

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 6470



Introduced by Representative Jerry P. Treñas

EXPLANATORY NOTE

Persons with disability (PWD) should be afforded with greater protection and benefits by law. Our very own Constitution provides that the State shall prioritize the needs of the PWDs.¹ The Magna Carta for Disabled Persons declares it a State policy to ensure the rehabilitation, self-development and self-reliance of disabled persons, while also acknowledging that PWDs must attain a more meaningful, productive and satisfying life.²

However, having a Magna Carta for PWDs is not enough. Recognizing the need to have concrete programs and policies for the PWDs, Congress passed Republic Act No. 9442 in order to provide for the privileges and incentives of PWDs.³

In 2010, Congress also passed the Expanded Senior Citizens Act which provided for a Php500.00 monthly stipend for senior citizens.⁴ I had the pleasure to author a bill granting Philhealth benefits for all senior citizens, removing the indigency requirement, during the 16th Congress, which was passed into law as Republic Act No. 10645.⁵ Unfortunately, neither of these two privileges were afforded to PWDs by the Magna Carta for PWDs and its amendatory law.

This proposed legislation further amends the Magna Carta for PWDs by providing a monthly stipend of Php500.00 for all bona fide PWDs, subject to availability of funds, and by providing mandatory PhilHealth coverage to all PWDs. For easy reference, the added provisions are items (l) and (m) in bold capital font. These new entitlements for PWDs will give them the same privileges which are currently being enjoyed by our senior citizens.

The spirit of the law of giving these benefits to senior citizens is the same as that for PWDs. Like our treasured seniors, PWDs have certain limitations which prevent them from securing employment. Most of them, like our senior citizens, are also spending a lot on medications and other hospital expenses. It is therefore equitable and just to

¹ Section 11, Article XIII. The 1987 Philippine Constitution.

² Section 2, Republic Act No. 7277 (March 24, 1992)

³ Republic Act No. 9442 (April 30, 2007), which amended RA No. 7277 by adding an enumerated list of entitlements for PWDs.

⁴ Republic Act No. 9994 (February 15, 2010)

⁵ Republic Act No. 10645 (November 5, 2014)

1 afford to our PWDs the same entitlements that are now being enjoyed by senior
2 citizens.

3
4 According to the latest figures from the Philippine Statistics Authority, approximately
5 1.57 percent of our population have reported disabilities. More than one and a half
6 million of our citizens are PWDs.

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8 We must act quickly and decisively to ensure that our PWDs will receive the
9 necessary financial and healthcare support from the government.

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11 In view of the foregoing, I earnestly recommend the approval of this legislative
12 measure.

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JERRY P. TREÑAS

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14 **AN ACT GRANTING ADDITIONAL BENEFITS TO PERSONS WITH**
15 **DISABILITY, AMENDING FOR THIS PURPOSE REPUBLIC ACT 7277, AS**
16 **AMENDED BY REPUBLIC ACT 9442**
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18 *Be it enacted by the Senate and House of Representatives of the Philippines in*
19 *Congress duly assembled:*
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21 **Section 1.** Chapter 8, Section 32 of Republic Act 7277 or the Magna Carta for
22 Disabled Persons, as amended by Republic Act 9442, is further amended to add the
23 following provisions:

24 "CHAPTER 8. Other Privileges and Incentives

25 "SEC. 32. Persons with disability shall be entitled to the following:

26 (a) At least twenty percent (20%) discount from all establishments relative to the
27 utilization of all services in hotels and similar lodging establishments; restaurants and
28 recreation centers for the exclusive use or enjoyment of persons with disability;

29 (b) A minimum of twenty percent (20%) discount on admission fees charged by the
30 theaters, cinema houses, concert halls, circuses, carnivals and other similar places of
31 culture, leisure and amusement for the exclusive use or enjoyment of persons with
32 disability;

33 (c) At least twenty percent (20%) discount for the purchase of medicines in all
34 drugstores for the exclusive use or enjoyment of persons with disability;

35 (d) At least twenty percent (20%) discount on medical and dental services including
36 diagnostic and laboratory fees such as, but not limited to x-rays, computerized
37 tomography scans and blood tests, in all government facilities, subject to guidelines to
38 be issued by the Department of Health (DOH), in coordination with the Philippine
39 Health Insurance Corporation (PHILHEALTH);

40 (e) At least twenty percent (20%) discount on medical and dental services including
41 diagnostic and laboratory fees, and professional fees of attending doctors in all private
42 hospitals and medical facilities, in accordance with the rules and regulations to be
43 issued by the DOH, in coordination with the PHILHEALTH;

