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SENATE

S. No. 241

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Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Autism is a state of mental health that severely hinders the way information is gathered and processed by the brain, causing problems in communication, learning, and social behavior. Onset of the disorder typically occurs during a child's first three years. Autism has been observed in roughly 15 to 20 of every 10,000 births. The symptoms of autism generally appear during the first three years of childhood and continue throughout life, often taking devastating emotional and financial tolls on the family of the autistic child.

There are three (3) distinctive behaviors that characterize autism: difficulties in social interaction, problems with verbal and nonverbal communication, and repetitive behaviors or narrow, obsessive interests. These behaviors can range in intensity from mild to disabling. Parents are usually the first to notice symptoms of autism in their child because as early as infancy, a baby with autism may be unresponsive to people or may focus too intently on one item to the exclusion of others for long periods of time.

Current research links autism to both biological and neurological bases. In some families there appear to be a pattern of autism or related disabilities throughout generations thereby suggesting a genetic basis to the disorder.

Generally, experts estimate that 3 to 6 children out of every 1,000 will have autism. In the Philippines, it is estimated that 1 out of every 500 Filipinos are autistic or approximately 176,000 Filipinos out of an 88 million total population. For reasons that are still unclear, about 20 to 30 percent of children with autism develop epilepsy during adulthood. Recent studies further strongly suggest that some people have a genetic predisposition to autism. In families with one autistic child, the risk of having a second child with the disorder is approximately 5 percent, or one in 20.

Autism is a developmental disability that has yet to be fully known and understood in the Philippines. And because of the lack of educational and financial support, it is only the upper and middle class families who can afford to send their autistic children to special schools. Undeniably, addressing the needs of more than 176,000 autistic individuals in our country would require a comprehensive legislative framework and integrated operational plan for autism. Currently, there is no national data tracking system that caters to the state of autism in the country. A registry for autism is needed to improve current knowledge and understanding of autism; to conduct thorough and complete epidemiologic surveys of the issue; to enable analysis of this problem; and to plan for and provide services to children with autism as well as to their families.

Furthermore, there is a shortage of trained and highly skilled teachers and health providers to handle and cater to the special needs of children and adults with autism.

These considerations reflect the urgent need to conduct a comprehensive training program for health providers all over the country in order to help these persons suffering from the disorder cope with their condition and participate as productive members of society.

This proposed measure seeks to increase public awareness about this psychological disorder and to provide enhanced government support for autism research and treatment.

This bill sketches the roadmap for our government's program on autism. As such, the passage of this significant piece of legislation reflects the commitment of the State to support the cause to prevent and address the needs of those members of our population suffering from autism. This piece of legislation will recognize the daily plight of thousands of families struggling with autism, and once and for all recognize autism as a health issue in the country.

The well-being of our children is of paramount importance that is why we need to open our eyes to the realities of the problems faced by persons suffering from autism.

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




MANUEL "LITO" M. LAPID
Senator

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Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
INSTITUTING A NATIONAL COMPREHENSIVE PROGRAM ON
AUTISM AND FOR OTHER PURPOSES

*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 "**Comprehensive**
2 **Autism Intervention Act of 2013**".

3
4 **SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State
5 to protect and promote the right to health of the people, including the rights of persons
6 with autism to full, healthy and holistic development. As such, the State shall promote
7 an environment conducive to the development of autistic persons to become, to the best
8 of their potentials, independent, self-reliant and productive members of society.

9 Towards this end, the State commits itself to the establishment of institutional
10 and social mechanisms to support children and adult persons with autism and their
11 families.

12 In this light, the State shall institutionalize a holistic program for persons with
13 autism in the country that will be sensitive to their needs for purposes of empowering
14 and providing them quality of life.

15
16 **SEC. 3. Definition of Autism.** - For purposes of this Act, except as
17 otherwise expressly indicated herein, the term autism shall be understood to mean a
18 state of mental health that severely hinders the way information is gathered and
19 processed by the brain thereby causing problems in communication, learning, and
20 social behavior.

21
22 **SEC. 4. Epidemiological Surveillance Programs.** - The National Institute
23 of Health (NIH) is hereby mandated to conduct an annual epidemiological survey to

1 determine the extent and total incidence and prevalence of persons with autism in the
2 country in order for the government to provide the necessary and appropriate
3 interventions to address the needs faced by persons with autism.

