



**SENATE**  
**S. No. 749**

'19 JUL 24 A11:57

Introduced by Senator Grace Poe

REC'D

**AN ACT**  
**STRENGTHENING THE DRUG REHABILITATION PROGRAMS OF THE**  
**GOVERNMENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9165**  
**OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT**  
**OF 2002", AS AMENDED, APPROPRIATING FUNDS THEREOF, AND FOR**  
**OTHER PURPOSES.**

*Explanatory Note*

As of 9 August 2016, around 1.2 million drug suspects have surrendered as a result of the administration's zero-tolerance policy on illegal drugs.<sup>1</sup> However, the huge volume of drug users who have surrendered has exposed our lack of drug rehabilitation centers. To quote a recent *Manila Bulletin* report: "As the number of drug dependents surrendering to authorities continues to spike, the government is now faced with the problem of where to place them as the number of existing rehabilitation centers cannot accommodate them all at the same time."<sup>2</sup>

The shortage of drug rehabilitation centers is a major problem that merits immediate action. Approaching the illegal drug problem purely through the lens of criminal law and prosecution is not effective. Our criminal and justice systems are reformatory in nature. Thus, the construction of additional rehabilitation centers is necessary to ensure that those who have surrendered will not go back to drug use and dependence. We should not only destroy *shabu* laboratories but also reduce the demand for *shabu* through holistic measures.

As a response, this bill seeks to strengthen the drug rehabilitation and treatment program of the government. It seeks to amend Republic Act No. 9165, otherwise known as the "*Comprehensive Dangerous Drugs Act of 2002*", and introduces the following amendments, among others:

<sup>1</sup> Geronimo, J.Y. "Rehab centers shortage: 100 years to treat drug surrenderees" *Rappler* (08/09/16). Retrieved from <http://www.rappler.com/nation/142511-recto-drug-rehabilitation-shortage>

<sup>2</sup> Terrazola, V.E. "More rehab centers needed as drug addicts surrender by the dozen every day" *Manila Bulletin* (07/08/16). Retrieved from <http://www.mb.com.ph/more-rehab-centers-needed-as-drug-addicts-surrender-by-the-dozen-every-day/>

1. Establish Department of Health (DOH)-administered drug rehabilitation centers in every province and highly urbanized city in the country, and providing for adequate organization and staffing for such;
2. Expand the duties and powers of the DOH with regard to the regulation and administration of drug rehabilitation centers; and
3. Create a benefit package for the rehabilitation and detoxification of drug users under the Philippine Health Insurance Corporation.

In order to help the administration's anti-drug campaign, speedy approval of this measure is eagerly sought.

  
GRACE POE



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Roll Call

**AN ACT**

**STRENGTHENING THE DRUG REHABILITATION PROGRAMS OF THE GOVERNMENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9165 OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002", AS AMENDED, APPROPRIATING FUNDS THEREOF, AND FOR OTHER PURPOSES.**

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

1 Section 1. Section 75, Article VIII or Republic Act No. 9165 is hereby  
2 amended to read as follows:

3 "Section 75. *Treatment and Rehabilitation Centers.* – The  
4 existing treatment and rehabilitation centers for drug dependents  
5 operated and maintained by the NBI and the PNP shall be operated,  
6 maintained and managed by the DOH in coordination with other  
7 concerned agencies. For the purpose of enlarging the network of  
8 centers, the Board through the DOH, shall encourage, promote or  
9 whenever feasible, assist or support in the establishment, operations  
10 and maintenance of private centers which shall be eligible to receive  
11 grants, donations or subsidy from either government or private  
12 sources. It shall also support the establishment of government-  
13 operated regional treatment and rehabilitation centers. [~~depending~~  
14 ~~upon the availability of funds.~~]

15 The national government, through its appropriate agencies shall give  
16 priority funding for the increase of subsidy to existing government drug  
17 rehabilitation centers, and shall establish at least one (1) **DOH-**



1           **ADMINISTERED** drug rehabilitation center in each province~~[,]~~ **AND**  
2           **HIGHLY URBANIZED CITY IN THE COUNTRY** ~~[depending on the~~  
3           ~~availability of funds]~~

4           Sec. 2. A new Section 75(A) is hereby inserted under Article VIII of Republic  
5           Act No. 9165 and shall read as follows:

6                   **"SECTION 75-A. *FUNCTIONS OF DRUG REHABILITATION***  
7                   ***CENTERS. – DRUG REHABILITATION CENTERS, WHETHER***  
8                   ***PRIVATE OR PUBLIC, SHALL HAVE THE FOLLOWING***  
9                   ***FUNCTIONS:***

