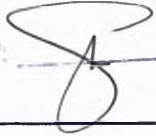


22 SEP 14 P5:13

SENATE

S.B. No. 1319

RECEIVED BY 

INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
INSTITUTING A PHILIPPINE NATIONAL AUTISM CARE PLAN FOR THE
SUPPORT OF PERSONS WITH AUTISM AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Autism Spectrum Disorder (ASD) is a neurological and developmental disorder with an unknown etiology that affects an individual to communicate and interact with others. It is a lifelong development condition that affects how a person communicates and relates to other people.

The World Health Organization estimates that 1 in every 160 children has an ASD worldwide. In the Philippines, experts and advocates have estimated that there are close to 1,000,000 people with autism.¹ The Autism Society of the Philippines estimates that only 10% of Filipinos with autism are diagnosed and only 5% are receiving appropriate interventions. Studies have also shown that the average annual cost of the interventions designed for a school-aged child is around P180,000.²

The 67th World Health Assembly adopted resolution calling for the strengthening of capacities of national governments to address ASD and other developmental disorders within the context of a broader framework of mental health and disabilities.

This measure proposes actions to strengthen government capacities towards addressing the needs of individuals with ASD and their families. Interventions that focus on protecting the rights and ensuring the well-being of people with ASD, raising public awareness, training and capacity building of public service providers will be undertaken by different government agencies through the Philippine Council for Mental Health established by the Mental Health Law.

Thus, the passage of this bill is earnestly sought


RISA HONTIVEROS
Senator

¹ <https://www.phistar.com/headlines/2014/04/01310840/number-people-autism-increasing#6rsOBIEJr7eMAPYv.99>

² Magno Veluz, M et al. Primer on Autism in the Philippines, Autism Society of the Philippines

22 SEP 14 P5 :13

SENATE

S.B. No. 1319

REF ID: S-1319

INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
INSTITUTING A PHILIPPINE NATIONAL AUTISM CARE PLAN FOR THE
SUPPORT OF PERSONS WITH AUTISM AND FOR OTHER PURPOSES**

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

1 Section 1. *Short Title.* – This Act shall be known as the "National Autism Care
2 Plan Act".

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 protect and promote the rights of all persons to full, healthy, and holistic development.
5 As such, the State shall promote an environment conducive to the development of
6 persons with autism (PWAs) to become independent, self-reliant, productive and socially-
7 accepted members of an inclusive society. Towards this end, the State commits itself to
8 the establishment of institutional and social mechanisms to support PWAs throughout
9 their lifetime, responsive to their needs, empowering and providing them quality of life.

10 Sec. 3. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- 11 a) "Autism" or Autism Spectrum Disorder refers to a neurological condition
12 characterized by challenges with social skills, repetitive behaviors,
13 communication, as well as by unique strengths, as defined in the latest
14 version of the Diagnostic and Statistical Manual of Mental Disorders.
- 15 b) "Diagnosis" refers to necessary assessments, including but not limited to
16 neuro-psychological evaluations, genetic testing, MRIs, hearing tests,
17 psychometric tests to diagnose or discount autism and/or developmental
18 disabilities in individuals.
- 19 c) "Intervention" refers to interceding action undertaken to help improve the
20 autism prognosis. Intervention in autism may take the form of medical,
21 pharmacologic, therapeutic, educational, and non-traditional habilitative
22 care.

1 d) "Epidemiology" refers to the study and analysis of the distribution and
2 determinants of health conditions, like autism, in define populations.

3 *Sec. 4. Treatment as Persons with Disability*— All PWAs shall be treated as persons
4 with disability, as defined under Republic Act No. 7277, as amended. They shall be entitled
5 to all the rights, privileges, and benefits provided for persons with disabilities under
6 existing laws.

7 *Sec. 5. Continuing Education and Training on Autism for Public Service Providers.*
8 — All officers and staff in charge of providing services to the public, including but not
9 limited to the Department of Health (DOH), Department of Social Welfare and
10 Development (DSWD), Department of Education (DepEd), Department of Labor and
11 Employment (DOLE), Department of Justice (DOJ), Department of Transportation (DOTr),
12 Department of Interior and Local Government (DILG), the Department of National
13 Defense (DND), Department of Science and Technology (DOS T), Commission on Higher
14 Education (CHED), Technical Education and Skills Development Authority (TESDA),
15 National Council on Disability Affairs (NCDA), Persons with Disabilities Affairs offices
16 (PDAOs) at the Local Government Units (LGUs), Public Safety Units (military, police,
17 firemen and other first responders), shall undergo mandatory continuing education to
18 sensitize and empower service providers to become effective front liners in the delivery
19 of services to PWAs and their families

20 *Sec. 6. Epidemiological Surveillance Programs.* — The Department of Health, in
21 coordination with different academic institutions and non-governmental organizations is
22 hereby mandated to conduct an epidemiological survey to determine the prevalence of
23 autism in the country annually to provide data to government agencies and the private
24 sector, to make necessary services available to PWAs and their families.

