

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
SECOND REGULAR SESSION

House Bill No. **6934**



Introduced by AKBAYAN Party-List Representative Tomasito S. Villarin

EXPLANATORY NOTE

Autism Spectrum Disorder (ASD) or Autism is an organic disorder of the neural development of the brain, and starts from early infancy. It is a lifelong developmental condition that affects how a person communicates with, and relates to, other people. It is characterized by repetitive motor movements, inflexible adherence to routines, ritualized patterns of behavior, fixations, hyper- or hypo-reactivity to sensory input. Autism may occur together with other developmental, psychiatric, neurologic, chromosomal, and genetic diagnoses.

Autism affects between one percent to two percent of populations¹, according to recent studies in countries in North America, Europe and Asia -- translating to approximately 1.2 million Filipinos with autism. It is considered the fastest growing developmental disability² today. The Autism Society Philippines estimates that only 10% of Filipinos with autism are diagnosed and only 5% are receiving appropriate intervention. In 2017, the cost for intervention for school children with autism averages P180,000 annually³.

Evidence-based studies have shown that early intervention, availability of services and inclusive policies result in improved functioning and quality of life for persons with autism over their lifetime.

The United Nations Convention on the Rights of Persons with Disabilities and the Magna Carta of Persons with Disabilities (RA 7277) have laid the

¹"Summary of Autism Spectrum Disorder Prevalence Studies". Atlanta: Center for Disease Control, 2016. <http://bit.ly/2CPXpoA>. 07 Jan 2018.

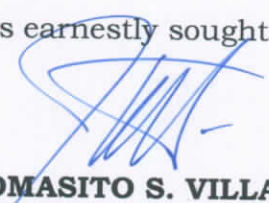
²"Facts and Statistics". Bethesda: Autism Society of America, 2018. <http://bit.ly/1anBUuN>. 7 January 2018.

³ Magno-Veluz, Mona et al. "Primer on Autism in the Philippines". Quezon City: Autism Society Philippines, 2018. Print.

groundwork for social development. While we observe reduced stigma against and improved opportunities for PWAs, through the efforts of family advocacy groups and professional organizations, the government needs to provide improved and more accessible specialized services and supports for this growing disability community.

This proposed measure defines the roadmap towards addressing the needs of Filipino families who live with autism – through awareness, intervention, education, training, employment, livelihood – throughout the lifetime of the PWA.

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



TOMASITO S. VILLARIN

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AN ACT
INSTITUTING A PHILIPPINE NATIONAL AUTISM CARE PLAN FOR THE
SUPPORT OF PERSONS WITH AUTISM AND FOR OTHER PURPOSES

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

Section 1. Short Title. - This Act shall be known as the "National Autism Care Plan Act".

Sec. 2. Declaration of Policy. — It is hereby declared the policy of the State to protect and promote the rights of all persons to full, healthy and holistic development. As such, the State shall promote an environment conducive to the development of persons with autism (PWAs) to become the best of their potentials -- independent, self-reliant, productive and socially-accepted members of an inclusive society. Towards this end, the State commits itself to the establishment of institutional and social mechanisms to support PWAs throughout their lifetime, responsive to their needs, empowering and providing them quality of life.

Sec. 3. Definition of Terms. — As used in this Act, the following terms shall mean:

- (a) "Autism" or Autism Spectrum Disorder refers to a neurological condition characterized by challenges with social skills, repetitive behaviors, communication, as well as by unique strengths, as defined in the latest version of the Diagnostic and Statistical Manual of Mental Disorders¹.

¹ "Diagnostic and Statistical Manual of Mental Disorders". Arlington, Virginia: American Psychiatric Association, 2013. Print.

- (b) "Diagnosis" refers to necessary assessments, including but not limited to neuro-psychological evaluations, genetic testing, MRIs, hearing tests, psychometric tests to diagnose or discount autism and/or developmental disabilities in individuals.
- (c) "Intervention" refers to interceding action undertaken to help improve the autism prognosis. Intervention in autism may take the form of medical, pharmacological, therapeutic, educational, and non-traditional habilitative care.
- (d) "Epidemiology" refers to the study and analysis of the distribution and determinants of health conditions, like autism, in defined populations.

