

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 3665

Introduced by Rep. TEDDY A. CASIÑO

EXPLANATORY NOTE

According to the 2000 Census of Population and Housing in the Philippines, there are 942,098 persons with disabilities (PWD) or about 1.23 percent of the total population in the country. It is estimated that one in 20 households has at least one member that has a disability, half of whom are not able to attend and finish elementary education. Compared to people without disabilities, PWDs are three times more likely not to attend school or to have finished any grade level. More than 40 percent of PWDs are also not gainfully employed.

The State affirms and mandates the rehabilitation, self-development and integration of PWDs into mainstream society through the Magna Carta for Persons with Disabilities and other related laws and programs. In 2008, the Philippines ratified the United Nations Convention on the Rights of Persons with Disabilities as a re-affirmation of government's mandate to promote the rights and uplift the living conditions of the PWDs.

While there have been numerous moves to expand projects that assist PWDs, whether through the installation of facilities and devices that give them more mobility in public and other places or the entitlement of privileges, discounts and incentives, little has been done by the government to offer services that directly address their need for physical and social rehabilitation.

While some PWDs experience lifelong disabilities, others are able to overcome some mobility problems, but only when they benefit from rehabilitation programs. Children and young adults benefit most from these activities because of early intervention. This is made more significant considering that of the almost one million PWDs, 20% are children. More than half of these disabilities are acquired and can be prevented.

However, poor families are unable to avail of these special therapy sessions because of their high cost and/or lack of nearby facilities. A child with disability needs two (2) to three (3) treatment sessions a week with each session costing from PhP 300 to 500. This is still apart from other medical needs required for the full rehabilitation.

Fortunately, for the last 15 years, a non-government organization initiative "Breaking Barriers for Children and Young Adults with Disabilities" (BBCY), implemented in the Philippines by the Katipunan ng Maykapansanan sa Pilipinas, Inc. (KAMPI) and the Danish Society of Polio and Accident Victims, has shown the way in addressing this urgent need. They have established 138

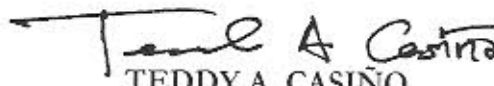
Stimulation and Therapeutic Activity Centers (STAC) for children with disabilities (CWD). Through the centers, many CWDs are able to improve their mobility and skills, and have become empowered and productive members of society. Because of the positive outcomes and the success of the project, a large number of these STACs have been turned over to local government units, non-government agencies and even organizations set up by parents such as *Ang Pederasyon ng mga Magulang na May mga Anak na Maykapananan sa Pilipinas, Inc.* (AMAMI). BBCY has also expanded their services to include young adults with disabilities. To date, they are now serving more than 15,000 CWDs in different municipalities.

The success of the BBCY project is testament that the needs of an especially marginalized sector such as CWDs can be addressed. Under the project, the centers provide free evaluation, physical and occupational therapy and socialization activities for the PWDs and their families. Other activities include educational assistance, supplemental feeding, parents' training, teachers' training and barangay health workers training for the eventual turnover of centers to the local government units.

Through this proposed bill, similar centers will be established in all cities and municipalities to empower children and young adults with disabilities as well as the communities they live in. The centers will be run by the local government units in cooperation with the National Council on Disability Affairs, Department of Social Welfare, Department of Health, and non-government organizations and volunteers.

In view of the foregoing, immediate approval of this measure sought.

Approved,


TEDDY A. CASINO
Bayan Muna Party-list

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3665

Introduced by Rep. TEDDY A. CASIÑO

AN ACT
PROVIDING FOR THE ESTABLISHMENT OF CITY AND MUNICIPAL
REHABILITATION CENTERS FOR CHILDREN AND YOUNG ADULTS WITH
DISABILITIES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Youth with Disabilities Empowerment Act of 2010.”

SECTION 2. *Declaration of policy.* – It is the government’s concern and responsibility to facilitate the rehabilitation of persons with disabilities as provided by Republic Act No. 7277 or the “Magna Carta for Persons with Disabilities” and the “United Nations Convention on the Rights of Persons with Disabilities.” The State shall therefore provide for the rehabilitation and training of children and young adults with disabilities to ensure their right to live freely and independently and to achieve a more meaningful, productive and satisfying life.

