

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



Senate
Office of the Secretary

SENATE
S. B. No. **1471**

20 MAY -4 P1:36

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RECEIVED BY

Introduced by SENATOR SONNY ANGARA

AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 11036,
OTHERWISE KNOWN AS THE MENTAL HEALTH ACT

EXPLANATORY NOTE

In 2018, the country passed Republic Act No. 11036 or the Mental Health Act in response to the World Health Organization (WHO) study which revealed that the Philippines has the highest incidence of depression among Southeast Asian countries. This is supported by a 2004 Department of Health (DOH) survey saying that almost one in every 100 households has a member with a mental disorder.

Since its enactment, the law was able to bolster the country's stance on improving the mental health of every Filipino by ensuring access to mental health services and interventions from regional, provincial and tertiary hospitals down to the barangay level and protecting the patients' rights. And while we remain optimistic that this law will continue to address the growing needs of those who seek help, the law must also be strengthened particularly for our workers in both the public and private sector.

For employees, a big factor of stress comes from work. Whether it's the long hours of commuting to and from the workplace, the lack of work/life balance, the excessive demands of their jobs, or the less than competitive salary, Filipino workers are constantly being subjected to stress which – according to experts – can lead to several mental health problems such as depression or even dementia.

RA 11036 has made it easier for our workers to seek help, however, the financial burden of these services can still be challenging to some especially as PhilHealth has yet to increase its benefit package of P7,800 for mental and behavioral disorders. Hence, this bill seeks to amend the Mental Health Act in order

to reinforce already existing laws - such as Presidential Decree No. 626¹ (for private and public employees) and Republic Act No. 6963² (for our uniformed personnel) – which provide for compensation benefits and/or special financial assistance in the event a worker sustains a disability while in the performance of duty or by reason of his/her position. While we believe that true healing can only be acquired through professional medical help, reinforcing the rights of employees in terms of monetary compensation can help alleviate his/her burden.

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

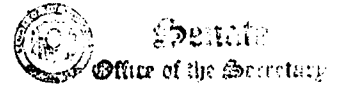


SONNY ANGARA

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¹ Further Amending Certain Articles of Presidential Decree No. 442 Entitled "Labor Code of the Philippines".

² An Act Granting Special Financial Assistance and Benefits to the Family or Beneficiary of Any Police or Military Personnel or Fireman Killed or Permanently Incapacitated while in the Performance of His Duty or by Reason of His Office or Position and For Other Purposes.



SENATE
S. B. No. 1471

20 MAY -4 P1 36

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Introduced by SENATOR SONNY ANGARA

AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 11036,
OTHERWISE KNOWN AS THE MENTAL HEALTH ACT

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

1 **SECTION 1.** Section 5 of Republic Act No. 11036 otherwise known as the
2 "Mental Health Act" is hereby amended to read as flows:

3 "Sec. 5. Rights of Service Users – Service users shall enjoy, on an
4 equal and nondiscriminatory basis, all rights guaranteed by the
5 Constitution as well as those recognized under the United Nations
6 Universal Declaration of Human Rights and the Convention on the
7 Rights of Persons with Disabilities and all other relevant international
8 and regional human rights conventions and declarations, including the
9 right to:

10 XXX XXX XXX

11 **"(U) IMMEDIATELY RECEIVE COMPENSATION BENEFITS**
12 **AND/OR ANY SPECIAL FINANCIAL ASSISTANCE THAT THE**
13 **SERVICE USER IS ENTITLED TO UNDER EXISTING LAWS**
14 **SHOULD THE SERVICE USER SUSTAIN TEMPORARY OR**
15 **PERMANENT MENTAL DISABILITY WHILE IN THE**
16 **PERFORMANCE OF DUTY OR BY REASON OF HIS OR HER**
17 **OFFICE OR POSITION."**

18 **SEC. 2. Repealing Clause.** – All laws, decrees, executive orders or rules
19 and regulations contrary to or inconsistent with the provisions of this Act are hereby
20 repealed or modified accordingly.

1 **SEC. 3. Effectivity Clause.** – This Act shall take effect fifteen (15) days
2 after its publication in the *Official Gazette* or in any newspaper of the general
3 circulation.

Approved,