10                   **(A) TO PROVIDE AFFORDABLE, ACCESSIBLE,**  
11                   **EVIDENCE-BASED TREATMENT, ACCOMMODATION,**  
12                   **AND GUIDANCE AND COUNSELING SERVICES TO**  
13                   **PERSONS FOUND TO BE DRUG USERS;**

14                   **(B) TO ENSURE THAT DRUG USERS WILL NOT GO**  
15                   **BACK INTO DRUG USE AND DEPENDENCE;**

16                   **(C) TO EMPOWER DRUG USERS TO REGAIN THEIR**  
17                   **SELF-CONFIDENCE AND UNDERSTAND THE**  
18                   **NEGATIVE PHYSICAL AND SOCIAL IMPACTS OF**  
19                   **SUBSTANCE ABUSE;**

20                   **(D) TO INVOLVE FAMILIES AND COMMUNITY**  
21                   **MEMBERS IN THE REHABILITATION OF DRUG USERS**  
22                   **SO AS TO FACILITATE THE MENDING OF SOCIAL**  
23                   **BONDS WHICH HAVE BEEN DESTROYED DUE TO**  
24                   **LONG SUBSTANCE ABUSE AND PROVIDE A SUPPORT**  
25                   **NETWORK FOR DRUG USERS BEYOND THE**  
26                   **TREATMENT AND REHABILITATION PERIOD; AND**

27                   **(E) TO PROVIDE AFTER-CARE, FOLLOW-UP, AND**  
28                   **SOCIAL REINTEGRATION SERVICES TO ENABLE A**  
29                   **PREVIOUS DRUG DEPENDENT TO ADJUST TO FAMILY**  
30                   **AND COMMUNITY LIFE AFTER HIS RELEASE."**

1           Sec. 3. A new Section 75(B) is hereby inserted under Article VIII of Republic  
2 Act No. 9165 and shall read as follows:

3                   **"SECTION 75(B). ORGANIZATION AND STAFFING- EACH**  
4           **CENTER SHALL BE HEADED BY ONE DIRECTOR TO BE**  
5           **ASSISTED BY AT LEAST THREE (3) ASSISTANT DIRECTORS**  
6           **FOR OUTPATIENT OR INPATIENT CARE, ADMINISTRATION**  
7           **AND FINANCE, DEPENDING ON SERVICE TYPE AND CAPACITY,**  
8           **WHO SHALL ALL BE APPOINTED BY THE SECRETARY OF**  
9           **HEALTH. THE DIRECTOR AND DEPUTY DIRECTORS SHALL**  
10          **HAVE THE GENERAL POWERS EXERCISED BY A CHIEF AND**  
11          **ASSISTANT CHIEFS, RESPECTIVELY, OF A GOVERNMENT**  
12          **HOSPITAL.**

13                  **NO PERSON SHALL BE APPOINTED DIRECTOR OR**  
14          **DEPUTY DIRECTOR UNLESS HE OR SHE IS A CITIZEN AND**  
15          **RESIDENT OF THE PHILIPPINES; A PHYSICIAN OF GOOD**  
16          **STANDING WITH AT LEAST THREE (3) YEARS OF EXPERIENCE**  
17          **IN THE CARE, TREATMENT AND REHABILITATION OF DRUG**  
18          **USERS; AND MUST NOT HAVE BEEN A CANDIDATE FOR ANY**  
19          **ELECTIVE NATIONAL OR LOCAL OFFICE IN THE IMMEDIATELY**  
20          **PRECEDING ELECTIONS, WHETHER REGULAR OR SPECIAL.**  
21          **THE DOH MAY ISSUE ADITONAL GUIDELINES ON THE**  
22          **QUALIFICATIONS OF THE DIRECTORS OF CENTERS PURSUANT**  
23          **TO SECTION 76 (10) OF THIS ACT.**

24                  **THE DIRECTOR SHALL APPOINT OTHER STAFF AS MAY**  
25          **BE NECESSARY SUBJECT TO GUIDELINES ISSUED PURSUANT**  
26          **TO ARTICLE VIII, SECTION 76 (10) OF THIS ACT.**

27                  **THE SALARIES AND EMOLUMENTS OF THE DIRECTORS**  
28          **AND ALL PERSONNEL OF CENTERS SHALL BE IN ACCORDANCE**  
29          **WITH LAWS, AND RULES AND REGULATIONS ON SALARY**  
30          **STANDARDIZATION."**



