

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

23 JUL 19 A11:20

S.B. No. \_\_\_2328

RECEIVED BY:

# Introduced by **SENATOR IMEE R. MARCOS**

### AN ACT

PROVIDING FOR AID TO INDIVIDUALS AND FAMILIES SEEKING MEDICAL, FUNERAL, FOOD, TRANSPORTATION, EDUCATIONAL ASSISTANCE, PSYCHOSOCIAL SUPPORT AND OTHER SUPPORT SERVICES, INSTITUTIONALIZING FOR THIS PURPOSE THE ASSISTANCE TO INDIVIDUALS IN CRISIS SITUATION (AICS) PROGRAM OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

### **EXPLANATORY NOTE**

Following the two-year-long COVID-19 pandemic, a string of super typhoons, and regional conflicts that affected the world's economy, a huge number of our *kababayans* suffered extensive disruption to their livelihood, health, education and overall lives. Exacerbating these health, climate, and political crises is the steady rise of the country's headline inflation and which eat away at the poor Filipinos' already modest purchasing power. The need for social and economic safety nets to protect and provide poverty-reduction solutions for the country's poor, vulnerable and disadvantaged is now, more than ever, imperative.

The Assistance to Individuals in Crisis Situation (AICS) Program of the Department of Social Welfare and Development (DSWD) serves as a social safety net or stop-gap measure to support the recovery of individuals and families suffering from unexpected life events or crises. The provision of psychosocial intervention and/or direct financial/material assistance may enable them to meet their basic needs in the form of food, transportation, medical, educational and burial assistance.

This bill seeks to institutionalize the AICS Program for it to continuously provide aid to individuals and families seeking assistance for medical, funeral, food, transportation, educational, psychosocial, and other support services, especially after the severe economic effects brought about by COVID-19 and the rising inflation rate. Under this proposed measure, the DSWD shall be authorized to *motu proprio* implement assistance projects in case of crisis situations; clarify the covered beneficiaries of

individuals and families as affected by the crisis situation; identify the needed requirements for qualification to the various forms of assistance provided under the program; receive and administer donations for the AICS Program; and provide penalties for illegal acts that may be performed by officials in charge of implementing its provisions, such as cuts for commission, job sharing, ghost or duplicate beneficiaries, or padding of beneficiaries.

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

MEE R. MARCOS



NINETEENTH CONGRESS OF THE )
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**SENATE** S.B. No. 2328

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# Introduced by **SENATOR IMEE R. MARCOS**

### **AN ACT**

PROVIDING FOR AID TO INDIVIDUALS AND FAMILIES SEEKING MEDICAL, FUNERAL, FOOD, TRANSPORTATION, EDUCATIONAL ASSISTANCE, PSYCHOSOCIAL SUPPORT AND OTHER SUPPORT SERVICES, INSTITUTIONALIZING FOR THIS PURPOSE THE ASSISTANCE TO INDIVIDUALS IN CRISIS SITUATION (AICS) PROGRAM OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

**Section 1.** Short Title. - This Act shall be known as the "Assistance to Individuals in Crisis Situation (AICS) Act".

**Sec. 2.** Declaration of Policy. — The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all, specifically to individuals in extreme and difficult situations.

**SEC. 3.** Coverage. - This Act shall cover all individuals and families determined to be in a "state of active crisis" or "crisis situation", as defined in this Act, or needing financial or material support from the National Government, whether or not as a form of augmentation to that provided by the individual or family's local government unit (LGU), based on the assessment of a Department of Social Welfare and Development (DSWD) Social Worker. In general, any individual, whether indigent or not, including persons with disability, senior citizens, solo parents, farmers, fisherfolk, and other vulnerable sectors, who is in a crisis situation or in difficult circumstances in life may be assisted through the provision of any of the assistance available under this Act, subject to the guidelines to be provided by the DSWD.

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**Sec. 4.** *Definition of Terms.* — For purposes of this Act, the following terms are hereby defined as follows:

a. AICS Program shall refer to a social safety net or stop-gap measure to support the recovery of individuals and families suffering from unexpected life events or crises through the provision of psychosocial intervention and/or direct financial/material assistance that may enable them to meet their basic needs in the form of food, transportation, medical, educational and burial assistance. It is also known as the "Assistance to Individuals in Crisis Situation Program", and herein interchangeably referred to as "AICS" or "Program";

b. *Authorized Representative* refers to any person who represents a beneficiary who, for certain reasons, will not be physically present in processing and claiming the assistance requested. Authorized representatives shall be limited to:

1. Family Member(s) refers to a relative up to the fourth degree of consanguinity or affinity, including the spouse, children, parents, siblings, uncles, aunts, grandparents and grandchildren of the beneficiary; and

2. In extremely justifiable circumstances, any other individual acting as a representative of a beneficiary. *Provided*, that said individual shall not be allowed to represent more than two (2) beneficiaries who are unrelated to him/her for every calendar year.

