



Senate
Office of the Secretary

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'16 JUL 20 P3:04

RECORDED BY: 

SENATE
S.B. No. 657

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

**AN ACT MANDATING THE CREATION OF A MENTAL HEALTH PROGRAM FOR THE
ADOLESCENTS AND YOUTH IN LOCAL GOVERNMENT UNITS AND ACADEMIC
INSTITUTIONS**

EXPLANATORY NOTE

In 2011, the World Health Organization found that 16% of Filipino students aged 13 to 15 had contemplated suicide, whilst 13% had actually attempted suicide. Suicide, although not often publicly discussed, is closely linked to mental health disorders.

Unfortunately, mental illness is still a relatively misconstrued concept in our nation with limited public discussion on the proper management and care for those affected.

In a fast urbanizing nation, youth find themselves facing increasing amounts of pressure from the demands of school, employment, and various other social pressures. On the other hand, families now have much more diverse set-ups and limited time, leaving the youth to be more independent in resolving their own conflicts. Unfortunately, many young people are left with few persons from whom they can seek advice when going through symptoms that are linked to mental illness. Efforts must be made to empower the youth in that mental illness is something that can be addressed without prejudice and with the full support of the community and State.

This bill proposes the creation of a Mental Health Program for the youth aged 15 to 30 years old, to be implemented by the Department of Health, in conjunction with various other government agencies such as the Department of Social Welfare and Development (DSWD), the Department of Education (DepEd), and the Commission on Higher Education (CHED).

The Mental Health Program for youth will see a widespread information drive on mental health awareness, to be implemented by all local government units. This bill also seeks for the establishment of a Mental Health Desk at all city and municipal health offices where a mental health practitioner will be able to cater to consultations and queries of adolescents and the youth.

In addition, this bill seeks for every public or private educational institution to employ at least one qualified guidance counselor who is authorized as a mental health practitioner to provide support and advice to students.

We must ensure that adolescents and the youth's rights are protected and their needs addressed. By establishing the Mental Health program, we can better equip them to face the challenges of present-day realities. In doing so, we can fully harness the potential of the bright Filipino youth who are our invaluable partners in building the nation.

In view of the foregoing, the passing of this bill is earnestly sought.


Senator Paolo Benigno "Bam" A. Aquino IV

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Adolescents and Youth Mental
2 Health Program Act".

3 **SEC. 2. Declaration of Policy.** – It shall be the policy of the state to promote and ensure
4 the full realization of human rights and freedom of all persons, especially of adolescents and
5 youth, without discrimination of any kind. The state recognizes the need for mental health
6 policies that would address the specific vulnerabilities and special care appropriate to the
7 needs of people with mental health issues. It shall be the policy of the State to protect and to
8 promote the right to health of the people, adopt an integrated and comprehensive approach
9 to health development giving priority to the needs of the underprivileged, sick, elderly,
10 disabled, women, and children. It shall, with its entire means, ensure that all persons with
11 mental conditions will continue to exercise their inherent civil, political, economic, social,
12 religious, education, and cultural rights while respecting the rights of others.

13 Furthermore, the State recognizes its obligations as a State-Party to the UN Commission
14 on Human Rights (UNCHR) and aligns itself with the UN General Assembly Resolution on the
15 Principles for the protection of persons with mental illness and the improvement of mental
16 health care that lays down policies and guidelines for the protection from harm of person with
17 mental disabilities and improvement of mental health care.

18 **SEC. 3. Objectives.** – This Act seeks to:

- 19 a) Ensure that the youth and adolescents are mentally healthy, able to contribute to the
20 development of the country and attain a better quality of life through access to a
21 mental health care program that provides awareness in dealing with mental needs;

- 1 b) Protect the rights and freedoms of youth and adolescents with mental health needs
2 and the reduction of the burden and consequences of mental ill health, mental and
3 brain disorders and disabilities in accordance with the rights and guidelines of the
4 Philippine Medical Health Association (PMHA); and
- 5 c) Ensure that the youth and adolescents actively participate in the formulation of
6 multidisciplinary services available to cater their needs and treatment options.

7 **SEC. 4. Coverage.** – The provisions of this Act shall cover all Filipino adolescents and
8 youth between the ages of ten (10) to thirty (30). Moreover, persons with mental illness, or
9 those who are diagnosed as having mental disorders, are subject to these provisions without
10 discrimination and prejudice to their rights.

11 **SEC. 5. Definitions of Terms.** – As used in this Act, the following terms shall mean:

- 12 a) *Adolescent* - a young person who is developing into an adult. For the purposes of this
13 bill, this refers to any Filipinos whose age range is ten (10) to nineteen (19) as defined
14 by the World Health Organization;
- 15 b) *Allied Professionals* - formally educated licensed psychologists, psychiatrists,
16 neurologists and trained non-mental health professionals, such as but not limited to
17 physicians, social workers, nurses, occupational therapists, recreational therapist,
18 priests, ministers, pastor, and nuns, recognized by the Department of Health;
- 19 c) *Mental Condition* - any mental illness, mental incapacity and disorder;
- 20 d) *Mental Health Profiling* - the process of data gathering and organizing information
21 related to the demographics of every local community and school regarding mental
22 conditions; and
- 23 e) *Youth* - persons whose ages range from fifteen (15) to thirty (30) years old as defined in
24 Republic Act No. 8044.