Sec. 4. Treatment as Persons with Disability. — All PWAs shall be treated as persons with disability, as defined under Republic Act No. 7277, as amended. They shall be entitled to all the rights, privileges and benefits provided for persons with disabilities under existing laws.

Sec. 5. Continuing Education and Training on Autism for Public Service Providers. — All officers and staff in charge of providing services to the public, including but not limited to the Department of Health (DOH), Department of Social Welfare and Development (DSWD), Department of Education (DepEd), Department of Labor and Employment (DOLE), Department of Justice (DOJ), Department of Transportation (DOTr), Department of Interior and Local Government (DILG), the Department of National Defense (DND), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), National Council on Disability Affairs (NCDA), Persons with Disabilities Affairs Offices (PDAOs) at the Local Government Units (LGUs), Public Safety Units (military, police, firemen, and other first responders), shall undergo mandatory continuing education to sensitize and empower service providers to become effective front liners in the delivery of services to PWAs and their families.

Sec. 6. Epidemiological Surveillance Programs. — The National Institute of Health (NIH) is hereby mandated to conduct a bi-annual epidemiological survey to determine the prevalence of autism in the country, for the purpose of providing data to government agencies and the private sector, to make necessary services available to PWAs and their families.

Sec. 7. Evidence-based Research. — The NIH is further mandated, in coordination with the DOH and local and international educational institutions, to strengthen its research focus on autism; to invest in clinical and molecular studies and grants, for the purpose of supporting development of best practices in autism intervention in the Philippines.

Sec. 8. Early Detection and Intervention of Autism. — The DOH, in coordination with the DepEd, is hereby mandated to establish a program for early screening and detection of autism, to provide the appropriate services to children and toddlers with developmental delays associated with autism, and to ensure the central PWD registry are updated accordingly.

Sec. 9. Mandatory PhilHealth Coverage. — All persons with autism shall be covered by the National Health Insurance Program of the Philippine Health Insurance Corporation (PHIC). Funds necessary to ensure the enrollment of all PWAs, who are not currently covered under any existing category, shall be sourced from the National Health Insurance Fund of PHIC, earmarked from the proceeds of sin tax collections, as provided for in Republic Act No. 10351. It shall likewise include the cost of early screening and detection programs, as one of the available benefits of its members.

Sec. 10. Protection against Discrimination in Schools, Colleges, Universities and Training Institutions. — The DepEd, CHED and TESDA shall formulate or update policies and protocols to ensure that all educational institutions shall be inclusive to learners with autism, in matters including, but not limited to, acceptance to academic or training programs, instructional supports, and behavior management.

Sec. 11. Protection against Discrimination in Insurance Coverage. — The Department of Finance shall formulate or update policies and protocols to ensure that all insurance providers shall provide PWAs access to life insurance instruments, and shall include allied medical procedures (like occupational and speech therapies) in health insurance benefits of policy holders.

Sec. 12. Protection in cases of Disasters and Emergencies. — The DILG and the DND shall formulate the necessary policies and protocols to ensure the military, public safety professionals, local government units, and first responders shall provide the necessary life-saving support to PWAs with behavioral and communication challenges.

Sec. 13. Access to Transportation. — The DOTr shall formulate the necessary policies and protocols to ensure PWAs with behavioral and communication challenges and their families are given reasonable accommodation in accessing all forms of transportation by service providers over land, sea and air.

Sec. 14. Reasonable Accommodation in cases of Legal Action. — The DOJ shall formulate the necessary policies and protocols to ensure criminal justice

agencies and professionals shall provide the necessary accommodations and protections to PWAs with behavioral and communication challenges, who may be the accused of, victims of or witnesses to crimes.

Sec. 15. The Autism Council of the Philippines. — There is hereby created the Autism Council of the Philippines (Council), under the Department of Health (DOH), which shall serve as an inter-agency and multi-sectoral mechanism to develop and implement a sustainable, long-term Philippine National Autism Plan.

