

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7929



Introduced by **HON. TRICIA NICOLE Q. VELASCO - CATERA**

EXPLANATORY NOTE

The purpose of this bill is to institutionalize a national screening program for children with special needs and physical disabilities that focuses on the importance of the early identification of such conditions.

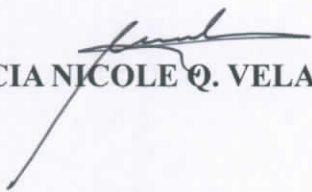
There is an abundance of research documenting the value of early identification and intervention for children with special needs. Professionals in psychological, medical, scientific, and educational fields are in agreement as to the importance of the years between birth and the age of four for learning. If there is any risk of disability, these early years become even more critical.

Children with special needs who are not properly diagnosed and identified risk missing some of the most important learning and developmental milestones. Early intervention helps keep these children on a path to making the most of abilities and skills developed during the early years.

Early intervention is forward looking, even into adulthood. It has been shown that early intervention therapies do far more than provide for immediate benefits during the developmental years. They significantly increase the child's ability to integrate in future social environments, including schools, communities, and ultimately places of employment.

However, intervention can only be administered if there is proper screening and identification of children with special needs first. Thus, the significance of instituting a national screening program cannot be underscored enough especially for the members of our population who do not have the financial means to seek professional advice.

In view thereof, passage of this bill is earnestly sought.


TRICIA NICOLE Q. VELASCO - CATERA

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**AN ACT ESTABLISHING A NATIONAL SPECIAL NEEDS
SCREENING PROGRAM, APPROPRIATING FUNDS THEREFOR,
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 Special Needs Screening Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect and advance the rights of Persons with Disabilities by formulating policies, creating programs, and implementing initiatives that will enable the early detection of disabilities and special needs in children, thereby allowing for earlier intervention, assistance and treatment, as well as the provision of special education and healthcare for them.

SEC. 3. *Definition of Terms.* – As used in this Act:

- (a) *Children with special needs* refer to children who are gifted or talented, or with neuropsychological retardations, learning disabilities, emotional or behavioral disorders, speech and language disorders, hearing impairments, visual impairments, autism, physical or health disabilities, deaf-blindness and multiple handicapping conditions and are in need of special education as well as services for rehabilitation. They differ from average children in neuropsychological characteristics, sensory abilities, neuromuscular or physical characteristics, and social attributes to such an extent that the use of modified school practices or special education services are required to develop them to maximum capability. They may be classified as children with exceptionalities such as the following:
 - (1) *Autism* – those with developmental disabilities marked by disturbances 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 that change over time;

- (2) *Behavior problems* – those who cannot adjust to the socially-accepted norms of behavior and consequently disrupt their academic progress, the learning efforts of their classmates, and their interpersonal relations;
- (3) *Gifted or talented* – those who are 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 visual or performing arts, psychomotor ability; or, those individuals who consistently manifest the following cluster of traits: above average ability (including intelligence), high creativity (implying 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 a school;
- (4) *Hearing impairment* – those who are deaf or hard-of-hearing. Deaf persons are those whose hearing is non-functional for ordinary purposes in life; the hard-of-hearing have a defective sense of hearing but are still functional with or without a hearing aid;
- (5) *Learning disabilities* – those who, although normal in sensory, emotional and intellectual abilities, have a condition that causes an impediment / impairment in perception, comprehension, listening, thinking, reading, writing, spelling or arithmetic;
- (6) *Multiple disabilities* – those with more than one disability such as the deaf-blind or those diagnosed with autism and intellectual disability;
- (7) *Neuropsychological retardation / intellectual disability* - those who have substantial limitations in present functioning characterized by significant sub-average intellectual functioning, co-existing with other limitations in two or more of the following applicable adaptive skill areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work;
- (8) *Orthopedic / physical disabilities* – those whose impairment permanently or temporarily causes difficulties in mobility and all activities of daily life;
- (9) *Special health problems* – those who have health conditions that tend to keep them out-of-school, or those with chronic and/or debilitating illnesses such as cardiac disease, asthma, diabetes, tuberculosis and other respiratory ailments, carcinoma, epilepsy, and malnutrition;
- (10) *Speech impairment and delays* – those who have difficulty in expressing or articulating words in a manner understandable by others;

