



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4135



INTRODUCED BY REP. HARRIS CHRISTOPHER M. ONGCHUAN

EXPLANATORY NOTE

Illegal drug use is still prevalent in the country. As of 2021, around 1.7 million Filipinos or roughly 2.05% of the population is still exposed to these substances. While former president Rodrigo Duterte's War on Drugs aimed to eliminate the problem, it still prevails due to a number of factors: poverty, inequalities, poor access to health care, and systemic problems in governance.

While possession and use of illegal substances is punished in society, research shows that a rehabilitative approach may be the way to go. As such, this bill proposes the creation of Anti-Drug Abuse Councils (ADAC) all over the country.

Each LGU shall be mandated to activate and maintain the functionality of their ADAC. They are tasked with monitoring anti-illegal drug programs and will also serve as an information gathering organization for illegal drug use in their locality. Its responsibilities include the assessment, counseling, and referral of Persons Who Use Drugs (PWUDs) who surrendered for treatment and rehabilitation to their facilities. A more rehabilitative approach will allow PWUDs to turn their lives around and have access to a future they would not have otherwise.

The measure was first filed in the 18th Congress by Representatives Barbers, Baronda, and Belmonte. It was approved by the House of Representatives and transmitted to the Senate.

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


HARRIS CHRISTOPHER M. ONGCHUAN



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Introduced by Representative
HARRIS CHRISTOPHER M. ONGCHUAN

AN ACT
CREATING ANTI-DRUG ABUSE COUNCILS (ADACS) IN ALL PROVINCES,
CITIES, MUNICIPALITIES, AND BARANGAYS THROUGHOUT THE
COUNTRY

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

SECTION 1. Declaration of Policy. Article II, Section 15 of the Constitution mandates the State to "protect and promote the right to health of the people and instill health consciousness among them." In order to fulfill this mandate, there is a need to create mechanisms where a health-based approach on drug addiction can be implemented in the grassroots. In line with this, it is hereby declared the policy of the state to establish Anti-Drug Abuse Councils (ADACS) in every province, city, municipality and barangay all over the country for the prevention, monitoring, and rehabilitation of drug dependency cases.

SECTION 2. Definition of Terms — as used in this Act:

a. Anti-Drug Abuse Council (ADAC) — refers to a multi-sectoral council composed of local officials and representatives of various community organizations tasked to spearhead the planning, implementation, and monitoring of all local anti-drug abuse programs, projects and activities. All local government units (LGUs), from provinces to cities, municipalities, and barangays are mandated to create or organize their

respective ADACs as follows: PADAC – Provincial Anti-Drug Abuse Council; CADAC – City Anti-Drug Abuse Council; MADAC – Municipal City Anti-Drug Abuse Council; and BADAC – Barangay Anti-Drug Abuse Council.

b. Anti-Drug Abuse Office (ADAO)- refers to the office established at the provincial, city, and municipality levels which shall serve as the ADAC secretariat in charge of unifying and consolidating all local anti-illegal drug Programs, Projects and Activities (PPAs) and institutionalizing all ADAC activities.

c. Person Who Use Drugs (PWUDs) -- refers to a person who uses any of the dangerous drugs and/or controlled precursors and essential chemicals as defined under RA 9165, as amended, by injecting intravenously or intramuscularly, or consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body.

d. Drug Rehabilitation Program – shall consist of the following:

i. Medical Rehabilitation – refers to the process of helping substance or drug addicted person to one's compulsion, drug seeking and use, which may involve a series of biological, psychological, and social interventions provided by health professionals to remove toxins in the body and modify behavior.

ii. Reformatory Rehabilitation – refers to rectifying or modifying negative attitude and behavior of a substance or drug-addicted person to enable one to become a more productive and acceptable member of the society, which may include facilitating the reintegration of the individual back to the family and to the society.

iii. Community-based Drug Rehabilitation Program – refers to an integrated model for drug users with mild severity of addiction. It provides a continuum of care from outreach and low threshold services through active coordination among a number of health, social and other non-specialist services needed to meet the client's need. It is composed of two (2) core components namely Community-based treatment and Community-based Support Services.

