

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

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 4378



INTRODUCED BY REPRESENTATIVES
EVELINA G. ESCUDERO
and
MARIA VIDA ESPINOSA BRAVO

EXPLANATORY NOTE

Drug dependence is the state of physical and psychological dependence, or both, on a dangerous drug, or drugs, experienced by a person following the use of that substance on a periodic or continuous basis. A person dependent on drugs will experience symptoms that occur after long-term use of a drug is reduced or stopped abruptly. On the other hand, drug addiction is characterized by excessive drug craving, seeking, and use. Addiction is caused by brain changes caused by constant drug use.

Statistics show that there are approximately 10 million drug dependents or addicts in the Philippines. Thus, one out of every ten persons is a drug user. They are often placed in prisons or government rehabilitation centers, which are overcrowded. Private rehabilitation centers meanwhile cost approximately US\$1000 (P 47,000.00) for a full treatment regimen, mostly affordable only to the rich.

Getting rid of drug dependence or addiction is a big task, especially if one is addicted to illegal drugs. This not only affects a person mentally and physically but also inhibits his ability to act socially. One needs proper support and care to leave this horrible habit. Substance dependence, like any addiction, would need an addiction treatment and rehabilitation program. Resisting drugs is not an easy task for a drug addict because, when not done gradually, the cravings only become greater and the health of the drug user may be compromised. This is why they should undergo drug rehabilitation programs with medical professionals for successful healing.

Rehabilitation is crucial to providing drug dependents a chance at restoring their lives and becoming part of the solution to a better society. The State must encourage more drug dependents to undergo treatment and rehabilitation at low-cost health care centers. The national government's total

war against illegal drugs can only gain some meaning if there are enough drug treatment and rehabilitation and centers in the country. And the scenario can be very frustrating in the wake of the continued mass surrender of drug users and pushers in various parts of the country. As of December 2015, the Dangerous Drugs Board (DDB) reports that there are so far 15 government-owned and 27 private drug rehabilitation centers accredited with DOH.

This bill seeks to establish accessible drug dependency treatment and rehabilitation centers in every province and city in the Philippines under the supervision of the DOH. It mandates the Secretary of Health to establish a socialized scheme for the payment of expenses of treatment and rehabilitation of drug dependents who have the means. But for drug dependents who are indigents and whose immediate relatives or guardians are likewise indigent shall not be required to pay.

Under the watchful eyes of treatment and rehabilitation centers, drug dependents will get utmost care and treatment that requires detoxification, followed by proper medications and therapy that will finally lead them to be drug addiction-free. Doubtless, the establishment of additional drug dependence treatment and rehabilitation centers nationwide will bolster the Duterte government's multi-pronged campaign against drug menace threatening our society today.

It is in this view that the immediate passage of the bill is earnestly sought.


EVELINA G. ESCUDERO
Representative
First (1st) District, Sorsogon


MARIA VIDA ESPINOSA BRAVO
Representative
First (1st) District, Masbate

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

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 4378

INTRODUCED BY REPRESENTATIVES
EVELINA G. ESCUDERO
and
MARIA VIDA ESPINOSA BRAVO

AN ACT
ESTABLISHING DRUG REHABILITATION CENTERS
IN EVERY PROVINCE AND CITY IN THE COUNTRY,
APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the ‘Drug
2 Dependent Rehabilitation Center Act of 2016’.

3 **SECTION 2. *Establishment of Drug Dependents Rehabilitation***
4 ***Centers.*** – In order to complement the government’s drive to eradicate the
5 presence of dangerous and illegal drugs in the country, there shall be
6 established rehabilitation centers for drug dependents, hereinafter referred to
7 ‘rehabilitation centers’, in every province and city in the country. These
8 rehabilitation centers shall be supervised by the Department of Health (DOH)
9 in accordance with this Act.

10 **SECTION 3. *Functions*** – The rehabilitation centers shall have the
11 following functions:

- a) To provide treatment, accommodation and care to every person found to be a drug dependent;
- b) To restore such a drug dependent to a state of well-being where he is physically, psychologically, emotionally, morally and socially capable to cope with problems and concerns common to his peer group through regular guidance and counseling sessions;
- c) To provide after-care, follow-up and social integration services to every drug dependent to facilitate his assimilation to his family and community after his release from the rehabilitation center;
- d) To facilitate and encourage the dissemination and exchange of ideas and information on the care, treatment and control of drug dependency and addiction;
- e) To undertake continuous training of physicians, nurses, health officers and social workers on the practical and scientific methods of prevention, treatment, rehabilitation and care of drug dependents; and,
- f) To encourage the formation of organizations and associations of parents, guardians and immediate relatives of drug dependents for the purpose of raising their awareness and enhancing their participation in the treatment, care and rehabilitation of their relatives and wards found to be drug dependents.