- (11) *Visual impairment* – those who are blind or have low vision. Persons are blind if they have a visual capacity of 20/200 or less in the better eye after maximum correction. Low vision persons retain relatively low degree of vision and can read only enlarged print or regular print under special conditions;
- (b) *Handicap* refers to a disadvantage of an individual, resulting from an impairment or a disability that limits or prevents a function or activity that is considered normal, given the age and gender of the individual;
- (c) *Impairment* refers to any loss, diminution or aberration of psychological, physiological or anatomical structure or function; and
- (d) *Special education* refers to the customized instructional program / service designed to meet the unique needs of individual learners who differ from societal or community standards of normalcy because of differences due to significant physical, sensory, neuropsychological, cognitive or behavioral characteristics that may necessitate the use of specialized materials, equipment, services and/or teaching strategies. It is geared towards the integration of children with special needs into the education mainstream.

SEC. 4. *Establishment of National Special Needs Screening Program.* – A *National Special Needs Screening Program (NSNSP)* is hereby established under the Department of Health (DOH) which is primarily intended to screen children between two (2) to four (4) years of age for any physical disability, impairment or special need.

SEC. 5. *Program Objectives.* – The objectives of the NSNSP are:

- (a) To conduct a simple special needs screening test on children between two (2) to four (4) years of age through health care workers and practitioners to identify children with physical disabilities, impairments or special needs;
- (b) To provide immediate attention to identified children with physical disabilities, impairments or special needs and create a referral system so that they may be evaluated further and treated by special needs specialists;
- (c) To develop a special needs screening results database for all children nationwide; and;
- (d) To conduct continuing research on improving the methodology and implementation of early detection of special needs among children nationwide.

SEC. 6. *Special Needs Screening Kit.* – The DOH, with the cooperation of the National Council on Disability Affairs (NCDA), shall create a Special Needs Screening Kit which shall be formulated through extensive consultation with Specialists, Experts and Academicians in the field of Special Education. The Special Needs Screening Kit shall take into consideration the natural gradual development of the child and shall incorporate practical tests and assessments that the health worker or practitioner in the field may

administer. Such tests and assessments shall include an age-appropriate developmental achievement checklist and shall be simple enough to guide the administrator to make a fairly accurate decision in endorsing identified children for further evaluation of licensed special needs experts.

SEC. 7. *Program Implementation.* - In the implementation of the NSNSP, the DOH, in coordination with the NCDA, shall:

- (a) Administer the special needs screening program to all children between two (2) to four (4) years of age using a Special Needs Screening Kit;
- (b) Train and certify health workers and practitioners in conducting a special needs screening program;
- (c) Develop a system of referral and corrective measures for children who are suspected or diagnosed to have possible special needs;
- (d) Create a Special Needs screening database containing the results of the screening per child diagnosed by the practitioners; and
- (e) Monitor and evaluate the implementation of the NSNSP.

SEC. 8. *PhilHealth's Benefit Package.* - The Philippine Health Insurance Corporation (PhilHealth) shall develop a benefit package for the consultation and treatment of Children with Special Needs.

SEC. 9. *Special Needs Screening Training.* - The DOH shall be mainly responsible for the training of Special Needs Screening Trainers for purposes of quality assurance.

SEC. 10. *Research.* - The DOH and the NCDA shall conduct research and provide evidence-based recommendations pertaining to the NSNSP. Furthermore, they shall perform continuing research on childhood related Special Needs.

SEC. 11. *The Special Needs Screening Continuing Research Fund.* - There is hereby created a Special Needs Screening Continuing Research (SNSCR) Fund to be sourced from any donation or bequest made to the DOH in favor of the NSNSP. The SNSCR Fund shall be used to fund the continuing research program of the DOH on childhood related Special Needs.

SEC. 12. *Tax Exemption.* - All grants, bequests, endowments, donations and contributions made to the DOH or the NCDA for the NSNSP or the SNCR Fund and to be used actually, directly and exclusively by the DOH or NCDA for the NSNSP and the SNCR shall be exempt from donor's tax and the same shall be considered as allowable deductions from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 13. *Appropriations.* - The amount necessary to cover the implementation of this Act shall be included in the budgets of the DOH and the NCDA in the annual General Appropriations Act.

SEC. 14. *Implementing Rules and Regulations.* – Within six (6) months from the effectivity of this Act, the DOH, in consultation with the NCDA, shall promulgate the necessary rules and regulations to implement the provisions thereof.

SEC. 15. *Separability Clause.* - If any provision or section of this Act is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or sections thereof.

SEC. 16. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with any provision of this Act are hereby repealed, amended or modified accordingly.

SEC. 17. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,