25 **SEC. 6. Lead Agency.** – The DOH shall be the lead agency in ensuring that Mental Health
26 Awareness Programs are created and implemented in local units and institutions. DOH shall also
27 provide additional features in the National Health Information System (NHIS) with subsidies in
28 the Mental Health status of adolescents and youth. It shall coordinate with the Department of
29 Social Welfare and Development (DSWD), Department of Education (DepEd), Commission on
30 Higher Education (CHED), National Council on Disability Affairs (NCDA), Department of the
31 Interior and Local Government (DILG), and the Philippine Mental Health Association (PMHA) for
32 the preparation, implementation, and evaluation of the programs and of all related activities.
33 LGUs and academics shall also coordinate with partners needed for the program within their
34 vicinity.

35 **SEC. 7. Creation of a Mental Health Awareness Program.** – It is hereby mandated that
36 the DOH, in coordination with government agencies relevant for this purpose, create a

1 framework for Mental Health Awareness Program to promote effective strategies regarding
2 mental health care, its components, and services for the youth and adolescents. Every LGU
3 and academic institution shall create their own in accordance with general guidelines set by
4 DOH. LGUs and academic institutions shall coordinate with all concerned government
5 agencies and private sectors for the implementation of the program.

6 **SEC. 8. *Trainings.*** – For purposes of providing better health care for the adolescents
7 and youth, the DOH shall conduct trainings for representatives from coordinating government
8 agencies, accredited schools, barangay health workers, parents and relatives of the patient;
9 and other beneficiaries. The specific criteria to join such training shall be specified in the
10 Implementing Rules and Regulations (IRR) of this Act.

11 **SEC. 9. *Establishment of a Mental Health Desk.*** – City and Municipal Health Offices are
12 mandated to establish a Mental Health Desk handled by a mental health coordinator who must
13 be a mental health practitioner. The Mental Health desk shall provide basic Mental Health
14 needs of a person especially the adolescent and youth that would cater preliminary
15 consultations concerning mental health issues of a person. Depending on the severity of their
16 condition, referrals to the appropriate intervening agency shall be made.

17 **SEC. 10. *Employment of a Guidance Counselor.*** – In coordination with the DepEd and
18 the CHED every accredited public and private educational institution, among the primary,
19 secondary, and tertiary levels, shall see to it that it in-houses at least one (1) certified guidance
20 counselor and /or allied professional who is trained as an authorized mental health
21 practitioner who would oversee and provide counseling services to those youth having
22 tendencies and are suffering from mental illnesses. Depending on the severity of their
23 condition, referrals to the appropriate intervening agency shall be made.

24 **SEC. 11. *Role of City or Municipal Health Offices.*** – This Act mandates that the City or
25 Municipal Health Offices shall:

- 26 a) Ensure that the mental health status of adolescents and the youth are monitored by
27 assigning Barangay Health Workers to conduct a Barangay Mental Health Profiling;
- 28 b) Ensure the awareness of youth and adolescents on the availability of these mental
29 health services through a Mental Health Awareness Program in each LGU and academic
30 institution;
- 31 c) Establish a monitoring and evaluation program for diagnosed adolescents and youth on
32 mental health in the community, in accordance with general direction set by the DOH;
33 and
- 34 d) Ensure that each accredited educational institution shall have a certified guidance
35 counselor or and/or allied professional to provide guidance to student, in coordination
36 with the DepEd and the CHED. It shall also supervise that guidance counselors regularly
37 conduct a school mental health assessment for adolescents and youth.

1 **SEC. 12. *Technical Working Groups.*** – City or Municipal Health Offices shall have the
2 power to organize technical working groups for the purposes of creating Mental Health Care
3 Strategies suitable for the community’s youth and adolescents. Agencies involved could
4 include but are not limited to DSWD, PNP, NCDA, DepEd, CHED, and various youth groups.
5 These technical working groups shall be for the purposes of ensuring a healthy and conducive
6 community appropriate to the situations of the persons with mental conditions.

7 **SEC. 13. *Out of School Youth and Persons with Disabilities.*** – In case of out-of-school
8 youth and persons with disabilities, the DOH shall have coordination with the DSWD and the
9 DILG to ensure that there must be at least one (1) session, within six (6) months, of mental
10 health awareness and check-ups.

11 **SEC. 14. *Consent.*** - No one shall be subjected for treatment without full consent. In
12 cases where a patient is a minor and/or is mentally incapacitated to make a sound decision due
13 to health condition, the consent of the relatives, up to the fourth civil degree, or legal
14 representative of their choice shall be deemed valid.

15 **SEC. 15. *Privacy and Confidentiality.*** – All information obtained through the
16 implementation of the Mental Health Care Program and all related activities shall be kept
17 confidential and shall only be forwarded to other intervening agencies upon a request in
18 accordance with a request system specified in the IRR of this Act.

19 **SEC. 16. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
20 effectivity of this Act, the DOH shall issue the necessary rules and regulations for the effective
21 implementation of this Act.

22 **SEC. 17. *Appropriation.*** – The amount necessary to implement the provisions of this
23 Act shall be charged against the current year’s appropriations of the DOH in coordination with
24 the LGUs. Thereafter, such sums as may be necessary for its continued implementation shall be
25 included in the annual General Appropriations Act (GAA).

26 **SEC. 18. *Separability Clause.*** – If any provision of this Act shall be declared invalid or
27 unconstitutional, such declaration shall not affect the validity of the remaining provisions of
28 this Act.

29 **SEC. 19. *Repealing Clause.*** – All provisions of laws, presidential decrees, letters of
30 instruction and other presidential issuances that are incompatible or inconsistent with the
31 provisions of this Act are hereby deemed amended or repealed.

32 **SEC. 20. *Effectivity.*** – This Act shall take effect within fifteen (15) days following its
33 publication in the Official Gazette or in two (2) newspapers of general circulation.

34 *Approved,*