SECTION 3. *Definition.* For purposes of this Act, the following terms shall mean:

- a. *Person with disabilities* – a person who has a restriction or limitation in personal mobility, communications, development and others resulting from the interaction between person with impairments and attitudinal and environmental barriers that hinders his/her full and effective participation in society on equal basis with others;
- b. *Disability* – an activity limitation or restriction as a result of the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on equal basis with others;
- c. *Impairment* - any loss, diminution or aberration of psychological, physiological, or anatomical structure or function;

- d. *Rehabilitation* – an integrated approach to physical, social, cultural, spiritual, educational and vocational measures that create conditions for the individual to attain the highest possible level of functionality available;
- e. *Social Barriers* – any legal, economic or cultural aspect of society that limits the fullest possible participation of persons with disabilities. These include negative attitudes that single out and exclude those with disabilities;
- f. *Children with disabilities* – persons under 14 years old who have disabilities, hereinafter referred to as CWDs;
- g. *Young adult with disabilities* – persons who are 15-35 years old with disabilities, hereinafter referred to as YAWDs;
- h. *Center* – a government-run facility that offers free comprehensive rehabilitation services to poor children and young adults with disabilities, including but not limited to stimulation and therapeutic activity centers (STACs);

SECTION 4. *Establishment of Centers.* — Centers for children and young adults with disabilities shall be established in every city and municipality under direct supervision of the National Council on Disability Affairs (NCDA), hereinafter referred to as the Council, in collaboration with the Department of Social Welfare and Development (DSWD) and the local government unit concerned.

SECTION 5. *Functions of the Centers.* — The Centers will be managed and operated by teams tasked to provide comprehensive rehabilitation, social and educational services to the children and young adults with disabilities. They shall carry out the following functions:

- a. *Physical Rehabilitation* – children and young adults with disabilities, whether in joint or separate sessions, shall undergo regular physical and/or occupational therapy sessions to improve their physical condition, mobility and cognitive skills. Parents and other volunteers will also be trained to do basic exercises that will ensure the continued rehabilitation of children in their own homes.
- b. *Social Rehabilitation* – the center will provide for regular counseling and social enhancement activities. Young adults may be grouped together and provided with organizational development trainings for the formation of their own advocacy association for persons with disabilities.
- c. *Education Component* – Basic and advanced special education sessions are conducted in centers to prepare children with disabilities for schooling and to assist in-school beneficiaries to cope with regular school. Young adults with disabilities will also be given appropriate sessions from basic literacy training to placement in school or training facilities. Teachers in nearby public schools may also be trained on inclusive education for children and young adults with disabilities.
- d. *Psycho-social Component* – these include personality development activities, career development, job and internship coaching and orientation for potential employers.
- e. *Information and Resource Center* – it will also serve as an information center for the rights and incentives accorded to persons with disabilities. Disability-related documents, materials and data are also to be made available in accessible formats.

SECTION 6. *Center Workers and Volunteers.* — The local government unit (LGU) through the Municipal Social Welfare and Development Office and Municipal Health Office shall designate social workers and health workers as staff members for the centers. The local government unit may appoint other personnel who possess the necessary professional qualifications to work efficiently with the volunteers of the community. The LGU may also call upon responsible members of the community to provide medical, educational and other services and facilities for the beneficiaries.

Each Center will be composed of the following people:

- a. Physical Therapist (at least one) who will be or is trained in occupational therapy;
- b. Social Workers who will identify, assess and provide social services to the CWDs, YAWDs and their families. They are also responsible for organizing and empowering the associations of the parents and YAWDs;
- c. Special education teacher; and
- d. Barangay Health Workers who will be or are trained for basic rehabilitation. They will assist in the identification of beneficiaries and their disabilities and the execution of rehabilitation activities.

A volunteer rehabilitation doctor or a rehabilitation doctor from a nearby public hospital should evaluate the beneficiaries and provide initial rehabilitation plans to guide the team. Also, other personnel such as speech therapists, psychologists and other specialists and trained volunteers may be employed to provide services in the centers.

SECTION 7. *Fiscal Incentives.* — The following fiscal incentives shall be provided for under this Act:

- a. The Centers shall be exempted from the payment of customs duties, taxes and tariffs on the importation of equipment and supplies used actually, directly and exclusively by the Centers pursuant to this Act, including those donated to the Centers.
- b. All grants, endowments, donations, or contributions used actually, directly and exclusively for the Centers shall be exempt from donor's or gift tax and are likewise tax deductible.

SECTION 8. *Implementing Rules and Regulations.* — The Council, in coordination with the Department of Interior and Local Government (DILG), DSWD, Department of Health (DOH) and organizations advocating the rights of persons with disabilities such as *Ang Pederasyon ng mga Magulang na May mga Anak na Maykapansanan sa Pilipinas, Inc.* (AMAMI) shall promulgate the necessary implementing rules and regulations within sixty (60) days after this Act takes effect. The said agencies and groups will assist in the effective implementation of this Act and provide the necessary support services for such.

SECTION 10. *Appropriations.* - First, second and third class municipalities shall provide funding for the operation and maintenance of their Centers. The sum necessary for the continuous operation of fourth and fifth class municipality centers shall be subsidized in part by the national government and in part by the local government units concerned; provided that, for the initial year of implementation, the sum of five hundred million pesos (P500,000,000.00) is hereby authorized to be charged against the savings from the current appropriations of the DILG, DSWD and DOH; provided further that thereafter, such amount as may be necessary for the implementation of this Act shall be included in the General Appropriations Act.

SECTION 11. *Constitutionality.* – Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SECTION 12. *Repealing Clause.* – All laws, decrees, letters of instructions, resolutions, orders, ordinances or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SECTION 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,