

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 6896

Introduced by: **"KUYA" JOSE ANTONIO R. SY-ALVARADO**

EXPLANATORY NOTE

The elderly have always been victims of moderate to severe abuse. Elderly abuse takes on many forms, including physical abuse, sexual abuse, psychological abuse, neglect, and financial exploitation. Elderly abuse is severely underreported, with only a fraction of cases reported. Some elder or disabled persons, particularly women and minorities, fail to report abuse because of shame, privacy concerns, or as a result of prior unsatisfactory experiences with individuals, agencies, or others who lacked sensitivity to the concerns or needs of elder or disabled people. Others fail to report abuse because they are dependent on their abusers and fear being abandoned and institutionalized.

Hence, this bill seeks to ensure that elder or disabled persons are protected from institutional, community, and domestic violence and sexual assault and to improve outreach efforts and other services available to older or disabled persons victimized by such violence.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

"KUYA" JOSE ANTONIO R. SY-ALVARADO
Representative
First District of Bulacan

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Introduced by: **“KUYA” JOSE ANTONIO R. SY-ALVARADO**

AN ACT
TO ENSURE THAT OLDER OR DISABLED PERSONS ARE PROTECTED FROM
INSTITUTIONAL, COMMUNITY AND DOMESTIC VIOLENCE AND SEXUAL
ASSAULT AND TO IMPROVE OUTREACH EFFORTS AND OTHER SERVICES
AVAILABLE TO OLDER OR DISABLED PERSONS VICTIMIZED BY SUCH
VIOLENCE

Be it enacted in the Senate and the House of Representatives of the Republic of the Philippines in congress assembled.

SEC. 1. Title – This Act shall be known as the “Older Filipino’s Protection from Violence Act”

SEC. 2. Law School Clinical Programs on Elder Abuse, Neglect and Exploitation – The Secretary of Justice shall make grants to law school clinical programs for the purposes of finding the inclusion of cases addressing issues of elder abuse, neglect and exploitation, including domestic violence and sexual assault, against older or disabled individuals.

SEC. 3. Training Programs for Law Enforcement Officers – The Secretary of Justice, in consultation with the Secretary of Social Welfare and Development and nongovernmental organization shall develop curricula and offer, or provide for the offering of, training programs to assist law enforcement officers, prosecutors and relevant officers of courts in recognizing, addressing, investigating and prosecuting instances of elder abuse, neglect and exploitation, including domestic violence and sexual assault against older or disabled individuals.

SEC. 4. Support Services – The Secretary of Social Welfare and Development, in cooperation and coordination with non-governmental organizations shall:

- a) establish domestic violence programs to encourage the development programs, including outreach, support groups and counseling, targeted to victims of elder domestic abuse and establishment of domestic violence shelters, which shall include the use of senior housing, nursing homes or other suitable facilities or services when appropriate as emergency short term shelters or measures for older or disabled individuals who are the victims of elder abuse, including domestic violence and sexual assault against older or disabled individuals.
- b) make grants to non-profit private organizations to support projects in local communities, involving diverse sectors of each community, to coordinate activities concerning intervention in and prevention of elder abuse, neglect and exploitation, including domestic violence and sexual assault against older or disabled individuals.

- c) make grants to develop and implement outreach programs directed toward assisting older or disabled individuals who are victims of elder abuse, neglect and exploitation (including domestic violence and sexual assault against older or disabled individuals) including programs directed toward assisting the individuals in senior housing complexes, nursing homes, board and care facilities and senior centers.
- d) For purposes of this section, the term "domestic violence" means act or threat of violence not including an act of self-defense, committed:
 - 1) by a current or former spouse of the victim
 - 2) by a person related by blood or marriage to the victim
 - 3) by a person who is cohabiting with or has cohabited with the victim
 - 4) by a person with whom the victim shares a child in common
 - 5) by a person who is or has been in the social relationship of a romantic or intimate nature with the victim; or
 - 6) by a person similarly situated to a spouse of the victim, or by any other person, if the domestic or family violence laws of the jurisdiction of the victim provide for legal protection of the victim from the person

SEC. 5. *Training for Health Professionals on Screening for Elder Abuse, Neglect and Exploitation*

- a) The Secretary of Social Welfare and Development, shall, in consultation with the Assistant Secretary develop a curricula and implement continuing education training programs for adult protective service workers, health care providers (including home health care providers), social workers, clergy, domestic violence service providers and other community-based social service providers in settings, including senior centers, adult day care facilities, nursing homes, board and care facilities and senior housing to improve their ability to recognize and address instances of elder abuse, neglect and exploitation, including domestic violence and sexual assault against older or disabled individuals.
- b) In carrying out paragraph (a), the Secretary in consultation with the Department of Health, and Commission on Higher Education shall develop and implement separate curricula and training programs for medical students, physicians, physician assistants, nurse practitioners and nurses.

SEC. 6. *Funding* – The amount necessary to effectively carry out the provisions of this Act is hereby authorized to be appointed.

SEC. 7. *Separability Clause*. – If for any reason, any provision of this Act is declared unconstitutional or invalid, such parts or portions not affected thereby shall remain in full force and effect.

SEC. 8. *Repealing Clause*. – All laws, decrees, resolutions, orders or ordinances, rules and regulations or parts thereof inconsistent with this Act, are hereby repealed amended or modified accordingly.

SEC. 9. *Effectivity Clause*. – This Act shall take effect fifteen (15) days after its publication in the official Gazette or in at least two (2) newspapers of general circulation.

Approved,