- 1 (f) At least twenty percent (20%) discount on fare for domestic air and sea travel for
2 the exclusive use or enjoyment of persons with disability;
- 3 (g) At least twenty percent (20%) discount in public railways, skyways and bus fare
4 for the exclusive use and enjoyment of persons with disability;
- 5 (h) Educational assistance to persons with disability, for them to pursue primary,
6 secondary, tertiary, post tertiary, as well as vocational or technical education, In both
7 public and private schools, through the provision of scholarships, grants, financial
8 aids, subsidies and other incentives to qualified persons with disability, including
9 support for books, learning materials, and uniform allowance to the extent feasible:
10 *provided*, that persons with disability shall meet minimum admission requirements;
- 11 (i) To the extent practicable and feasible, the continuance of the same benefits and
12 privileges given by the Government Service Insurance System (GSIS), Social
13 Security System (SSS), and PAG-IBIG, as the case may be, as are enjoyed by those in
14 actual service;
- 15 (j) To the extent possible, the government may grant special discounts in special
16 programs for persons with disability on purchase of basic commodities, subject to
17 guidelines to be issued for the purpose by the Department of Trade and Industry (DTI)
18 and the Department of Agriculture (DA); and
- 19 (k) Provision of express lanes for persons with disability in all commercial and
20 government establishments; in the absence thereof, priority shall be given to them;

21 **(l) ENTITLEMENT TO A MONTHLY STIPEND AMOUNTING TO FIVE**
22 **HUNDRED PESOS (PHP500.00) TO AUGMENT THE DAILY SUBSISTENCE**
23 **AND OTHER MEDICAL NEEDS OF PERSONS WITH DISABILITY,**
24 **SUBJECT TO AVAILABILITY OF FUNDS, AND SUBJECT FURTHER TO A**
25 **REVIEW OF EVERY TWO (2) YEARS BY CONGRESS, IN**
26 **CONSULTATION WITH THE NATIONAL COUNCIL FOR THE WELFARE**
27 **OF DISABLED PERSONS (NCWDP) AND OTHER CONCERNED**
28 **GOVERNMENT AGENCIES;**

29 **(m) MANDATORY COVERAGE BY THE NATIONAL HEALTH**
30 **INSURANCE PROGRAM OF PHILHEALTH. FUNDS NECESSARY FOR**
31 **THE COVERAGE OF PERSONS WITH DISABILITY NOT PRESENTLY**
32 **COVERED BY ANY EXISTING CATEGORY FROM THE NATIONAL**
33 **HEALTH INSURANCE FUND OF PHILHEALTH FROM PROCEEDS OF**
34 **REPUBLIC ACT NO. 10351, IN ACCORDANCE WITH THE PERTINENT**
35 **LAWS AND REGULATIONS.**

36 The abovementioned privileges are available only to persons with disability who are
37 Filipino citizens upon submission of any of the following as proof of his/her
38 entitlement thereto:

- 39 (I) An identification card issued by the city or municipal mayor the barangay
40 captain of the place where the person with disability resides;

1 (II) The passport of the persons with disability concerned; or

2 (III) Transportation discount fare Identification Card (ID) issued by the
3 National Council for the Welfare of Disabled Persons (NCWDP).

4 The privileges may not be claimed if the persons with disability claims a higher
5 discount as may be granted by the commercial establishment and/or under other
6 existing laws or in combination with other discount program/s.

7 The establishments may claim the discounts granted in sub-sections (a), (b), (c), (e),
8 (f) and (g) as tax deductions based on the net cost of the goods sold or services
9 rendered: *provided, however*, That the cost of the discount shall be allowed as
10 deduction from gross income for the same taxable year that the discount is
11 granted: *provided, further*, That the total amount of the claimed tax deduction net of
12 value-added tax if applicable, shall be Included in their gross sales receipts for tax
13 purposes and shall be subject to proper documentation and to the provisions of the
14 National Internal Revenue Code (NIRC), as amended."

15 **Section 2.** The National Council for the Welfare of Disabled Persons,
16 Department of Health, Department of Social Welfare and Development and the
17 Department of Budget and Management, in consultation with concerned Senate and
18 House committees and other agencies, organizations and establishments, shall
19 formulate the implementing rules and regulations pertinent to the provisions of this
20 Act.

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22 **Section 3.** All laws, executive orders, rules and regulations or any part thereof
23 inconsistent herewith are deemed repealed or modified accordingly;
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25 **Section 4.** If any provision of this Act shall be declared unconstitutional and
26 invalid, such declaration shall not invalidate the other parts hereof which shall remain
27 in full force and effect.
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29 **Section 5.** This Act shall take effect fifteen (15) days after its complete
30 publication in the Official Gazette or in two (2) newspapers of general circulation.
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32 Approved.
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