SECTION 3. Duties and Responsibilities of LGUs. Each LGU shall perform the following:

1. Activate, strengthen and ensure functionality of its ADAC;
2. Approve a comprehensive Local Anti-Drug Plan of Action (LADPA) to eliminate drug addiction with corresponding targets per quarter, as included in the local Peace and Order and Public Safety plan such as:

a. Capacity development programs for all stakeholders through prevention education;

b. Drug clearing operation;

c. After care and reintegration programs; and

d. Advocacy programs on the effects and legal consequences of illegal drugs, role of family and the youth in the fight against illegal drugs, among others.

3. Appropriate substantial amount of funds not lower than two percent (2%) of the annual appropriations for anti-illegal drug-related programs, activities, and operations as mandatory items in their budgets;

4. Create an Anti-Drug Abuse Office with plantilla positions at the level of each LGUs; and

5. Perform and accomplish any other tasks delegated upon it by law or by appropriate issuance which are related to its core functions.

SECTION 4. Duties and Responsibilities of ADACs. Each ADAC shall:

a) Formulate ADAC-LADPA which contains lists of PPAs with corresponding budgetary requirements and timeline.

b) Initiate, coordinate and monitor the implementation of anti-illegal drug PPAs in their area of jurisdiction.

c) Recommend to the local sanggunian the adoption of measures for the enactment of appropriate legislation on anti-illegal drug programs.

d) Conduct a meeting at least once a month, or as often as maybe necessary at the discretion of the ADAC Chairperson, and/or upon request of the majority of the members of the council.

e) Serve as an information-gathering mechanism which shall monitor and report to appropriate authorities suspicious illegal drug personalities, facilities and activities within their jurisdiction.

f) Monitor the implementation of anti-illegal drug programs and link information to decisions and actions by the concerned central government authorities.

g) Submit reports as follows:

g.1. BADAC shall submit monthly reports to concerned MADAC/CADAC; and,

g.2. CADAC/MADAC shall submit semestral and annual monitoring and evaluation reports to the concerned PADAC.

h) Perform other functions as may be assigned by law and implementing rules and regulations.

SECTION 5. The Composition of the PADAC. A PADAC is hereby created in every province which shall be composed of the following:

Chairperson: Governor

Vice-Chairperson: Philippine National Police (PNP) Provincial Director

Members: Department of Interior and Local Government (DILG)

Provincial Director

Department of Education (DepEd) Provincial Official

Department of Justice (DOJ) Provincial Prosecutor

Provincial Social Welfare Officer

Provincial Health Officer

Provincial Public Information Officer;

At least two (2) representatives of non-government organizations (NGOs) – One (1) from a church-based group and one (1) from an NGO, to be appointed by the Chairperson

Member of the Sanggunian who is the Chairperson of the Committee on Peace and Order or Committee on Women

Sangguniang Kabataan Provincial Federation President

SECTION 6. Roles and Responsibilities of the PADAC. In addition to the responsibilities provided in this Act, the PADAC shall have the following roles and responsibilities:

- a) Ensure the formulation of PADAC Action plan that contains the PPAs identified in the Municipal and City ADAC Action Plans.
- b) Organize the PADAC Drug Reformation Committee and adopt the Program of Instructions for Drug Reformation Program.
- c) Ensure the functionality of the lower ADACs.
- d) Conduct regular meetings once a month.
- e) Analyze and review reports submitted by CADAC/MADAC secretariat.
- f) Submit all collated quarterly reports to the Regional Peace and Order Council Secretariat not later than the 15th day of the ensuing quarter, copy furnished the Provincial Peace and Order Council and the DILG Provincial Office.
- g) Ensure the establishment and operation of the Special Drug Education Center for out of school youth and street children.
- h) Provide support for the operationalization of the Community-Based Rehabilitation Program at the Municipality and Component Cities.