For this purpose, the information of the representative shall also be subject to the crossmatching process, as defined in this Act.

c. *Beneficiary* refers to the person who actually needs the assistance, or on whose behalf the assistance is being sought from the DSWD through an authorized representative. The beneficiary is the ultimate recipient of the assistance;

d. *Case Summary* refers to a document prepared by a Registered Social Worker from the DSWD, the local social welfare and development office (LSWDO) or the social service office of the hospital. It is an overview of the socio-economic situation of the client or beneficiary as well as the brief assessment and recommendation of the Social Worker for that particular client or beneficiary;

e. *Certificate of Eligibility (CE)* refers to a document issued by the DSWD, duly approved by the approving authorities, that proves that the client is eligible to receive the interventions and services under the AICS program;

f. *Client* refers to any individual or group who may be the beneficiary who seeks assistance or the authorized representative, on behalf of the beneficiary due to the latter's inability to be physically present;

g. *Crisis Situation(s)* refer to a time in the individual's life when they experience a breakdown or disruption in their usual or normal daily activities or family functioning. Such disruption prevents them from adequately performing their social roles and functions, and may lead them into worsened life situations;

h. *Crossmatching* refers to the process of cleaning or counter-checking the information or data sets provided by the client/s approaching the DSWD for assistance versus those already recorded from clients previously served by the Department to determine the eligible clients who may avail or re-avail assistance, taking into consideration the limitations under the frequency of availing;

i. *General Intake Sheet (GIS)* refers to the form used by the DSWD Social Workers to record the basic information of the beneficiary and the authorized representative, the problem presented, and intake the assessment as well as the recommendation of assistance to the beneficiaries;

j. Guarantee Letter (GL) refers to the document issued by the DSWD in favor of the beneficiary addressed to service providers to guarantee payment of the service on behalf of the beneficiary. The service providers may include hospitals, funeral homes, and such other providers that are willing to accept the GLs issued by the DSWD for payment of their services and/or goods for the beneficiary;

k. *Material Assistance Distribution Sheet (MDS)* refers to the form used by the DSWD to list/record all clients who will receive material assistance as provided in this Act;

 Repeat or Recurring Clients are those who seek assistance for at least three (3) to four (4) times in a quarter or at least twice in a semester, or those who visit the Crisis Intervention Unit/Sections (CIU/S) Office or SWAD Satellite Office (SWAD Office) regularly or seasonally due to lack of knowledge on possible types of assistance; and

m. Social Case Study Report (SCSR) refers to the document prepared by a Registered Social Worker of the LSWDO, that described in detail the situation and conditions of the beneficiary, including his/her or their social history. The central part of this document is the social assessment and the intervention plan and when applicable, evaluation of the intervention plan, and the recommendation of the Social Worker.

**Sec. 5.** Lead Agency and Coordination with Related Government Assistance Program. - The DSWD shall be the lead agency in the implementation of the AICS Program and shall be responsible in the administration, sourcing, assessment, and

approval of all applications in availing from the appropriated funds for the implementation of the Program.

The DSWD shall integrate and collaborate with other government agencies, LGUs, businesses and labor groups, and civil society groups in implementing similar or related programs and services for an efficient and effective whole-of-nation approach in the delivery of social safety nets.

**Sec. 6.** *Modes of Implementation and Delivery of the AICS Program.* – The services under the AICS Program may take the following form/s:

1. Financial Assistance – It may take the form of:

a. Medical Assistance – This assistance shall cover hospitalization expenses, cost of medicines, and other medical treatment or procedures such as implants, common laboratory tests and diagnostic imaging procedures for any illness or ailment, including postpartum complications, and also provision of assistive devices.

A client may be given assistance based on a hospital bill only once. Additionally, an in-patient beneficiary may request other assistance in the event that the needed medicine/s or treatment of the patient is not available at the hospital of confinement.

