

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular Session

House Bill No. **2569**



Introduced by **Hon. Sol Aragon**

EXPLANATORY NOTE

Filipino culture places a very high regard for older persons such that we have a culture that uses "po" and "opo." Another tradition involves taking the hand of our grandparent and placing it on our forehead while saying "mano po". But this notwithstanding, their special needs such as health care, safety, security and other social services need to be addressed not only by their families and communities but by the entire state. They are vulnerable to neglect as the pressures of economic survival impinge on Filipino families. In 1970, for every one elderly there were about 11 working people from whom support could be drawn. By 2020, studies indicate that there will only be 6 people of productive age to support the elderly.

Some family members, feeling that the elderly have become a burden on the household, have given in to violence. A particularly alarming development is the rate of elder abuse. As elders become more vulnerable due to their advanced age, they are less able to stand up to bullying or to fight back if attacked. They may not see or hear as well or think as clearly as they used to, leaving openings for unscrupulous people to take advantage of them. The World Health Organization has defined elder abuse as "a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person." The core feature of this definition is that it focuses on harms where there is "expectation of trust" of the older person toward their abuser. Thus it includes harm by people the older person knows or with whom they have a relationship, such as a spouse, partner or family member, a neighbor, or people that the older

person relies on for services. The term does not include general criminal activity against older persons.

Studies show that there are several types of elder abuse such as physical abuse, emotional/psychological abuse, sexual abuse, neglect or abandonment by caregivers, financial exploitation, as well as healthcare fraud and abuse, among others. This bill proposes the establishment of an assistance program to victims of elder abuse and the training of health and government professionals in the assistance of such victims.



HON. SOL ARAGONES
Representative, 3rd District of Laguna

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**AN ACT TO ESTABLISH PROGRAMS AND ACTIVITIES
TO AID VICTIMS OF ELDER ABUSE, AND PROVIDE TRAINING TO HEALTH
AND GOVERNMENT PROFESSIONALS IN THE ASSISTANCE OF SUCH
VICTIMS**

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

SECTION 1. Short Title. – This Act shall be known as the “Elder Victim Assistance
Act.”

SECTION 2. Declaration of Policy - It is the policy of the State to protect and
promote the right to health and safety of the elderly. Towards this end, it shall ensure that
there will be: (1) coordination among service systems and disciplines to prevent elder abuse
and combat crimes against the elderly; (2) increase knowledge among professionals serving
the elderly about elder abuse; (3) increase public awareness of elder abuse and the
seriousness of crimes against the elderly; and (4) promote public education of the elderly to
enable them to avoid being victimized, abused, or exploited.

SECTION 3. Definitions. – For purposes of this Act, the term:

A. ELDER- refers to an individual age 60 or older.

- B. ELDER ABUSE – refers to a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person.
- C. DSWD – shall refer to the Department of Social Work and Development.
- D. SECRETARY – shall refer to the Secretary of the Department of Social Work and Development (DSWD).
- E. DOF – Department of Finance
- F. DOH – Department of Health
- G. DILG – Department of Interior Local Government

SECTION 4. Establishment of Elder Victim Assistance and Programs. – An inter-agency task force shall be created, mandated to establish and implement an Elder Victim Assistance Program. The task force shall be chaired by the DSWD. The other members of this task force shall include the DOF, the DOH, and the DILG, non-government organizations such as the National Federation of Senior Citizens Association of the Philippines (NFSCAP) and the Coalition of Social Services for the Elderly (COSE). The program shall be implemented in coordination with relevant national and local and community-based public entities such as the municipal Office of Senior Citizens Affairs (OSCA), private agencies and other entities relating to elder abuse, neglect, and exploitation and other crimes against elderly individuals. The program shall provide services to all victims of elder abuse.

The services shall include:

(A) Immediate, short-term emergency services, including shelter, care services, food, clothing, transportation to medical or legal appointment as appropriate, and any other life services deemed necessary by the entity for victims of elder abuse.

(B) Counseling and assistance for victims of elder abuse in accessing health care, educational, pension, or other benefits for which seniors may be eligible under law.

(C) Mental health screenings for victims of elder abuse to identify and seek assistance for potential mental health disorders such as depression or substance abuse.

(D) Emergency legal advocacy for victims of elder abuse and, as appropriate, their families.

(E) Job placement assistance and information on employment, training, or volunteer opportunities for victims of elder abuse.

(F) Bereavement counseling for families of victims of elder abuse.

(G) Education of the elderly to enable them to avoid being victimized, abused, or exploited.

(H) Other services considered appropriate for purposes of the program.

SECTION. 5. Technical Assistance – The Secretary of the DSWD, as task force director, shall enter into contracts with private entities with experience in elder abuse coordination or victim services to provide such technical assistance as the entity determines appropriate.

SECTION 6. Reports from law enforcement agencies. - Law enforcement agencies shall submit quarterly reports to the Task Force on incidents of elder abuse.

SECTION 7. Public information on elderly abuse. – The task force shall immediately adopt a program that shall raise awareness of the public on the issue of elder abuse.

SECTION. 8. Continuing Education and Training of Health Personnel and Service Providers on Elder Abuse. - All DSWD and DOH staff and professionals providing various health services are mandated to undergo a mandatory continuing education and training program to sensitize and empower them to become effective frontliners in the delivery of health service to the victims of elderly abuse.

SECTION 9. Appropriation. — To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the amount necessary for the continuous operation of this Elder Victim Program shall be included in the annual appropriation of the DSWD.

SECTION 10. Separability Clause. – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 11. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SECTION 12. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,