4 The NIH is mandated to coordinate with the Department of Health (DOH) in the
5 conduct of epidemiological research on the the issues concernng autism. The NIH is
6 mandated to strengthen its research focus on autism; to renew its investment into basic
7 and clinical research; to expand its research into the link between environmental factors
8 and autism; and to continue investigations into causation, diagnosis, early detection,
9 and treatment of autism spectrum disorders. Such factors that will be studied shall
10 include, among others, infection and immune function, hormonal and reproductive
11 factors, genetic factors, gastro-intestinal factors, and socio-demographic factors.

12
13 **SEC. 5. *Prevention of Conflict of Interest in the Research Process.* -**

14 Within six (6) months from the date of effectivity of this Act, the DOH shall issue the
15 necessary standards, guidelines, and regulations in order to ensure that there is no
16 conflict of interest, whatsoever, between the research agenda of the researchers and
17 the drug manufacturers or government agencies promoting the widespread use of a
18 particular vaccine or medicine for the treatment and rehabilitation of persons with
19 autism.

20 The DOH shall ensure the timely publication and dissemination of information of
21 these guidelines and regulations in order to ensure that the various health providers and
22 stakeholders all over the country are adequately informed.

23
24 **SEC. 6. *Creation of an Inter-Agency Autism Coordinating Committee.* -**

25 There is hereby established and institutionalized an Inter-Agency Autism Coordinating
26 Committee (IACC) which shall serve as an inter-agency and multi-sectoral mechanism
27 tasked to promote the implementation of the National Autism Program of the
28 government.

29 The objectives of the Interagency Autism Coordinating Committee shall
30 endeavor:

31 a) to promote public awareness, education, and information on issues
32 concerning autism;

33 b) to establish sustainable networks of support groups for families of autistic
34 children and adults;

35 c) to provide referral services to patients with autism and identify the
36 appropriate educational and medical expertise and facilities suited to the needs of the
37 autistic person;

- 1 d) to combat the spectrum of disorders related to autism through screening,
2 education, early intervention, prompt referrals for treatment and services;
- 3 e) to undertake research and/or collaborate with other entities on research
4 activities regarding autism in the Philippines;
- 5 f) to coordinate with schools in formulating individualized programs for
6 autistic school children and young students;
- 7 g) to receive donations and grants from international donor institutions,
8 foundations, and multilateral and bilateral foreign donor agencies involved in the
9 prevention, cure and rehabilitation of persons with autism;
- 10 h) to promote the advocacy against bias and stereo-typing against autistics
11 thereby eliminating discrimination and/or misconceptions of the notion of being autistic
12 with the end in view of opening the doors of productive economic opportunities to
13 autistic persons;
- 14 i) to provide the avenue for exchange of information, exchange programs
15 and sharing of best practices on issues relating to the early detection, prevention, cure,
16 treatment, and rehabilitation of persons diagnosed with autism;
- 17 j) to network with other organizations, institutions and professionals working
18 for the promotion of legislation and public programs for the persons diagnosed with
19 autism; and
- 20 k) to assist in the creation of appropriate programs for individuals diagnosed
21 with autism.

22
23 The IACC shall accomplish such objectives and fulfill its mandate towards the
24 end goal of setting up a nationwide network of centers for autism in key cities and
25 regional centers in the country.

26
27 **SEC. 7. Composition of the Inter-Agency Autism Coordinating**
28 **Committee (IACC).** - The Inter-Agency Autism Coordinating Committee shall be
29 headed by the Secretary of Department of Health (DOH), acting as the Chairperson.
30 The IACC shall be composed on the following members:

- 31 a) The Secretary of the Department of Social Welfare and Development
32 (DSWD);
- 33 b) The Secretary of the Department of Education (DepEd);
- 34 c) The Chairperson of the Council for the Welfare of Children (CWC);
- 35 d) The Head of the National Institute of Health (NIH);
- 36 e) The Head of the Philippine Information Agency (PIA);
- 37 f) One (1) representative from the duly accredited drug and vaccine
38 manufacturers and distributors;

- 1 g) One (1) representative from the duly accredited association of caregivers
2 in the Philippines;
- 3 h) One (1) representative from the duly accredited association of nurses in
4 the Philippines;
- 5 i) One (1) representative from the duly accredited association of medical
6 doctors in the Philippines; and
- 7 j) One (1) representative from the non-governmental organizations (NGOs)
8 involved in the advocacy for the prevention, cure and rehabilitation of persons with
9 autism.