SECTION 4. *Sites of Rehabilitation Centers.* - The Secretary of Health and the local chief executives shall determine the location of the rehabilitation centers in their respective jurisdictions.

In the determination and prioritization of sites where the rehabilitation centers will be established, the following shall be taken into consideration:

- a) Presence, if any, of national or local government operated or accredited rehabilitation centers;
- b) Density of the population and rate of incidence of drug dependence; and,
- c) Locations that provide serene environments conducive to a focused treatment and rehabilitation of drug dependents, but reasonably accessible to prospective clientele.

Pending the establishment of rehabilitation centers under this Act, the Secretary of Health shall initiate drug dependents treatment and rehabilitation programs in existing government hospitals in the provinces and cities concerned.

SECTION 5. *Affordability of Treatment and Rehabilitation.* - The Secretary of Health shall establish a socialized scheme for the payment of expenses of treatment and rehabilitation of drug dependents: *Provided*, That drug dependent s who are indigents and whose immediate relatives or guardians are likewise indigent shall not be required to pay: *Provided further*, That drug dependents shall not be required to pay a deposit as a condition for their admittance to any government-operated rehabilitation center or hospital.

SECTION 6. *Director of the Rehabilitation Center.* - Each of the rehabilitation centers shall be headed by a Director who shall be appointed by the Secretary of Health and vested with powers generally exercised by a chief of a governmental hospital. The appointment of the directors of the rehabilitation centers shall follow a stringent selection process to be adopted by the DOH.

In no case shall a person be appointed as Director of a Rehabilitation Center unless he or she possesses the following qualifications, among others:

- a) Of good moral character;
- b) Shall not have been convicted by a court of competent jurisdiction of any offense involving moral turpitude;
- c) Shall be a holder of a degree of Doctor of Medicine or its equivalent conferred by a college of medicine duly recognized by the government;
- and,
- d) Shall have at least five (5) years experience in the treatment, rehabilitation and care of drug dependents;

SECTION 7. *Personnel and Staff.* - The Secretary of Health, in consultation with the Director of the respective rehabilitation centers, shall appoint such other personnel and staff as may be necessary for the effective operation of the rehabilitation center, subject to existing laws, rules and regulations.

In line with the local government unit's (LGU) role in the treatment and rehabilitation of drug dependents provided under Republic Act No. 9165, also known as the 'Comprehensive Dangerous Drugs Act of 2002', as amended, LGUs may detail personnel, as may be necessary, to perform tasks and functions supportive to the complete and effective treatment and rehabilitation of drug dependents under treatment in their respective jurisdictions.

SECTION 8. *Government Assistance to Rehabilitation Centers.* - The Secretary of Health is hereby authorized to call upon any department, bureau, agency or instrumentality of the government for such assistance as may be necessary for the effective implementation of this Act.

SECTION 9. *Implementing Rules and Regulations.* - Within sixty (60) days from the approval of this Act, the Secretary of Health, in

1 coordination with the Department of Social Welfare and Development
2 (DSWD), the Department of Interior and Local Government (DILG). The
3 Philippine National Police (PNP), the Philippine Drug Enforcement Agency
4 (PDEA), concerned non-government organizations (NGOs) and other
5 stakeholders, shall promulgate such rules and regulations as may be necessary
6 to ensure the effective operation and administration of the rehabilitation
7 centers and for the effective implementation of this Act.

8 **SECTION 10. *Appropriations.*** - The sum necessary for the effective
9 implementation of this Act shall be charged against the appropriations for the
10 DOH under the General Appropriations Act. Thereafter, such amount as may
11 be necessary for the continued operation of the rehabilitation centers shall be
12 included in the annual General Appropriations Act.

13 **SECTION 11. *Separability Clause.*** - If any provision of this Act is
14 declared invalid or unconstitutional, the other provisions not affected thereby
15 shall remain in full force and effect.

16 **SECTION 12. *Repealing Clause.*** - All laws, acts, decrees, executive
17 orders, issuances, and rules and regulations or parts thereof which are contrary
18 to and inconsistent with this Act are hereby repealed, amended or modified
19 accordingly.

20 **SECTION 13. *Effectivity.*** - This Act shall take effect after fifteen (15)
21 days from its publication in at least two (2) national newspapers of general
22 circulation.

APPROVED.