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SENATE  
S. No. 1116

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

Autism Spectrum Disorder (ASD), also known as Pervasive Developmental Disorders (PDDs), causes severe and pervasive impairment in thinking, feeling, language, and the ability to relate to others. This disorder is 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. It also includes two rare disorders, Rett syndrome and childhood disintegrative disorder.<sup>1</sup>

There is no single best treatment for 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.<sup>2</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*all*

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

<sup>2</sup> This bill was originally filed during the Fourteenth Congress, First Regular Session.

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SENATE  
S. No. 1116

RECEIVED BY: *js*

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Introduced by Senator Miriam Defensor Santiago

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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 DISORDERS

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “Autism Prevention, Early  
6 Detection, Diagnosis and Treatment Act.”

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

12 SECTION 3. *Definition of Terms.* – For the purposes of this Act, the term:

13 (A) “Autism spectrum disorder” means a neurobiological condition that includes  
14 autism, Asperger syndrome, Rett’s syndrome, or pervasive developmental disorder;

15 (B) “Department” means the Department of Health; and

16 (C) “Secretary” means the Secretary of Health.

17 SECTION 4. *Creation of an Advisory Panel on Health Insurance Coverage for*  
18 *Autism Spectrum Disorder.* –

1 (A) There is hereby established within the Department of Health an advisory panel  
2 on health insurance coverage for autism spectrum disorder. Such panel shall be composed of  
3 nine (9) members who are experts in health care and appointed as follows: Seven (7)  
4 members who are officers or employees of the Department of Health with a background in  
5 mental health or mental retardation and developmental disabilities shall be appointed by the  
6 President; and the Senate President and the Speaker of the House shall each appoint a  
7 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 designate  
9 the Chair of the panel from among his or her appointees. Vacancies in the membership of  
10 the panel shall be filled in the manner provided for original appointments.

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

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

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

22 SECTION 5. *Creation of an Autism and Health Insurance Coverage Hotline.* --

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

1 received by such hotline shall be documented and referred to the appropriate official in the  
2 Department for corrective action.

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

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

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

17 SECTION 6. *Separability Clause.* – If any provision or part hereof is held invalid or  
18 unconstitutional, the remainder of the Act or the provision not otherwise affected shall  
19 remain valid and subsisting.

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

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

Approved,