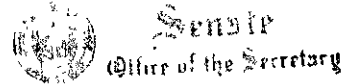


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



15 MAR 16 P3:01

SENATE
S. No. 2694

RECEIVED BY: J

Introduced by Senator Miriam Defensor Santiago

AN ACT
CREATING ADULT DAY CARE PROGRAMS AND CENTERS¹

EXPLANATORY NOTE

The Constitution, Article, Section 15 states:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

According to a report by the World Health Organization, neurological disorders, which range from migraines to dementia and epilepsy, are bound to affect one billion people worldwide as the populations age. Currently, there are 24.3 million people suffering from Alzheimer's and other debilitating dementias, with that number expected to double every 20 years. In its report, "Neurological Disorders: Public Health Challenges," the WHO said that neurological care should become part of basic health care so that under-detected disabilities are diagnosed and treated.²

Neurological diseases or conditions such as multiple sclerosis (MS), early-onset Parkinson's disease, and traumatic brain injury (TBI) can also typically affect younger adults in the middle of their lives. Adult day programs can offer services, including medical care, rehabilitation therapies, dignified assistance with the activities of daily living, nutrition therapy, health monitoring, social interaction, stimulating activities, and

¹ This bill is based on H.R. No. 263 filed in the 114th Congress, First Regular Session of the United States House of Representatives.


² "One billion battling with neurological disorders." <http://www.news-medical.net/news/2007/03/01/22314.aspx>. Accessed last 25 February 2015.

transportation to seniors, people with disabilities, and younger adults with chronic diseases. These programs provide an important response to the needs of people living with these conditions and their caregivers. These programs can also help ameliorate symptoms, reduce dependency, provide important socialization opportunities, and maintain quality of life.

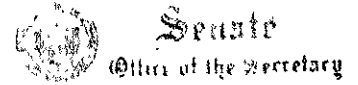
Adult day programs have been reportedly shown to provide a range of documented benefits including improvements in functional status, social support, and reductions in fatigue, depression and pain. The programs also reduce ongoing medical care and hospital costs and decrease admissions to nursing home facilities, which can be costly for many families, by allowing individuals to receive health and social services while continuing to live at home.

There are currently few adult day programs in the Philippines. Although young people living with neurological diseases or conditions may be able to access existing adult day programs, such programs are not typically intended for younger adults living with chronic diseases or conditions, and may not provide the appropriate services to meet the age-related or disability status of these individuals.

This bill aims to expand and enhance existing adult day programs for younger people with neurological diseases or conditions to support and improve access to respite services for family caregivers who are taking care of such people.


MIRIAM DEFENSOR SANTIAGO
JP

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 AN ACT
2 CREATING ADULT DAY CARE PROGRAMS AND CENTERS

3 SECTION 1. *Short Title.* – This Act shall be known as the “Adult Day Care
4 Programs and Centers Act.”

5 SECTION 2. *Adult Day Care Program.* – The Secretary of Health shall create a
6 program that provides comprehensive and effective care and support services to
7 individuals living with neurological diseases or conditions such as multiple sclerosis,
8 Parkinson's disease, traumatic brain injury, or other similar diseases or conditions that
9 may result in a functional or degenerative disability and to their family caregivers and
10 that may assist participants in ways that--

11 (A) maintain or improve their functional abilities, or otherwise help them
12 adjust to their changing functional abilities;

13 (B) prevent the onset of complications associated with severe forms of the
14 disease or condition;

15 (C) promote alternatives to placement in nursing homes;

16 (D) reduce the strain on family caregivers taking care of a family member
17 living with such diseases or conditions;

1 (E) focus on supporting the emotional, social, and intellectual needs of a
2 younger adult population; or

3 (F) address the needs of veterans living with such diseases or conditions.

4 SECTION 3. *Survey of Existing Adult Day Programs.* –

5 (1) In General. – Not later than 90 days after the date of the enactment of this
6 section, Secretary of Health shall initiate a comprehensive survey of current adult day
7 programs that provide care and support to individuals including young adults living with
8 neurological diseases or conditions such as multiple sclerosis, Parkinson's disease,
9 traumatic brain injury, or any similar disease or condition.