1           Sec. 4. Section 76, Article VIII of Republic Act No. 9165 is hereby amended to  
2 read as follows:

3                   "Section 76. *The Duties and Responsibilities of the Department*  
4 *of health (DOH) Under this Act.* – The DOH shall:

5                   "(1) x x x

6                   " x x x

7                   "**(7) IDENTIFY THE LOCATION, TYPE AND SERVICE**  
8 **CAPACITY OF THE DOH-ADMINISTERED DRUG**  
9 **REHABILITATION CENTERS TO BE CONSTRUCTED ON A**  
10 **CASE TO CASE BASIS, AFTER PRIOR SUFFICIENT**  
11 **CONSULTATION WITH THE CONCERNED LOCAL**  
12 **GOVERNMENT UNITS AND COMMUNITIES;**

13                   "**(8) DEVELOP A WORKFORCE PLAN FOR THE**  
14 **CONTINUOUS PROVISION OF MEDICAL TOXICOLOGISTS**  
15 **AND OTHER NECESSARY MEDICAL STAFF;**

16                   "**(9) PROVIDE TRAINING AND TECHNICAL ASSISTANCE**  
17 **TO THE STAFF OF DRUG REHABILITATION CENTERS,**  
18 **WHETHER PUBLIC OR PRIVATE; AND**

19                   "**(10) PROMULGATE GUIDELINES ON THE**  
20 **ORGANIZATION AND STAFFING OF DOH-**  
21 **ADMINISTERED REHABILITATION CENTERS, IN**  
22 **COORDINATION WITH THE DEPARTMENT OF BUDGET**  
23 **AND MANAGEMENT AND OTHER CONCERNED**  
24 **GOVERNMENT AGENCIES.**

25           Sec. 5. A new Section 76(A) is hereby inserted under Article VIII of Republic  
26 Act No. 9165 and shall read as follows:

27                   "**SECTION 76-A. BENEFIT PACKAGE FOR**  
28 **REHABILITATION AND DETOXIFICATION. – THE PHILIPPINE**  
29 **HEALTH INSURANCE CORPORATION SHALL DESIGN BENEFIT**  
30 **PACKAGES FOR REHABILITATION, TREATMENT AND**  
31 **DETOXIFICATION OF DRUG DEPENDENTS AND SHALL ISSUE**  
32 **GUIDELINES THEREOF. THE BENEFIT PACKAGE SHALL COVER:**

1  
2           **(A) ROOM AND BOARD;**  
3           **(B) SERVICES OF HEALTH CARE PROFESSIONALS; AND**  
4           **(C) PRESCRIPTION DRUGS, SUBJECT TO SECTION 37 OF**  
5           **THIS ACT.**

6           Sec. 6. *Appropriations.* –The amount necessary for the initial implementation  
7 of this Act shall be charged against the current appropriations of the DOH.  
8 Thereafter, such sums as may be necessary for the continued implementation of this  
9 Act shall be included in the annual General Appropriations Act.

10          Grants, donations, and endowments from domestic and foreign sources,  
11 pursuant to existing laws and regulations, may be used to augment the sources of  
12 funding identified under Article X, Sec. 87 of Republic Act N. 9165. All income  
13 generated from the operation of centers shall be retained by the DOH and shall be  
14 used to augment the centers' Maintenance and Other Operating Expenditures and  
15 Capital Outlay. *Provided,* that the said amount shall not be used or realigned for the  
16 payment of salaries, allowances and other benefits.

17          Sec. 7. *Implementing Rules and Regulations.* – The Department of Health, in  
18 consultation with the Dangerous Drugs Board, the Department of Interior and Local  
19 Government, the Department of Justice, the Department of Social Welfare and  
20 Development, and the Philippine National Police, shall promulgate the rules and  
21 regulations for the implementation of this Act no later than thirty (30) days after its  
22 effectivity.

23          Sec. 8. *Separability Clause.* – If any provision of this Act shall be held  
24 unconstitutional or invalid, the other provisions not otherwise affected shall remain  
25 in full force and effect.

26          Sec. 9. *Repealing Clause.* – All laws, executive orders, rules and regulations  
27 inconsistent with or contrary to this Act, are hereby deemed accordingly repealed or  
28 amended.

29          Sec. 10. *Effectivity Clause.* – This Act shall take effect upon its approval and  
30 completion of publication in the Official Gazette.

*Approved,*