The Council shall be responsible for:

- (a) developing and updating the Philippine National Autism Plan - a holistic roadmap in addressing the needs of Filipinos with autism and their families for the guidance of stakeholders in the private and public sectors; calibrated to meet changing needs of society and developments in technology;
- (b) designing campaigns that promote awareness of autism, and acceptance, accommodation and appreciation of PWAs;
- (c) undertaking research and/or collaborating with private and public entities on research activities regarding autism in the Philippines;
- (d) improving capabilities of government to provide nationally-available services that support PWAs and their families, in areas including, but not limited to screening, diagnoses, early intervention, education, training, employment, livelihood;
- (e) assisting the private and public sector in the design and delivery of appropriate programs for PWAs and their families;
- (f) developing capacity-building programs, incentives and awards, for PWAs in leadership, science, culture, arts and sports;
- (h) networking with other organizations, institutions and professionals working for the promotion of legislation and public programs for PWAs; and
- (h) receiving donations and grants from international donor institutions, foundations, and multilateral and bilateral foreign donor agencies, involved in the transfer of knowledge or direct services for PWAs;
- (i) provide grants to duly accredited non-government organizations involved in providing direct services to PWAs;

Sec. 16. Composition of the Autism Council of the Philippines. — The Council shall be composed of the following:

- (a) The DOH Secretary as Chairperson;
- (b) The DSWD Secretary as Vice-Chairperson;
- (c) The DepEd Secretary as Member;

- (d) The DILG Secretary as Member;
- (e) The DOLE Secretary as Member;
- (f) The NCDA Executive Director as Member;
- (g) The NIH Head as Member;
- (h) The Philippine Information Agency (PIA) Head as Member;
- (i) Three (3) representatives from the Philippine Society of Behavioral and Developmental Pediatrics; the Philippine Association of Speech Pathologists and the Philippine Association of Occupational Therapists, as Members;
- (j) Two (2) representatives from the Autism Society Philippines, as Members; and
- (k) One (1) individual with autism, as Member.

The members of the Council from the government agencies and institutions may designate their permanent representatives who shall have a rank not lower than an assistant secretary as their official representatives in the meetings of the Council.

The six (6) appointive members of the Council shall be appointed by the President of the Philippines, from a list of five (5) nominees from each sector, who shall serve for a term of three (3) years, and renewable for another term; provided: the person appointed shall be of good moral character, of unquestionable integrity; with expertise and experience of a least six (6) years in the field of autism, service delivery and other related fields; and that in the event of a vacancy, the successor appointed to fill the same shall serve only the unexpired portion of the term of the member he/she succeeds to.

The Council shall have a Secretariat which will coordinate the functions and organize the services as may be required by the Council in the exercise of its functions. It shall be headed by an Executive Director to be appointed by the Council.

All members of the Council shall receive emoluments as may be determined by the Council, in accordance with existing budget and accounting rules and regulations.

Sec. 17. Programs and Services of the Autism Council of the Philippines.

— The Council shall design, implement and deliver programs and services, relevant to children and adults with autism and their families, under the following areas:

- (a) Information campaigns;
- (b) Research;
- (c) Assessment, diagnosis and intervention;

- (d) Education, sports and arts;
- (e) PWA and family support;
- (f) Employment and livelihood; and
- (g) Residential and hospice care.

Sec. 18. Meetings. — The Council shall meet at least once a month upon a three-day notice signed by the Chairperson, or as often as necessary upon the written request signed by two-thirds (2/3) of its members. The presence of a majority of the members of the Council shall constitute a quorum in order for it to conduct its business.

Sec. 19. Implementing Rules and Regulations. - Within six (6) months from the date of effectivity of this Act, the Council shall promulgate the necessary implementing rules and regulations to ensure that abovementioned government agencies can develop and implement necessary policies and protocols for service delivery to PWAs and their families.

The Council shall ensure the timely publication and dissemination of information of these guidelines and regulations in order to ensure that the various stakeholders in the welfare of PWAs are adequately informed.

Sec. 20. Appropriation. — The amount necessary to carry out the provisions of this Act shall be included and incorporated in the annual general appropriations of the DOH.

Sec. 21. Separability Clause. - If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

Sec. 22. Repealing Clause. - All laws, executive orders, presidential decrees, presidential proclamations, letters of instruction, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 23. Effectivity. - This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

Approved,