



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Third Regular Session



COMMITTEE REPORT NO. 2358

Submitted by the Committee on Social Services on 29 AUG 2012

Re : House Bill No. 3509

Recommending its approval in substitution of House Bill No. 3665

Sponsors : Reps. Arturo H. Robes and Teddy A. Casiño

Mr. Speaker:

The Committee on Social Services to which was referred House Bill No. 3665, introduced by Rep. Teddy A. Casiño, entitled:

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

3509

has considered the same and recommends that the attached House Bill No. _____, entitled:

"AN ACT ESTABLISHING CITY AND MUNICIPAL REHABILITATION CENTERS FOR CHILDREN AND YOUTH WITH DISABILITIES"

be approved in substitution of House Bill No. 3665 with Reps. Rep. Teddy A. Casiño, Rene L. Relampagos, Jerry P. Trefias, Ramon H. Durano VI, Ma. Georgina P. de Venecia, Arthur C. Yap, Rodolfo C. Fariñas, Bernadette R. Herrera-Dy, Rufus B. Rodriguez, Georgidi B. Aggabao, Jane T. Castro, Romero Federico S. Quimbo, Imelda G. Calixto-Rubiano, Neri J. Colmenares, Raymond V. Palatino, Josephine Veronique R. Lacson-Noel, Rafael V. Mariano, Maria Isabelle "Beng" G. Climaco, Lani Mercado-Revilla, Luis R. Villafuerte, Godofredo V. Arquiza, Winston "Winnie" Castelo, Edwin L. Olivarez, Anthony Rolando T. Golez, Jr., Mel Senen S. Sarmiento, and Arturo B. Robes as authors thereof.

Respectfully submitted:

REP. ARTURO H. ROBES
Chairperson
Committee on Social Services

Each Center shall have the following staff complement who may be assigned from the existing pool of personnel of the host LGU or be appointed as necessary:

- a. At least one physical therapist who is or may be trained in occupational therapy;
- b. Social workers who shall identify, assess, and provide social services to the CWDs, YWDs and their families. They shall also be responsible for organizing and empowering the associations of parents and YWDs;
- c. At least one special education teacher; and
- d. Barangay health workers who will be or are trained in basic rehabilitation. They shall assist in the identification of beneficiaries and their disabilities and the execution of rehabilitation activities.

SEC. 7. Partnership. – The host LGU may collaborate with non-government organizations, educational institutions and other stakeholders for the provision of support services.

SEC. 8. Referral Fees. – Cities and municipalities, other than the host LGU, shall pay a fee for every CWD or YWD referred to the Center. Referral fees collected shall be utilized for the operation and maintenance of the Center and salary of personnel.

SEC. 9. Tax Exemption. – All grants, endowments, donations and contributions to the Centers for their actual, direct and exclusive use shall be exempt from donor's tax and the same shall be allowed as deductions from the donor's gross income for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 10. Appropriations. – The amount needed to provide for the national government subsidy to the concerned city, municipality, or host LGU for the initial construction, establishment, or repair of the rehabilitation Centers for children and youth with disabilities shall be included in the Annual General Appropriations Act. The concerned city, municipality, or host LGU shall set aside funds from any available local revenues in an amount deemed appropriate by the local officials concerned for the operation and maintenance of the Center.

SEC. 11. Implementing Rules and Regulations. – The Department of Social Welfare and Development and the National Council on Disability Affairs, in consultation with concerned national government agencies, the League of Provinces, League of Cities, League of Municipalities, and non-government organizations advocating the rights of PWDs, shall promulgate the implementing rules and regulations within sixty (60) days after this Act takes effect. The said agencies and groups shall assist in the effective implementation of this Act and provide the necessary support services for such.

SEC. 12. Separability Clause. – Should any provision of this Act be found unconstitutional by a court of law, such provision shall be severed from the remainder of this Act, and such action shall not affect the enforceability of the remaining provisions of this Act.

SEC. 13. 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.

SEC. 14. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 3509
(In Substitution of House Bill No. 3665)

Introduced by Rep. TEDDY A. CASIÑO

AN ACT ESTABLISHING CITY AND MUNICIPAL REHABILITATION CENTERS
FOR CHILDREN AND YOUTH 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 “Children and Youth with Disabilities Empowerment Act of 2012.”

SEC. 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 youth with disabilities to ensure their right to live freely and independently and to achieve a more meaningful, productive, and satisfying life.

SEC. 3. Definition. – For purposes of this Act, the following terms are hereby defined:

- a. *Persons with Disabilities (PWDs)* – refer to persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;
- b. *Disability* – refers to 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* – refers to any loss, diminution or aberration of psychological, physiological, or anatomical structure or function;
- d. *Rehabilitation* – refers to 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* – refer to the characteristics of institutions, whether legal, economic, cultural, or recreational; any other human group, community, or society which limit the fullest possible participation of PWDs in the life of the group. Social barriers include negative attitudes which tend to single out and exclude those with disabilities and which distort roles and inter-personal relationships;
- f. *Children with Disabilities (CWDs)* – refer to persons below eighteen (18) years of age who have disabilities and those over 18 but with mental capacity as that of a child and are unable to fully take care of themselves because of mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, serious emotional disturbance.

orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities who by reason thereof need special education and other services;

- g. *Youths with Disabilities (YWDs)* – refer to persons eighteen (18) to thirty-five (35) years old who have disabilities;
- h. *Center* – refers to a facility that offers free comprehensive rehabilitation services to CWDs and YWDs, including but not limited to stimulation and therapeutic activity centers;
- i. *Host Local Government Unit (LGU)* – refers to a city or municipality where a center is established; and
- j. *Inclusive Education* – refers to the right of all learners to a quality education that meets basic learning needs and enriches lives. Focusing particularly on vulnerable and marginalized groups, it seeks to develop the full potential of every individual.