10

11 The five (5) members of the Inter-Agency Autism Coordinating Committee
12 coming from the representatives of the drug and vaccine manufacturers and
13 distributors; caregivers; nurses; medical doctors and non-government organizations
14 shall be appointed by the President of the Philippines, from a list of three (3) nominees
15 from each sector, who shall serve for a term of three (3) years, and renewable for
16 another term: *Provided*, That the person appointed shall be of good moral character, of
17 unquestionable integrity, and with expertise and experience of a least six (6) years in
18 filed of autism, mental health and other related fields: *Provided, further*, That in the
19 event of a vacancy, the successor appointed to fill the same shall serve only the
20 unexpired portion of the term of the member he/she succeeds to.

21 The members of the IACC from the government agencies and institutions may
22 designate their permanent representatives who shall have a rank not lower than an
23 assistant secretary or its equivalent to attend meetings.

24 All members of the IACC shall receive emoluments as may be determined by the
25 Committee, in accordance with existing budget and accounting rules and regulations.

26

27 **SEC. 8. Meetings.** – The IACC shall meet at least once a month upon a
28 three-day notice signed by the two (2) Chairpersons or as often as necessary upon the
29 written request signed by two-thirds (2/3) of its members.

30 The presence of a majority of the members of the IACC shall constitute a quorum
31 in order for it to conduct its business.

32

33 **SEC. 9. Programs and Services of the Inter-Agency Autism**
34 **Coordinating Committee (IACC).** - The programs and services that will be provided by
35 the Inter-Agency Autism Coordinating Committee shall include, among others, the
36 following:

- 37 a) Orientation and Counseling Services for families of newly diagnosed
38 children with autism;

- 1 b) Establishment of Family Support Networks and Sibling Program for
2 families of autistic persons to seek psycho-social support for the various problems faced
3 by families with autistic persons;
- 4 c) Establishment of National and Regional Referral Services wherein the
5 IACC will update a list of professionals and child care institutions concerned with the
6 care and development of persons with autism;
- 7 d) Publication of reading materials, manuals and easily readable instruction
8 materials for autism early detection, prevention, rehabilitation and care;
- 9 e) The conduct of continuing education, information and training programs
10 and lectures on the proper handling of persons with autism;
- 11 f) The establishment of a databank and information and monitoring system
12 (IMS) on the demographic, socio-economic and incidence and prevalence of persons
13 with autism in the country;
- 14 g) The publication of a newsletter on current developments, resources and
15 research on autism; and
- 16 h) The conduct of continuing education/training of families, teachers,
17 therapists and caregivers of persons with autism through seminars, conventions and
18 other forms of tri-media educational tools.

19 **SEC. 10. *Early Identification and Intervention for Children with Autism.***

20 – The Inter-Agency Autism Coordinating Committee (IACC) is hereby mandated to
21 establish a program for early identification, screening, and detection of autism, and to
22 provide the appropriate services to children and toddlers with developmental delays
23 associated with autism.

24 The IACC is tasked to monitor and update the list of children diagnosed with
25 autism in the country in its central registry so that such persons may be referred to
26 programs of the government, should the same become available.

27

28 **SEC. 11. *Autism Early Detection and Screening Fees.*** – The Philippine
29 Health Insurance Corporation (PHIC) shall include the cost of early detection and
30 screening programs as one of the available benefits of its members.

31 The early detection and screening test fees shall be applied to, among others,
32 testing costs, education, follow-up, and readable overhead expenses. These early
33 detection and screening tests are designed to identify children who should receive more
34 intensive diagnosis or assessment in order to improve child health and well-being,
35 especially for children suspected as suffering from autism.

36

1 **SEC. 12. *Creation of a National Website for Persons with Autism.*** – The
2 IACC is hereby mandated to establish a national website on the National Program for
3 Autism in the Philippines. The website shall highlight the various programs,
4 interventions, services and advocacy channels being provided by the government on
5 the issue concerning autism so that parents and relatives of persons with autism can
6 avail of the information and services being provided by the State.

7 This website shall contain all the information on the variety of medical,
8 psychological, psycho-social and research interventions available in the Philippines on
9 the issues concerning autism.

10 The website shall also include information on the various DOH accredited health
11 service providers who can provide therapy and treatment to persons with autism in the
12 country.

