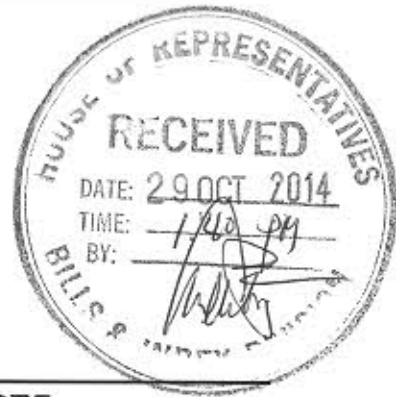


**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
SIXTEENTH CONGRESS
Second Regular Session**

House Bill No. 5159



Introduced by: HON. FRANZ E. ALVAREZ

EXPLANATORY NOTE

THE efforts of persons with disability (PWDs) and children with special needs(CSNs) to live a normal and productive are very commendable and remarkable.

Despite the condition of persons with disability (PWDs), some of them are trying hard to earn a decent living by establishing their own small business. Even the parents of children with special needs(CSNs) are giving their best to earn a living in their full capacity to fulfill the needs of their child with special needs.

To further help self-employed PWDs in their pursuit to become productive citizens, and to assist the parents of children with special needs (CSNs), this bill seeks to give them mandatory membership of the Philippine Health Insurance Corporation (Philhealth).

The government, in turn, would grant them 100 percent subsidy for their Philhealth monthly contribution for one year upon registration.

This way, the welfare and health of PWDs and CSNs are being looked upon and protected by the government,

In view of the foregoing, passage of this bill is earnestly encouraged,


FRANZ E. ALVAREZ

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
SIXTEENTH CONGRESS
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House Bill No. 5159

Introduced by Honorable Franz E. Alvarez

**AN ACT
GIVING MANDATORY PHILHEALTH MEMBERSHIP
TO PERSONS WITH DISABILITY (PWDs)
AND CHILDREN WITH SPECIAL NEEDS(CSNs)**

BE it enacted in the Senate and the House of Representatives in Congress assembled:

Sec. 1. **Title:** This act shall be known as "Persons With Disability (PWD) and Children with Special Needs(CSNs) Philhealth Coverage Act of 2014."

Sec. 2. **Declaration of Policy:** It is the policy of the State to give full support to the improvement of the total well-being of disabled persons and Children with Special Needs(CSNs) and their integration into the mainstream of society.

Toward this, the State shall adopt policies ensuring the rehabilitation, self-development and self-reliance of disabled persons and Children with Special Needs (CSNs).

Sec. 3. **Definition of Terms.** For purposes of this Act, these terms are defined as follows:

(a) *Disability* shall refer to any of the following:

- 1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual;
- 2) a record of such and impairment; or
- 3) being regarded as having such an impairment.

(b) *Impairment* refers to any loss, diminution or aberration or psychological, physiological or anatomical structure or function;

(c) *Handicap* refers to a disadvantage of a given individual, resulting from an impairment or a disability that limits or prevents the functions or

activity that is considered normal given the age and gender of the individual;

(d) *Persons with disabilities* (PWD) refer to those suffering from restrictions or different abilities as a result of a mental, physical, sensory or neurological impairment, to perform an activity in the manner or within the range considered normal for a human being;

(e) *Marginalized disadvantaged persons with disabilities* refer to disabled persons who lack access to rehabilitate services and educational opportunities due to poverty, abandonment, illness and other forms of neglect. For purposes of this Act, the word "poor" refers to persons who have no means of livelihood or have incomes below poverty threshold as determined by the National Statistical Coordinating Board (NSCB);

(f) *Children with special needs* (CSN) refer to those who are the gifted or are fast learners; and those who are disabled, impaired and handicapped and in need of special education as well as services for rehabilitation. They differ from the average children in mental characteristics, sensory abilities, neuro-muscular or physical characteristics, social attributes, to such an extent that requires the use of modified school practices or special education services to develop them to maximum capability. They may be classified as follows:

1. *Gifted children and fast learners* are those capable of superior performance including those with demonstrated achievement or potential ability in one or more of the following areas: general intellectual ability, specific academic aptitude, creative or productive thinking ability, leadership ability, ability in the performing arts and psychomotor ability, or those individuals who consistently manifest the following cluster of traits: above average ability (including intelligence), high creativity (implies the developmental appreciation of innovative ideas) and high task commitment (related to a high degree of motivation) and those who by reason thereof, require services or activities not ordinarily provided by the school;
2. *Children with mental retardation intellectual disability* are those who have substantial limitation in present functioning characterized by significant sub-average intellectual functioning, existing concurrently with the related limitations in two or more of the applicable adaptive skill areas; communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work;
3. *Children with visual impairment* are those who are blind or having a low vision. Persons are blind if they has a visual capacity of

20/200 or less in a better eye after maximum correction. The low vision persons retain a relatively low degree of vision and can read only enlarged print or regular print under special conditions;

4. *Children with hearing impairment* are those who are deaf or hard-of-hearing. The deaf persons are one whose hearing is non-functional for ordinary purpose in life. The hard-of-hearing have a defective sense of hearing that is functional without a hearing aid;

5. *Children with behavior problems* are those who cannot adjust to the socially accepted norms or behavior and, consequently disrupt their academic progress, in the learning efforts of their classmates and interpersonal relations;

6. *Children with orthopedic/physical handicap* are those whose impairment permanently or temporarily interferes with the normal functions of the joints, muscles or limbs;

7. *Children with special health problems* are those who have health conditions that tend to keep children out-of-school or those with chronic and/or debilitating illnesses such as cardiac (heart) diseases, asthma, diabetes, tuberculosis and other respiratory ailments, cancer, epilepsy, malnutrition and others;

8. *Children with learning disabilities* are those whose although normal in sensory, emotional and intellectual abilities exhibit disorders in perception, listening, thinking, reading, writing, spelling or arithmetic. They have such condition as perceptual handicap, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia;

9. *Children with speech defects* are those whose speech differs from the average so far as to draw unfavorable attention to the manner of speaking rather than to the thought conveyed;

10. *Children with autism* are those with developmental disabilities, the onset of which occurs before 30 months of age which is marked by disturbance in development, language and relationship with persons, activities and objects and which may coexist with intellectual disability and epilepsy. Children afflicted with this disorder have perceptual cognitive communication and social difficulties which change over time.

11. *Children with multi-handicaps* are those with more than one disability such as the deaf-blind or those diagnosed with autism and intellectual disability.

Sec. 4. **Mandatory Philhealth Membership for PWDs and CSNs.** To further help self-employed PWDs in their pursuit to become productive citizens,

and to assist the parents of children with special needs (CSNs), they shall be afforded mandatory membership of the Philippine Health Insurance Corporation (Philhealth) subject to the guidelines to be implemented by the Department of Social Work and Development in conjunction with the Department of Health.

Sec. 5. ***The Office for Persons with Disabilities*** – There shall be established in the Office of the Mayor an Office for Persons with Disabilities to be headed by a Councilor who shall be designated by the Sangguniang Bayan and assisted by the Community Development Officer in coordination with the Department of Social Welfare and Development. The functions of this office are:

- a) To plan, implement and monitor yearly work programs in pursuance of the objectives of this Act;
- b) To draw up a list of available and required services which can be provided to Persons with Disabilities;
- c) To maintain and regularly update on a quarterly basis the list of Persons with Disabilities and to **issue nationally uniform individual identification cards** which shall be valid anywhere in the country;
- d) To serve as a general information and liaison center to serve the needs of the Persons with Disabilities.

Sec. 5. ***Appropriations***: The amount needed for the implementation of this Act shall be taken from the annual general appropriations of the Department of Social Welfare and Development (DSWD).

Sec. 6. ***Implementing Rules and Regulations***: The Secretary of the Social Welfare and Development, the Philippine Health Insurance Corporation, within sixty (60) days from the effectivity of this Act, shall issue the necessary rules and regulations for the effective implementation of this Act.

Sec. 7. ***Separability Clause***: The declaration of unconstitutionality or invalidity of any provisions of this Act shall not affect the other provisions.

Sec. 8. ***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.

Sec. 9. ***Effectivity***: This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,