Other health care expenses such as immunization, birthing, and purchase of vitamins and other supplements which are not related to medical treatment or aftercare shall not be covered by the assistance.

b. Funeral Assistance – This assistance shall cover funeral and other related expenses including, but not limited to, expenses in bringing the remains of the deceased to his or her residence or hometown, interment, cremation, and/or burial site in accordance with existing customary practices of the family especially among Indigenous Peoples (IPs) and Moros.

Funeral and related expenses due to a disaster, calamity, and/or critical events or similar circumstances resulting in one or multiple casualties within the family may allow the surviving family member/immediate relative of the deceased to request outright cash assistance subject to the assessment of the DSWD Social Worker, without the need of a SCSR.

c. *Transportation Allowance* — The assistance for the purchase or payment of transport (air/sea/land) tickets and/or expenses for travels of beneficiary/client, within the Philippines, for purposes not limited to, return to home provinces permanently, or seek medical intervention/s in another place, or attendance to

emergency concerns such as death or care of sick loved ones, rescue of abused relatives, or events or disaster/calamity that require immediate presence of the beneficiary/client.

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Outright cash may be considered for those who will be travelling using multiple modes of transportation.

*Provided,* that, if the DSWD procures the ticket for the beneficiary/client, the expenses for food and other necessary expenses for the travel shall be given to the client in cash. The Social Worker shall state in the GIS or in a separate justification attached to the CE his assessment to justify the provision of the outright cash.

d. Educational Assistance – A form of assistance given to a student-in-crisis, to help defray school expenses and/or cost of sending students/children to school such a school fees, school supplies, school projects, allowances, and other related expenses. Beneficiaries may include those who are breadwinners, whether or not they are the heads of their families, or working students or orphaned/abandoned and/or now living with relatives, children of solo parents or with unemployed parents or Overseas Filipinos (OFs) or persons with disability-in-crisis, or children of rebel returnees or of persons deprived of liberty, children with Human Immunodeficiency Virus, or those living with parents with HIV, those who are victims of abuse or displacement, or are otherwise in crisis due to human-induced or natural calamities.

The assistance shall not cover graduate (Masteral) and post-graduate (Doctoral) studies including professional degrees such as Doctor of Medicine and Bachelor of Laws/Juris Doctor, and those expenses for the review for the licensure/bar examinations.

e. *Food Assistance* – This is the provision of assistance to individuals or families to meet the need for food and other most basic needs for sustenance. This assistance may be distributed through outright cash.

f. Cash Assistance for Other Support Services – This is an assistance in the form of outright cash provided to individuals and families in crisis or in extremely difficult circumstances in which the need is not covered under any of the other services of the AICS program. These individuals and families must establish that they are in a state of active crisis or vulnerability to crisis or are recovering therefrom as validated by the assessment of the LSWDO Social Worker or DSWD Social Worker.

*Provided that,* financial assistance may be provided in the following modes: (1) Outright cash – For assistance in the amount of Php 10,000.00 and below, the

entitled beneficiary/client may claim it from the designated disbursing officer within the day, subject to the availability of funds. Depending on the assessment, the Social Worker may propose the provision of outright cash to the clients who are determined to be better assisted therewith because of their circumstances; and (2) GL – Assistance above Php 10,000.00, especially medical and funeral assistance, shall be released through a GL, unless other modes are necessary, as may be justified by the DSWD Social Worker, in accordance with the rules and regulations.

2. Material Assistance – The provision of food and non-food items to the beneficiary who needs the immediate material support which can be covered by the items listed below, subject to the availability of the material assistance and the funding required, and provided that any acquisition of goods and services shall be subject to existing procurement laws, rules, and regulations. This assistance may be given simultaneously or successively with financial assistance based on the assessment of the handling DSWD Social Worker depending on the posing needs of the beneficiary.

a. Family Food Packs/ Other Food Items – These may be in the form of hot/ ready-to-eat/ pre-cooked/ pre-packed meals, or food voucher, whenever available. It may be given to individuals and families in need or in vulnerable situations such as those who are unemployed, without family support, persons with disabilities-in-crisis, homeless or street dwellers, or victims of fire incidents, severe drought (El Niño), La Niña, flood, or other similar incidents that cause hunger.

