

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4447

Introduced by Honorable **GINA P. DE VENECIA**

EXPLANATORY NOTE

It has been the primordial policy of the State to look after the welfare of children especially those with special needs such as children with autism and those with hearing and speech impairment. Other disabilities, while equally important, are already addressed through various measures and other initiatives. The proponent believes that it is imperative to focus and address treatment of children with special needs.

No single treatment of autism and hearing and speech impairment is best and treatment is typically tailored to each child's needs. Families and the educational system are the main resources for treatment. However, many of children with special needs come from poor families who cannot afford the time and specialized treatment these children need. Poor families are unable to avail of special therapy sessions or interventions because of their high cost or lack of government centers or facilities.

Through this proposed bill, centers for children with special needs will be established in every province, and eventually in every congressional district, to empower these children and their families. These centers will provide free evaluation, physical and occupational therapy and socialization activities. Other activities will include educational assistance, parents' training and community training in order to uplift the lives of these children.

With much help, these children with special needs can live freely and independently and achieve a more meaningful, productive and satisfying life. In view of the foregoing, immediate approval of this measure is sought.


GINA P. DE VENECIA
Representative
Fourth District, Pangasinan

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AN ACT
PROVIDING FOR THE ESTABLISHMENT OF CENTERS
FOR CHILDREN WITH AUTISM AND
THOSE WITH HEARING AND SPEECH IMPAIRMENT

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 “Empowerment of Children with Special Needs Act”.

SECTION 2. Declaration of Policy. – Under Section 13, Article II of the 1987 Constitution, the State shall promote and protect the physical, moral, spiritual, intellectual, and social well-being of the youth. In view of this policy, the State must enable its children, particularly those with special needs such as autism and hearing and speech impairment, to deal with present and future realities. Under Republic Act No. 7277 or the “Magna Carta for Persons with Disabilities” and the “United Nations Convention on the Rights of Persons with Disabilities”, it is the government’s concern and responsibility to facilitate the rehabilitation of children with special needs. The State shall therefore provide for the rehabilitation and training of children with special needs 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. *Children with special needs* – refers to those persons aged below 14 years old who have a condition of autism and hearing and speech impairment;
- b. *Autism* – refers to the condition of a disorder of neural development characterized by impaired social interaction and communication, and by restricted and repetitive behaviour;
- c. *Hearing and Speech Impairment* – refers to loss, diminution or aberration of psychological, physiological or anatomic structure or function of the ear and speech;

- d. *Rehabilitation* – refers to an integrated approach of 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* – refers to any legal, economic, or cultural aspect of society that limits the fullest possible participation of children with special needs. These include negative attitudes that single out and exclude those with special needs;
- f. *Center for Children with Special Needs* – refers to a government-run facility that offers free comprehensive rehabilitation service to poor children with special needs, including but not limited to stimulation and therapeutic activity centers;

SECTION 4. Establishment of Centers for Children with Special Needs. – Centers for children with special needs shall be established in every province, and eventually in every congressional district, under the direct supervision of the Department of Social Welfare and Development (DSWD).

SECTION 5. Functions of Centers for Children with Special Needs. – The Centers for Children with Special Needs shall be managed and operated by teams tasked to provide comprehensive rehabilitation, social and educational services to the youth with special needs. They shall carry out the following functions:

- a. *Physical rehabilitation* – the Centers will provide children with special needs with regular physical and 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 with special needs in their own homes;
- b. *Social rehabilitation* – the Centers will provide for regular counselling and social enhancement activities;
- c. *Education component* – the Centers will provide basic and advanced special education sessions to prepare children with special needs. Children with autism shall be provided with preschool-based programs that include a variety of behavioral, social, and skill-building treatments. Children with hearing and speech impairment shall be provided with programs to improve their communication skills such as, but not limited to, sign language, cued speech, interpretative communication and other related communication programs;
- d. *Psycho-social component* – the Centers will provide personality development activities and basic social and personal skills required for independent living of children with special needs;
- e. *Information and Resource Center* – the Centers shall serve as an information center for the rights and incentives accorded to children with special needs. Special needs-related documents, materials and data may also be made available in accessible formats.

SECTION 6. Center Workers and Volunteers. - The DSWD shall designate social workers and health workers as staff members for the Centers and other personnel who possess the necessary professional qualifications to work efficiently with volunteers. Each Center will be composed of the following people:

- a. Physical Therapist;
- b. Occupational Therapist;
- c. Speech Therapist;
- d. Social workers who will identify, assess and provide social services to children with special needs and their families;
- e. Special education teacher, who is adept in sign language communication; and
- f. Provincial 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 the provincial hospital shall 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 donors or gift tax are likewise tax deductible.

SECTION 8. Implementing Rules and Regulations. - The DSWD, in coordination with the Department of Health (DOH), National Council for Disability Affairs (NCDA), organizations specializing on children with special needs and other groups advocating the rights of persons with disabilities shall promulgate the necessary implementing rules and regulations of this Act within ninety (90) days from its effectivity. The said agencies and groups will assist in the effective implementation of this Act and provide the necessary support services for such.

SECTION 9. Appropriations. - The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter. An initial amount of One Hundred Twenty Million Pesos (P120,000,000.00) shall be allocated for the first year of its implementation. Such sum shall be included in the special projects allocation of DSWD.

SECTION 10. Repealing Clause. - Any law, presidential decree, issuance, executive order, letter of instruction, administrative order, rule and

regulations contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 11. Separability Clause. – If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 12. Effectivity Clause. – This Act shall take effect fifteen (15) days following its complete publication in two (2) newspapers of general circulations and in the Official Gazette.

Approved,