10 (2) Survey Elements. – In carrying out the survey under Section 3, paragraph (1),
11 the Secretary of Health may utilize existing publicly available research on adult day
12 programs, and shall--

13 (A) identify ongoing successful adult day programs, including by providing
14 a brief description of how such programs were initially established and funded;

15 (B) identify which adult day programs are serving young adults living with
16 neurological diseases or conditions;

17 (C) develop a set of best practices to help guide the establishment and
18 replication of additional successful adult day programs, including--

19 (i) program guidelines;

20 (ii) recommendations on the scope of services that should be
21 provided to individuals with neurological diseases or conditions including
22 young adults (which may include rehabilitation therapy, psychosocial

1 support, social stimulation and interaction, and spiritual, educational, or
2 other such services); and

3 (iii) performance goals and indicators to measure and analyze the
4 outcomes generated by the services provided and to evaluate the overall
5 success of the program; and

6 (3) Report. – Not later than 180 days after initiating the survey under Section 3,
7 paragraph (1), the Secretary of Health shall produce and make publicly available a
8 summary report on the results of the survey. Such report shall include each of the
9 elements described in paragraph Section 3, paragraph (2).

10 SECTION 4. *Establishing Adult Day Care Programs in Local Government Units.*–

11 It is hereby mandated that all local government units shall establish adult day care
12 centers. These stations shall be adequately provided with the necessary equipment and
13 facilities, to be determined by the Department of Health, and should adhere to the set of
14 best practices under Section 3, paragraph (2).

15 SECTION 5. *Establishment of Grant Program.* –

16 (1) In General. - Not later than 90 days after producing the report required by
17 Section 3, paragraph (3), the Secretary of Health shall establish a competitive grant
18 program for awarding grants annually to eligible entities, based on the best practices
19 developed under Section 3, paragraph 2 (C) to fund adult day programs serving younger
20 people with neurological diseases or conditions.

21 (2) Eligible Entities. – In order to be eligible for a grant under this subsection, an
22 entity shall demonstrate the following:

23 (A) Understanding of the special needs of younger people living with
24 neurological diseases or conditions such as multiple sclerosis, Parkinson's disease,

1 traumatic brain injury, or other similar diseases or conditions, including their
2 functional abilities and the potential complications across all types of cases and
3 stages of such diseases or conditions.

4 (B) Understanding of the issues experienced by family caregivers who
5 assist a family member with neurological diseases or conditions such as multiple
6 sclerosis, Parkinson's disease, traumatic brain injury, or other similar diseases or
7 conditions.

8 (C) A capacity to provide the services recommended by the best practices
9 developed under Section 3, paragraph 2 (C).

10 (3) Additional Selection Requirement. – The Secretary of Health shall not award a
11 grant to an entity under this subsection if the amount of the award would constitute more
12 than 40 percent of the operating budget of the entity in the fiscal year for which funds for
13 the grant are authorized to be expended. For purposes of this subsection, the fair market
14 value of annual in-kind contributions of equipment or services shall be considered part of
15 the operating budget of the entity.

16 (4) Selection of Grant Recipients. – Not later than 90 days after establishing the
17 grant program under this subsection, the Secretary of Health shall award the first annual
18 series of grants under the program. In awarding grants under this subsection, the
19 Secretary should ensure, to the extent practicable, a diverse geographic representation
20 among grant recipients and that, subject to the availability of appropriations--

21 (A) a minimum of five (5) entities are selected as grant recipients for the
22 first fiscal year for which such grants are awarded;

23 (B) a minimum of ten (10) entities are selected as grant recipients for the
24 second such fiscal year;

1 (C) a minimum of twelve (12) entities are selected as grant recipients for
2 the third such fiscal year; and

3 (D) a minimum of fifteen (15) entities are selected as grant recipients for
4 the fourth such fiscal year.

5 (5) Report. - No later than one year after the initial award of grants under this
6 subsection, and annually thereafter, the Secretary of Health shall produce and make
7 publicly available a brief summary report on the grant program under this section. Each
8 such report shall include the following:

9 (A) A description of the adult day programs receiving funding under this
10 section, including the amount of funding awarded and the expected outcomes of
11 each program.

12 (B) A description of performance goals and indicators to monitor the
13 progress of grant recipients in--

14 (i) responding to the needs of younger individuals living with
15 neurological diseases or conditions such as multiple sclerosis, Parkinson's
16 disease, traumatic brain injury, or other similar diseases or conditions; and

17 (ii) assisting the family caregivers of such individuals.

18 (C) Any plans for improving oversight and management of the grant
19 program.

20 SECTION 6. *Authorization of Appropriations.* - There are authorized to be
21 appropriated such sums as may be necessary in each fiscal year to carry out the
22 provisions of this Act.

1 SECTION 7. *Separability Clause.* – If any provision or part hereof, is held invalid
2 or unconstitutional, the remainder of the law or the provision not otherwise affected shall
3 remain valid and subsisting.

4 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance,
5 executive order, letter of instruction, administrative order, rule or regulation contrary to
6 or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended
7 accordingly.

8 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
9 its publication in at least two (2) newspapers of general circulation.

Approved,

/at25February2015