25 *Sec. 7. Evidence-based Research.* — The DOH, the Philippine Council for Health
26 Research and Development (PCHRD), and the National Institute of Health (NIH) are
27 mandated, in coordination with local and international educational institutions, to
28 strengthen its research focus on autism; to invest in clinical and molecular studies and
29 grants to support the development of best practices in autism intervention in the
30 Philippines.

31 *Sec. 8. Early Detection and Intervention of Autism.* — The DOH, in coordination
32 with the DepEd, is hereby mandated to establish a program for early screening and
33 detection of autism, to provide the appropriate services to children and toddlers with
34 developmental delays associated with autism, and to ensure the central PWD registry are
35 updated accordingly.

36 *Sec. 9. Mandatory PhilHealth Coverage.* — All persons with autism shall be

1 covered by the National Health Insurance Program of the Philippine Health Insurance
2 Corporation (PHIC). Funds necessary to ensure the enrolment of PWAs, who are
3 currently covered under any existing category, shall be sourced from the National
4 Health Insurance Fund of PHIC, earmarked from the proceeds of sin tax collections, as
5 provided for in Republic Act No. 10351. It shall likewise include the cost of early
6 screening and detection programs, as one of the available benefits of its members.

7 *Sec. 10. Protection Against Discrimination in Schools, Colleges, Universities and*
8 *Training Institutions.* — The DepEd, CHED and TESDA shall formulate or update policies
9 and protocols to ensure that all educational institutions shall be inclusive to learners with
10 autism, in matters including, but not limited to, acceptance to academic or training
11 programs, instructional supports, and behavior management.

12 *Sec. 11. Provision for Equal Opportunities for Employment* — The DOLE and the
13 Civil Service Commission shall formulate policies and programs to ensure that adult PWAs
14 are provided equal opportunities for gainful employment in the private and public sector.

15 *Sec. 12. Protection against Discrimination in Insurance Coverage.* — The
16 Department of Finance shall formulate or update policies and protocols to ensure that all
17 insurance providers shall provide PWAs access to life insurance instruments and shall
18 include allied medical procedures (like occupational and speech therapies) in health
19 insurance benefits of policy holders.

20 *Sec. 13. Protection in cases of Disasters and Emergencies.* — The DILG and the
21 DND shall formulate the necessary policies and protocols to ensure the military, public
22 safety professionals, local government units, and first responders shall provide the
23 necessary life-saving support to PWAs with behavioral and communication challenges.

24 *Sec. 14. Access to Transportation.* — The DOTr shall formulate the necessary
25 policies and protocols to ensure PWAs with behavioral and communication challenges and
26 their families are given reasonable accommodation in accessing all forms of transportation
27 by service providers over land, sea and air.

28 *Sec. 15. Reasonable Accommodation in cases of Legal Action.* — The DOJ shall
29 formulate the necessary policies and protocols to ensure criminal justice agencies and
30 professionals shall provide the necessary accommodations and protections to PWAs in
31 behavioral and communication challenges, who may be the accused of, victims of or
32 witnesses to crimes.

33 *Sec. 16. The Philippine Council for Mental Health* — The Philippine Council for
34 Mental Health (PCMH), a multi-sector body established by the Mental Health Act to
35 provide for a coherent, rational and unified response to mental health in the country, shall

1 spearhead and coordinate the government actions to address the need of Filipinos with
2 autism and their families.

3 *Sec. 17. The National Autism Care Plan* — The PCMH, in coordination with other
4 government agencies and stakeholders, shall develop, regularly update, and monitor the
5 implementation of the National Autism Care Plan (NACP), a holistic medium-term plan to
6 respond to the needs of PWAs and their families for the guidance of the stakeholders in
7 public and private sector. The PCMH shall likewise coordinate the development and
8 implementation of necessary policies and programs to operationalize the NACP and to
9 ensure the needs of PWAs are served.

10 *Sec. 18. Appropriation.* — The amount necessary to carry out the provisions of this
11 Act shall be included and incorporated in the annual general appropriations of the DOH

12 *Sec. 19. Separability Clause.* — If any provision of this Act is declared invalid or
13 unconstitutional, the provisions not affected thereby shall continue to be in full force and
14 effect.

15 *Sec. 20. Repealing Clause.* — All laws, executive orders, presidential decrees,
16 presidential proclamations, letter of instruction, rules and regulations or parts thereof
17 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

18 *Sec. 6. Effectivity.* — This Act shall take effect fifteen (15) days after its publication
19 in the Official Gazette or in a newspaper of general circulation.

Approved,