

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

23 JAN 19 P5:36

SENATE
S.B. No. 1717

RECEIVED BY: 

Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
AMENDING REPUBLIC ACT NO. 11036 OTHERWISE KNOWN AS THE
"MENTAL HEALTH ACT", AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Section 2 of Republic Act No. 11036 also known as the "Mental Health Act" provides that, *"The state affirms the basic right of all Filipinos to mental health as well as the fundamental rights of people who require mental health services." It further states that, "The State commits itself to promoting the well-being of people by ensuring that mental health is valued, promoted and protected; mental health conditions are treated and prevented; and timely, affordable, high quality, and culturally-appropriate mental health case is made available to the public."*

In a fast-changing world, plagued with sickness, pandemics, stress and inevitable economic fluctuations, one can barely manage to survive. Social isolation and loss of jobs during COVID-19 have exacerbated existing mental health challenges. The Department of Health (DOH) estimated that at least 3.6 million Filipinos faced mental health issues during the pandemic, including depression, substance use disorders such as alcohol use disorder, and mood disorders like bipolar disorder.

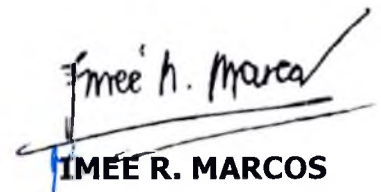
The US Agency for International Development (USAID) said that COVID-19 infection in itself has been found to directly impact a person's mental health as much as one of three COVID-19 patients in the Philippines was diagnosed with a mental health condition within six (6) months of testing positive for COVID-19. Deaths caused by "intentional self-harm" also rose by 57.3 percent during the pandemic, according to Philippine Statistics Authority (PSA) figures as of 26 October 2021. From 2,810 deaths by intentional self-harm in 2019, the number spiked to nearly double or 4,420 in 2020.

Health expert Lily Perete Orticio, former president, Philippine Charities Foundation in South Florida, wrote in an article that the rise in cases of deaths by suicide has become a global concern, especially due to loss of work and financial instability.

As we aspire for a better Philippines, it is high time that the government include in its priorities, the provision of free mental health care services to the people especially giving priority to the minors, victims of domestic violence or trafficking and the homeless. While we strive to provide means to elevate the basic needs of food, clothing, and shelter, let us also work together for a mentally healthier citizenry.

This bill seeks to bring free mental health care services, treatment, and support closer to the people, break mental health stigmas and stereotypes, and ensure adequate and sufficient equipment, supplies and medicines, by establishing and empowering a responsive community-based mental health facility in every province, city, and cluster of municipalities in the entire country.

For the foregoing reasons, the passage of this bill is earnestly sought.


IMEE R. MARCOS

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

1 **SECTION 1.** Section 16 of Republic Act No. 11036 otherwise known as the
2 "*Mental Health Act*" shall be amended to read as follows:

3
4 "Section 16. Community-based Mental Health Care Facilities. -
5 The national government, through the DOH, **IN COORDINATION**
6 **WITH THE DEPARTMENT OF INTERIOR AND LOCAL**
7 **GOVERNMENT (DILG)**, shall fund the establishment and assist in
8 the operation of community-based mental health care facilities in
9 the provinces, cities and cluster of municipalities in the entire
10 country based on the needs of the population, to provide
11 appropriate mental health care services, and enhance the rights-
12 based approach to mental health care. **PROVIDED THAT, WHERE**
13 **THE RESIDENT OF THE PROVINCE, CITY, OR**
14 **MUNICIPALITY IS HOMELESS, A VICTIM OF DOMESTIC**
15 **VIOLENCE OR TRAFFICKING, OR A MINOR, HE OR SHE**
16 **SHALL BE GIVEN PRIORITY IN THE AVAILMENT OF**
17 **SERVICES. PROVIDED FURTHER THAT, THE PARENT OR**
18 **DULY-DESIGNATED OR APPOINTED REPRESENTATIVE OF**
19 **THE MINOR SHALL BE PRESENT OR MUST HAVE GIVEN**
20 **CONSENT DURING THE AVAILMENT OF SERVICES.**

21
22 **THE AVAILMENT OF SUCH SERVICES, TREATMENT,**
23 **AND SUPPORT SHALL BE FREE OF CHARGE TO THE**

1 **RESIDENTS OF THE MENTAL HEALTH CARE FACILITY**
2 **WHERE IT IS LOCATED.**

3
4 Each community-based mental health care facility shall, in
5 addition to adequate room, office or clinic, have a complement of
6 mental health professionals, allied professionals, support staff,
7 trained barangay health workers (BHWs) volunteer, family
8 members of patients or service users, basic equipment and supplies
9 and adequate stock of medicines appropriate at that level."

10
11
12 **SEC. 2. Repealing Clause.** - All laws, decrees, orders, rules and regulations
13 or other issuances or parts thereof inconsistent with the provisions of this Act are
14 hereby repealed or modified accordingly.

15
16 **SEC. 3. Separability Clause.** – If any portion or provision of this Act is
17 declared unconstitutional, the remainder of this Act or any provision not affected
18 thereby shall remain in force and effect.

19
20 **SEC. 4. Effectivity.** - This Act shall take effect after fifteen (15) days following
21 the completion of its publication either in the Official Gazette or in a newspaper of
22 general circulation in the Philippines.

23
 Approved,