

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

OFFICE OF THE SECRETARY

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SENATE
S. No. 1794

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 15, Section 1 provides:

The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

Article 15, Section 3(2) demands that the State shall defend:

The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

A more stringent background check must be done prior to the approval of a petition for adoption so that information that points to a history of substance abuse is discovered. In order to locate suitable adoptive homes for children to insure their safety, prospective parents should be required to take chemical testing prior to the issuance of a favorable decision. If the test yields a positive result, the individual should be denied even the remotest chance of damaging a child's future.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed in the third regular session of the 14th Congress.

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SENATE
S. B. No. 1794

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT REQUIRING CHEMICAL TESTING
2 FOR PROSPECTIVE ADOPTIVE PARENTS

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

3 SECTION 1. *Chemical Testing.* The petition for adoption of a prospective parent shall be
4 denied when the results of his chemical test reveal the presence of prohibited drugs or alcohol.
5 The chemical test result referred to in this section shall cover not only the test required in this
6 Act but also includes the chemical test required for the issuance of driver's licenses and
7 employment purposes.

8 SECTION 2. *Collaboration.* The Department of Social Welfare and Development and the
9 Department of Health shall prepare the rules for chemical testing required in this Act.

10 SECTION 3. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts
11 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified
12 accordingly.

13 SECTION 4. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
14 following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,