

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

SECRET
OFFICE OF THE SECRETARY

10 JUL 19 P5:36

SENATE
S. No. 1626

RECEIVED BY: RS

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Autism Spectrum Disorders (ASD), also known as Pervasive Developmental Disorders (PDDs), causes severe and pervasive impairment in thinking, feeling, language, and the ability to relate to others. These disorders are usually first diagnosed in early childhood and range from a severe form, called autistic disorder, through pervasive development disorder not otherwise specified (PDD-NOS), to a much milder form, Asperger syndrome. They also include two rare disorders, Rett syndrome and childhood disintegrative disorder.¹

There is no single best treatment package for all children with ASD. Decisions about the best treatment, or combination of treatments, should be made by the parents with the assistance of experts. In some cases, however, the cost of treatment is prohibitive. Hence, this bill seeks to provide parents and their children access to treatment by requiring health insurers to provide full coverage not only for treatment but also the prevention, early detection and diagnosis of ASD.²

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ <http://www.nimh.nih.gov/healthtopics/autism-spec-m-disorders-pe-asive-developmental-disorders/index.sh~>

² This bill was originally filed during the Fourteenth Congress, First Regular session.

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1 AN ACT
2 REQUIRING HEALTH INSURERS TO PROVIDE FULL COVERAGE FOR THE
3 PREVENTION, EARLY DETECTION, DIAGNOSIS AND TREATMENT OF
4 AUTISM SPECTRUM DISORDER
5
6

7 *Be it enacted by the Senate and House of Representatives of the Philippines in*
8 *Congress assembled:*
9

10 SECTION 1. *Short Title.* - This Act shall be known as the "Autism Prevention,
11 Early Detection, Diagnosis and Treatment Act."
12

13 SECTION 2. *Declaration of Policy.* - It is a policy of the State to protect the
14 physical, moral and social well-being of the people. Towards this end, the State shall
15 exert efforts to make treatment for autism spectrum disorder more accessible to those
16 with such ailment by requiring health insurers to provide full coverage for its prevention,
17 early detection, diagnosis and treatment.
18

19 SECTION 3. *Definition of Terms.* -For the purposes of this Act, the term:

20 (A) "Autism spectrum disorder" means a neurobiological condition that includes
21 autism, Asperger syndrome, Rett's syndrome, or pervasive developmental disorder;

22 (B) "Department" means the Department of Health; and

23 (C) "Secretary" means the Secretary of Health.
24

25 SECTION 4. *Creation of an Advisory Panel on Health Insurance Coverage for*
26 *Autism Spectrum Disorder.*

1 (A) There is hereby established within the Department of Health an advisory
2 panel on health insurance coverage for autism spectrum disorder. Such panel shall be
3 composed of nine (9) members who are experts in health care and appointed as follows:
4 Seven (7) members who are officers or employees of the Department of Health with a
5 background in mental health or mental retardation and developmental disabilities shall
6 be appointed by the President; and the Senate President and the Speaker of the House
7 shall each appoint a member who is a representative of an autism advocacy group.

8 (B) Each member shall serve a term of two (2) years. The President shall
9 designate the Chair of the panel from among his or her appointees. Vacancies in the
10 membership of the panel shall be filled in the manner provided for original
11 appointments.

12 The members of the panel shall receive no compensation for their services but
13 shall be allowed their actual and necessary expenses incurred in the performance of their
14 duties pursuant to this Act.

15 (C) The advisory panel on health insurance coverage for autism spectrum
16 disorder shall annually, on or before September first, compile and submit to the
17 Secretary a list of successful treatment and therapy options for autism spectrum disorder
18 that will be required to be covered pursuant to this Act.

19 (D) Within forty-five (45) days of receipt of each list submitted pursuant to
20 Paragraph C of this Section, the Secretary shall, on an emergency basis, promulgate and
21 implement rules and regulations requiring coverage for the treatment and therapy options
22 included in each such list.

23

24 SECTION 5. *Creation of an Autism and Health Insurance Coverage Hotline.* –

25 (A) Within one hundred eighty (180) days of the submission of the initial list to
26 the Secretary pursuant to Section 4(C) of this Act, the Department shall establish and
27 operate an autism and health insurance coverage hotline. The hotline shall be a toll-free,
28 twenty-four (24) hour a day consumer call center for families with autistic children who

1 have complaints about or questions on insurers and coverage for autism spectrum
2 disorder. All complaints received by such hotline shall be documented and referred to
3 the appropriate official in the department for corrective action.

4 (B) The Department may contract with a qualified non-profit corporation for the
5 provision and operation of the hotline required by this Section. Any such contract shall
6 only be awarded after the Department has conducted a request for proposals process. The
7 Department shall select a non-profit corporation which has the resources and ability to
8 operate a statewide hotline, and is staffed by employees and/or volunteers with strong
9 experience in autism spectrum disorder.

10 (C) If the Department elects to establish and operate the hotline using its own
11 personnel and resources, such hotline shall be staffed by officers and employees with
12 strong experience in autism spectrum disorder. Until the Civil Service Commission shall
13 have established civil service titles and competitive examinations for positions as
14 employees of the hotline, the Secretary is authorized and appoint and employ such
15 qualified officers and employees as shall be necessary to operate the autism and health
16 insurance coverage hotline.

17 (D) The Secretary is authorized to promulgate and implement any rules and
18 regulations necessary to carry out the provisions of this Act.

19
20 SECTION 6. *Separability Clause.* - If any part hereof, is held invalid or
21 unconstitutional, the remainder of the provision not otherwise affected shall remain valid
22 and subsisting.

23
24 SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance,
25 executive order, letter of instruction, administrative order, rule or regulation contrary to
26 or inconsistent with, the provisions of this Act is hereby repealed, modified or amended
27 accordingly.

28

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

3

Approved.