The contents of the family food packs may be the same as that regularly provided during disaster operations. However, the Program Management Bureau (PMB) may provide food packs containing ready-to-eat/ pre-cooked/ pre-packed meals, or those especially packaged for groups in vulnerable situations, not limited to, older persons, pregnant women, lactating mothers or other persons with special needs, the standard composition of said food packs may be recommended by the Nutritionist-Dietitian of the PMB, duly approved by the Undersecretary for Operations.

b. *Hygiene or Sleeping Kits* – The contents of these kits may be the same as that regularly provided during disaster operations.

c. Assistive Devices or Technologies – Assistive devices and technologies are those whose primary purpose is to maintain or improve an individual's functioning and independence to facilitate participation and to enhance overall well-being. Examples of assistive devices and technologies include wheelchairs, canes, walkers, prostheses, hearing aids, visual aids, and specialized computer software and hardware that increase mobility, hearing, vision, or communication capacities.

3. *Psychosocial Support* – This is support given to help meet the psychological, emotional, social, and spiritual needs of beneficiaries and their families. It is a set of interventions that intends to positively improve a person's behavior to reduce the impact of stress brought about by a crisis through behavioral modification interventions. This is intended for giving immediate relief to psychological and emotional issues under specific circumstances through the following:

- a. *Psychological First Aid (PFA)* This is an evidence-informed modular approach to help children, adolescents, adults, and families who are affected by a disaster or traumatic incident, whether survivors, witnesses, or responders to such events, to cope up with the struggle, stress, trauma so they face new challenges following the event or otherwise return to their normal social functioning. This aims to provide early assistance within days or weeks following an event.
- b. Social Work Counseling This aims to help clients clarify issues, gain insight into their feelings and thoughts affecting their behaviors, and facilitate them to process these feelings and thoughts, to identify potential solutions, and to deal effectively with their problems resulting in a state of active crisis. This is conducted by utilizing the Social Work Perspective in counseling such as the use of the Bio-Psycho-Social approach and the Person-In-Environment framework.
- 4. Referral Services This refers to the assistance that is not available at the offices, bureaus, services, or units of the DSWD or other government agencies and/or institutions. This involves services that are not limited to referrals to legal services, psychological and/or psychiatric interventions, social case management, and admission to facilities deemed to be needed by the beneficiary.

As needed, clients availing assistance through the AICS program may be provided with comprehensive case management, whereby the assigned Social Worker collaboratively assesses the needs of the client and his/her family, and arranges, coordinates, monitors, evaluates, and advocates for a package of multiple services listed under the Act to meet the specific needs of the client towards improvement. *Provided that*, the assigned Social Worker may likewise refer said client to the concerned SWAD Office or LSWDO for the conduct of comprehensive case management or to ensure follow-through.

**SEC.** 7. Program Beneficiaries. - All individuals and families determined to be in a "state of active crisis" or "crisis situation", as defined in this Act, or needing financial or material support from the National Government, whether or not as a form of augmentation to that provided by the individual or family's LGU, based on the assessment of a DSWD Social Worker. In general, any individual, whether indigent or not, who is in a crisis situation or in difficult circumstances in life may be assisted through any of the assistance provided in this Act.

 **Sec. 8.** Documentary Requirements. — As a general rule, the beneficiary or authorized representative shall submit a copy of their valid identification cards or any alternative document/s for identification, except in cases where the beneficiary or representative has no valid identification card such as, but not limited to, children who are not enrolled in schools, indigenous people, victims of fire, typhoon or other calamities or disasters (natural or man-made). In which case, the barangay certification or justification from the DSWD Social Welfare Officer (SWO) pertaining to the absence of a valid identification card shall suffice.

A person who is acting as an authorized representative of the beneficiary shall present an authorization letter duly signed by the beneficiary.

The DSWD may also prescribe the necessary documentary requirements for each type of assistance that may be availed by the program beneficiary.

**Sec. 9.** *Implementing Procedure.* – The DSWD shall determine the procedure which shall be utilized in the implementation of the AICS Program, as provided in this Act.

**Sec. 10.** Rate of Assistance and Frequency of Availment. – The rates of assistance and the frequency of availment shall be as follows:

Туре	Particulars	Cost of A	Assistance	Frequency of
		Minimum	Maximum	Availment
Transportation	Land/Sea/Air		t based on	General Rule (GR):
Assistance	Travel	travel exper	ation and/ornses	Once a year
		•		Exceptions (XPN):
				For specific cases such as:
				Such as.
				a. Travel due to death – every death incident
				b. Travel for medical reasons
			<ul><li>as the need arises</li></ul>	
Medical Assistance	Hospital Bill	1,000.00	300,000.00	GR: Once per hospital bill
				XPN: For chronic diseases/illnesses –