13 The website is envisioned to be an avenue where people can express their views
14 regarding autism and network in order to address the various needs and concerns of
15 autistic persons for the benefit of all the parents and relatives of persons with autism in
16 the country.

17 It will also be an avenue to clear misconceptions and incorrect information on
18 the mental state of being of autistic persons.

19
20 **SEC. 13. *Continuing Education and Training of Health Personnel and***
21 ***Service Providers on Autism.*** – All DOH, DSWD, CWC officers and their staff in
22 charge with providing various developmental and welfare services to persons with autism
23 are mandated to undergo a mandatory continuing education and training program to
24 sensitize and empower service providers to become effective frontliners in the delivery
25 of health service delivery to the persons with autism, who are the beneficiaries of this
26 Act.

27
28 **SEC. 14. *Protection against Forcible Use of Cures and Vaccines.*** – The
29 DOH shall formulate the necessary guidelines, standards and procedures against the
30 forcible use of cures, vaccines, and therapies to persons diagnosed with autism in order
31 to uphold the right of every individual to give informed consent to medical treatment
32 administered to them as well as to protect their right to determine for themselves the
33 medical treatment to which they shall be subjected.

34 The DOH shall promulgate guidelines and standards to ensure that the
35 interventions and programs being provided by the government for persons diagnosed
36 with autism do not violate their basic human rights, particularly as regards their right to
37 determine their own decisions.

1 **SEC. 15. *Protection against Discrimination in Schools.*** - The Department
2 of Education (DepEd), in coordination with the Department of Health (DOH),
3 Department of Social Welfare and Development (DSWD), Council for the Welfare of
4 Children (CWC) and the National Institute for Health (NIH), shall formulate the
5 necessary implementing rules and regulations to ensure that all educational institutions
6 shall be free from policies and regulations discriminatory to school children and young
7 students suffering from autism.

8 Towards this end, the DepEd shall conduct an annual education, information,
9 and training program for school administrators, faculty, and staff to empower them to
10 effectively handle school children and young students suffering from autism.

11
12 **SEC. 16. *Non-Discrimination of Adults Suffering from Autism.*** – Within
13 six (6) months from the date of effectivity of this Act, the Inter-Agency Autism
14 Coordinating Committee (IACC) shall formulate the necessary guidelines, standards, and
15 regulations in order to ensure that adults with autism are not discriminated against due
16 to their condition.

17 The IACC shall ensure the timely publication and dissemination of information of
18 these guidelines and regulations in order to ensure that the various stakeholders all
19 over the country in the early detection, prevention, rehabilitation, and care of persons
20 with autism are adequately informed.

21
22 **SEC. 17. *Confidentiality of Medical Information for Persons with Autism.***
23 - To ensure that the early detection, screening tests, vaccination, medical treatment,
24 and rehabilitation of persons suffering from autism are implemented, the Department of
25 Health (DOH), in consultation with the Department of Justice (DOJ), shall formulate the
26 pertinent implementing rules and regulations to ensure the confidentiality of the medical
27 records of persons suffering from autism in order to protect the unwarranted intrusion
28 into the privacy of the person, particularly in relation to the medical condition of the
29 patient.

30
31 **SEC. 18. *Appropriation.*** – The amount necessary to carry out the provisions
32 of this Act shall be included and incorporated in the annual general appropriations of the
33 Department of Health (DOH), the Department of Social Welfare and Development
34 (DSWD), National Institute of Health (NIH), and the Council for the Welfare of Children
35 (CWC).

36
37 **SEC. 19. *Implementing Rules and Regulations (IRR).*** - Within six (6)
38 months from the date of effectivity of this Act, the DOH, in coordination with the DSWD,

1 CWC, NIH, and PIA, shall promulgate necessary implementing rules and regulations to
2 implement the provisions of this Act.

3

4 **SEC. 20. *Repealing Clause.*** - All laws, decrees, executive orders, rules and
5 regulations, or parts thereof not consistent with the provisions of this Act are hereby
6 repealed or modified accordingly.

7

8 **SEC. 21. *Separability Clause.*** - If any provision or part of this Act, or the
9 application thereof to any person or circumstance, is held unconstitutional or invalid,
10 other provisions of this Act which are not affected hereby shall continue to be in full
11 force and effect.

12

13 **SEC. 22. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
14 from the date of its complete publication in the Official Gazette or in at least two (2)
15 newspapers of general circulation.

Approved,