SEC. 4. Establishment of Centers. – There shall be Centers for CWDs and YWDs in every city, municipality, or cluster of municipalities supervised by the appropriate provincial, city, or municipal government.

The Center may be located in an accessible existing structure and the facilities and equipment it requires shall be identified and provided by the host LGU. If there is no existing structure, the provincial, city, or municipal government may provide for the necessary land, construction of the Center, and purchase of required equipment. Other allowable sources of funds may also be tapped in establishing a Center.

The location of the Center shall be guided by statistical data indicating the location of PWDs as provided by the Department of Health. In order to facilitate community-based rehabilitation programs, satellite facilities may be established in municipalities and barangays, as may be necessary.

SEC. 5. Functions of Centers. – The Centers shall carry out the following functions:

- a. **Physical Rehabilitation** – The Centers shall render regular physical and/or occupational therapy sessions to CWDs and YWDs for the improvement of their physical condition, mobility, and cognitive skills. Parents and other volunteers shall also be trained to do basic exercises for these children and youth in their own homes to ensure their continued rehabilitation.
- b. **Social Rehabilitation** – The Centers shall provide regular counseling and social enhancement activities. The YWDs may be grouped together and provided with organizational development trainings for the formation of their own advocacy association for PWDs.
- c. **Education Component** – The Centers shall enable the CWDs or YWDs to attend regular schools for inclusive education.
- d. **Psycho-social Component** – The Centers shall provide self-development training opportunities such as on personality development, career development, job and internship coaching, and orientation for potential employers.
- e. **Information and Resource Center** – The Centers shall also serve as information centers for the rights and incentives accorded to PWDs. Disability-related documents, materials, and data shall be made available in accessible formats.

SEC. 6. Center Workers and Volunteers. – The mayor shall appoint or designate a person with experience in health and social work, preferably a PWD, as head of the Center and may designate social workers and health workers as staff members, as well as other personnel who possess the necessary professional qualifications. The mayor may also call upon members of the community to provide medical, educational, and other services and facilities for the beneficiaries.

FACT SHEET

House Bill No. 5509
(In Substitution of House Bill No. 3665)

"ESTABLISHING CITY AND MUNICIPAL REHABILITATION CENTERS FOR CHILDREN AND YOUTH WITH DISABILITIES"

Introduced by: Rep. Teddy A. Casiño, Rene L. Relampagos, Jerry P. Trefias, Ramon H. Durano VI, Ma. Georgina P. de Venecia, Arthur C. Yap, Rodolfo C. Farillas, Bernadette R. Herrera-Dy, Rufus B. Rodriguez, Georgidi B. Aggabao, Jane T. Castro, Romero Federico S. Quimbo, Imelda G. Calixto-Rubiano, Neri J. Colmenares, Raymond V. Palatino, Josephine Veronique R. Lacson-Noel, Rafael V. Mariano, Maria Isabelle "Beng" G. Climaco, Lani Mercado-Revilla, Luis R. Villafuerte, Sarmiento, Godofredo V. Arquiza, Winston "Winnie" Castelo, Edwin L. Olivarez, Anthony Rolando T. Golez, Jr., Mel Senen S. Sarmiento, and Arturo B. Robes

*Committee Referral: COMMITTEE ON SOCIAL SERVICES
Committee Chairperson: REP. ARTURO B. ROBES*

OBJECTIVE:

- To ensure a more meaningful, productive, and satisfying life for children and youth with disabilities

KEY PROVISIONS:

- Mandates the establishment of a Center for children and youth with disabilities in every city, municipality, or cluster of municipalities to be supervised by the provincial, city, or municipal government
- Allows the host local government unit (LGU) where the Center is located, to provide the land, construct the Center, and purchase the necessary equipment if there is no existing structure in the area
- Mandates that the location of the Center be based on statistical data showing the location of persons with disabilities (PWDs) from the Department of Health to ensure safety and accessibility to PWDs
- Mandates the Center to provide physical and social rehabilitation services, educational and psycho-social services, and to act as an information hub on matters pertaining to the rights and privileges of PWDs
- Authorizes the mayor to appoint or designate the Center's staff composed of its head, a physical therapist, social workers, a special education teacher, and barangay health workers
- Encourages the host LGU to collaborate with non-government organizations (NGOs),

educational institutions, and other stakeholders for support services

- Obligates cities and municipalities other than the host LGU to pay referral fees for every child or youth with disability referred to the Center
- Grants tax incentives to donors to the Center
- Provides for the inclusion of a national government subsidy in the Annual General Appropriations Act for the initial construction/establishment/repair of the Centers
- Mandates the host LGU to set aside funds from any available local revenues for the operation and maintenance of the Center
- Directs the Department of Social Welfare and Development and the National Council on Disability Affairs to promulgate the implementing rules and regulations within sixty (60) days after the effectivity of this Act

RELATED LAW:

- Republic Act No. 7277, as amended, or the "Magna Carta for Persons with Disability"