				Per hospitalization or admission
	Medicines Laboratory Procedures Other special treatments such as, but not limited to, dialysis, chemotherapy, implant and preoperation procedures	1,000.00	150,000.00	Once every three (3) months
Funeral Assistance	Funeral Expenses Transfer of Cadaver	5,000.00	50,000.00	GR: Per beneficiary or incident of death
	Casualties during disaster/calamity		10,000.00	XPN: Casualties during disasters or calamity — Per casualty
Educational Assistance	Elementary students	1,000.00	5,000.00	Once every school year
	High school students	2,000.00		
	Senior high school students	3,000.00	10,000.00	Once every semester (varies
	College and vocational students	4,000.00		per region)
Food assistance	Food subsidy for individuals or families	2,000.00	5,000.00	GR: Once every semester  XPN: Patients – once every admission
Cash assistance	Other needs	2,000.00	10,000.00	Once for every calamity

Provided that, this kind of assistance shall be validated by the CIU/CIS Head/SWAD Team Leader and approved by the authorized approving official or his/her alternate, as determined by the DSWD in the implementing rules and regulations.

Further, the above schedule shall not be interpreted to limit the attending DSWD Social Worker from recommending a higher amount or the provision of a series of assistance that can be simultaneously or successively given, subject to the assessment and justification of the client's circumstances, especially those that may take time before recovery, which shall be validated by the CIU/CIS Head/SWAD Team Leader and approved by the proper authority, as may be provided in the rules and regulations.

**Sec. 12.** Handling of Repeat or Recurring Clients. – The PMB shall establish a centralized database for repeat or recurring clients, as defined in this Act, that could also be accessed by the FOs to prevent them from availing assistance twice or more in a quarter. These clients shall be under case management and, whenever deemed appropriate, shall be endorsed to the LGU where they reside for further intervention.

**Sec. 13.** Compliance Mechanism. – The DSWD shall establish mechanisms to ensure compliance with the provisions of this Act. It shall provide a list of prohibited activities, such as, but not limited to, cuts for commission, job sharing, ghost beneficiaries, duplicate beneficiaries, and padding of beneficiaries.

Any violation of this provision shall result in the reimbursement of any amount involved, with legal interest, and without prejudice to the filing of appropriate civil, criminal or administrative case and to the application of relevant rules and regulations of the Commission on Audit.

**Sec. 14.** Authority to Receive and Administer Donations for AICS Program. — The Department is hereby authorized under this Act to receive donations from government and non-government organizations and to administer the same strictly and exclusively for the beneficiaries of the AICS Program, subject to relevant and existing rules and regulations.

**Sec. 15.** Monitoring, Reporting, and Evaluation of the AICS Program. – The DSWD shall establish a standardized monitoring, evaluation, and reporting system to properly document the implementation of the AICS Program.

It shall also submit to Congress, and make available to the public, an annual Accomplishment Report and utilization of the funds earmarked for the implementation of the Program. The Report shall include the pertinent details of the implementation, such as, but not limited to, the mode of implementation, number of beneficiaries, donations from private and other organizations, expenditures, number of beneficiaries who acquired assistance under the Program, and other pertinent information as may be necessary. An impact evaluation shall be conducted from time to time, but not later than every three (3) years.

**Sec. 16.** *Grievance Mechanisms.* – The DSWD shall establish grievance mechanisms for the filing or reporting of complaints or grievances and other related laws arising from the implementation of the AICS Program. For this purpose, the Department shall ensure that all beneficiaries and stakeholders of the Program have access to these grievance mechanisms.

**Sec. 17.** *Implementing Rules and Regulations.* — Within ninety (90) days from the effectivity of this Act, the DSWD shall issue the necessary rules and regulations for the effective implementation of this Act.

**Sec. 18.** Appropriations. – The appropriations necessary for the initial implementation of this Act shall be sourced from the current budget of the DSWD. Thereafter, the amount necessary for its continued implementation shall be included in the annual General Appropriations Act (GAA); *Provided*, That such appropriation shall take into consideration an administration cost of not more than five percent (5%), subject to periodic review and appropriate recommendation for increase, whenever necessary. For this purpose, the DSWD shall issue the appropriate guidelines on the utilization and management of the administration cost.

**Sec. 19.** Separability Clause. – If for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

**Sec. 20.** Repealing Clause. – All laws, ordinances, rules, regulations, other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

**Sec. 21.** Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,