Assembly lists donor milk as the first alternative source for infants whose mothers are unable to provide their own milk;

WHEREAS, Section 5 of Republic Act 10028, otherwise known as the "Expanded Breastfeeding Promotion Act of 2009," encourages health institutions to set up milk banks for storage of breastmilk donated by mothers and which have undergone pasteurization;

WHEREAS, this ordinance seeks to establish a Human Milk Bank, that will provide children a sufficient supply of breastmilk.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE. This Ordinance shall be known as the "Quezon City Human Milk Bank Ordinance".

SECTION 2. DECLARATION OF POLICY. It is the policy of the City to promote and advance the right to health of women, as well as their children, by providing for their basic needs and necessities. Breastfeeding is the normal way of providing young infants with the nutrients they need for healthy growth and development. Virtually, all mothers can breastfeed, provided they have accurate information, and the support of their family, the health care system and the society at large.

SECTION 3. DEFINITION OF TERMS.

Breastmilk - is a complex fluid, rich in nutrients and non-nutritional bioactive components that cannot be replicated by artificial formula so that for infants who do not have access to their own mother's milk, donor milk can be life-saving. It is the best alternative feeding option for both full term and preterm infants.

*Breastmilk donor – a healthy lactating mother who donate breastmilk for the benefit of other infants in need of breastmilk.*

*Donor Breastmilk – breastmilk voluntarily given by women other than the biological mother of the recipient.*

*Health Personnel – are professionals and workers who manage and/or administer the entire operations of health institutions and/or who are involved in providing maternal and child health services.*

*Human Milk Bank – a service established for the purpose of collecting, screening, processing, storing, and distributing donated breastmilk to meet the specific needs of infants for whom human milk is prescribed by licensed health care providers.*

**SECTION 4. CREATION OF A HUMAN MILK BANK SECTION.** There shall hereby be created within the city-owned hospital's Pediatrics Department, the "HUMAN MILK BANK SECTION", which shall have the following functions:

- i. To collect, screen, process, store, and distribute donated human milk;
- ii. To implement guidelines issued by the Hospital Director together with the City Health Officer with respect to the donation, collection, screening, processing, storing and distribution of donated breastmilk; and
- iii. To coordinate with breastfeeding support groups and barangay health workers within Quezon City to spread awareness and in encouraging mothers to donate breastmilk;

The milk bank shall be operated on a non-profit basis, but a minimal processing fee may be charged to cover for the screening, processing and administrative costs. However, inability to pay for the said fee shall not be a reason for non-availment of the milk for patients in need.

**SECTION 5. COMPOSITION OF THE HUMAN MILK BANK SECTION.** The Human Milk Bank shall be composed of trained and dedicated health personnel in human milk banking and lactation management.

- i. **CONSULTANT PHYSICIAN, who shall:**
  - Act as the Human Milk Bank Section Head/Coordinator/Administrator.
  - Lead the implementation and evaluation of the human milk bank section.
  - Responsible for the efficient operation of the human milk bank section.
  - Assist the Hospital Director in preparing the section's policies and procedures.
  - Provide counselling on breastfeeding for HIV positive mothers. If needed, offer further help and support including information about counselling and local support groups.
  
- ii. **LACTATION SPECIALIST/COUNSELOR (NURSE),**
  - Interview mothers who volunteer to become milk donors.
  - Conduct physical examination of the women donating milk on fitness and history of previous illnesses.
  - Instruct donors in the proper methods and protocols in milk expression, collection, handling, storage and transportation of the human milk.

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- Responsible for the release of donated breastmilk to recipients.
- Keep milk bank records such as donor records, administrative records, and recipient records for tracking and recall of donor milk purposes.
- Coordinate with both private and government institutions or agencies for information dissemination, motivation of lactating mother to donate milk.

iii. MIDWIFE,

- Assist the nurse in the interview and physical examination of the milk donor.
- Assist in gathering donor, recipient, and administrative records.
- Washing and sterilization of supplies (breastmilk containers, etc.)
- Assist the nurse in all information and advocacy campaigns.

iv. MEDICAL TECHNOLOGIST,

- Carry out all laboratory testing after initial screening interview and physical examination.
- Conduct routine bacteriologic evaluation of all pooled raw human milk and all batches of pasteurized donor milk.
- Responsible for documenting, labelling and segregating the breastmilks collected and tested.
- Assist the nurse in all information and advocacy campaigns.

The Credentials and Evaluation Committee shall be directly responsible for screening and hiring of qualified health personnel.

**SECTION 6. BREASTMILK DONOR CRITERIA.** *The Human Milk Bank shall draft the necessary rules and regulations providing for the qualifications, disqualifications, and benefits of a prospective milk donor.*

**SECTION 7. DONOR MILK PROCESSING AND STORAGE.** *The Human Milk Bank shall maintain, review and regularly update a manual of procedures providing for the rules and guidelines to be observed in the donation, collection, screening, processing, storing and distribution of donor milk.*

**SECTION 8. SELECTION OF RECIPIENTS AND DISPENSING.** *Banked donor milk shall be dispensed, by prescription or by hospital purchase order, to infants from the NICU, pediatric wards, pay wards and emergency room with the following conditions:*

- i. Prematurity
- ii. Malabsorption
- iii. Feeding intolerance
- iv. Immunologic deficiencies
- v. Congenital abnormalities
- vi. Post-operative surgical conditions

*No person, including Hospital employees, other than the health personnel stationed in the human milk bank shall be allowed to allocate the breastmilk collected, unless otherwise sanctioned by this Ordinance.*

**SECTION 9. PRIORITIZING RECIPIENTS.** *In the distribution of donor milk, priority will be given to service or private patients, who are pre-term, post-surgical or critically-ill newborns and for infants in disaster and calamity stricken areas. In the event, however, of low supply of donor milk, the Human Milk Bank Consultant Physician shall use the criteria adopted by the Philippine National Committee on Human Milk Banking (PNCHMB) in determining the qualified recipient of donor milk.*

**SECTION 10. PUBLIC EDUCATION, AWARENESS CAMPAIGN AND PROMOTION ON BREASTFEEDING AND BREASTMILK DONATION.** The month of August in each and every year throughout Quezon City shall be known as "Breastfeeding Awareness Month" The City Government shall conduct activities that will achieve the following objectives:

- i. To protect, promote and support breastfeeding in the Philippines as the normal, natural and preferred method of feeding infants and young children;
- ii. To guarantee the rightful place of breastfeeding in society as a time honoured tradition and nurturing values as well as national health policy that must be enforced; and
- iii. To provide information about the benefits and superiority of breastfeeding and the high risks and costs of bottle-feeding.

**SECTION 11. IMPLEMENTING RULES AND REGULATIONS (IRR).** The City Health Officer, together with the Hospital Director, shall issue guidelines for a successful and safe establishment and implementation of the Quezon City Human Milk Bank. This will be in accordance with the IRR of Republic Act 10028 and the national guidelines set forth by the Philippine National Committee on Human Milk Banking (PNCHMB).


**SECTION 12. APPROPRIATION.** A necessary budget shall be allotted for the establishment of the Human Milk Bank which fund shall be taken from the annual budget of the City for the year 2013. Thereafter, an annual budget shall be allocated for its continuous operation.

**SECTION 13. SEPARABILITY CLAUSE.** If any part or section of this Ordinance is declared unconstitutional for any reason whatsoever such declaration shall not in any way affect the other parts or sections of this Ordinance.


**SECTION 14. REPEALING CLAUSE.** All ordinances, resolutions, executive orders, rules, regulations, and other administrative issuances, or the provisions thereof, which are contrary to or inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 15. EFFECTIVITY.** This Ordinance shall take effect within fifteen (15) days following its publication in any newspaper of general circulation.

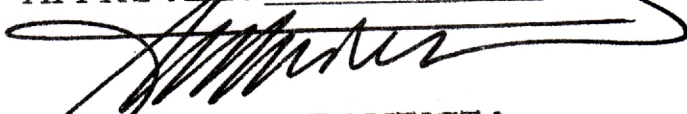
ENACTED: September 17, 2012.

  
MA. JOSEFINA G. BELMONTE  
Vice Mayor  
Presiding Officer

ATTESTED:


  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept Head III

APPROVED: DEC 07 2012

  
HERBERT M. BAUTISTA  
City Mayor

**CERTIFICATION**

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on September 17, 2012 and was PASSED on Third/Final Reading on October 1, 2012.

  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept Head III