SECTION 7. Composition of the CADAC. A CADAC is hereby created in every city which shall be composed of the following:

Chairperson:	City Mayor
Vice-Chairperson:	District Director/City Director/Chief of Police
Members:	DepEd City Division Superintendent
	DOJ City Prosecutor
	City Social Welfare Officer
	City Health Officer
	City Public Information Officer
	At least two (2) representatives of NGOs — One (1) from a church-based group and one (1) from an NGO, to be appointed by the Chairperson
	City Probation and Parole Officer
	One (1) from the Local Government Operations Officer (LGOO) who advocates anti-illegal drugs campaign

One (1) Sangguniang Kabataan City Federation
President

SECTION 8. Roles and Responsibilities of the CADAC-. In addition to the responsibilities mentioned in this Act, CADACs shall perform the following:

- a) Attest, through a declaration signed by its Chairperson, on the “drug-cleared” status of an affected barangay, as certified by the Local Chief of Police and validated by the Philippine Drug Enforcement Agency (PDEA) Regional Director;
- b) Monitor the BADAC’s names, addresses and other significant details;
- c) Receive the consolidated information report from the BADAC Chairperson;
- d) Review the consolidated reports of cluster leaders for final consolidation and submission to PDEA;
- e) Maintain list of endorsements or referrals of Barangay Duty Officers as to who are drug dependents for screening using any internationally accepted screening tool;
- f) Establish one-stop-shop facilities where assessment, interview, counselling, referral, and/or processing of applications for petitions for confinement of drug dependents and PWUD who surrendered for treatment and rehabilitation and other allied processes may be undertaken;
- g) Designate a focal person who shall ensure the compliance with and enforcement of Dangerous Drugs Board (DDB) Regulations on Voluntary Surrender of Drug Users and Dependents and shall coordinate with the appropriate service provider to ascertain compliance with the prescribed intervention;
- h) Ensure that PWUDs who surrendered shall undergo screening in order to determine the level of risk and/or co-morbidities and refer them to the appropriate institutions for timely intervention;
- i) Designate certain personnel as the authorized representatives of the DDB who shall cause the processing and filing of petitions for confinement of drug dependents and PWUDs who surrendered for treatment and rehabilitation before the Regional Trial Courts pursuant to Sections 54 and 61 of RA 9165;
- j) Organize the CADAC Drug Reformation Committee and adopt the Program of Instructions for Drug Reformation Program;
- k) Provide Community-Based Rehabilitation Programs;

n) The CADAC Secretariat shall submit all quarterly reports to the PADAC, the local Peace and Order Council, and DILG Field Office, not later than the tenth (10th) day of the ensuing quarter.

One (1) Member of the Municipal Sangguniang Bayan who is the Chairperson of the Committee on Peace and Order

Sangguniang Kabataan Municipal Federation
President

SECTION 10. Roles and Responsibilities of the MADAC. The roles and responsibilities of all MADACs shall be the same as those enumerated for all CADACs found in Section 9 of this Act.

SECTION 11. The Composition of the BADAC. Every barangay shall create and establish a BADAC which shall be composed of the following:

Chairperson: Punong Barangay

Vice-Chairperson: Sangguniang Barangay member or Kagawad who is the Chairperson of Committee on Peace and Order

Members: Sanggunian Barangay Member or Kagawad who is the Chairperson of the Committee on Women and Family

Sangguniang Kabataan Chairperson

Public School Principal or representative

Executive Officer or Chief of Tanod

At least two (2) representatives of NGOs — One (1) from a church-based group and one (1) from an NGO, to be appointed by the Chairperson

City/Municipal Chief of Police or its representative

A Barangay Health Worker

Sangguniang Barangay Member who is the Chairperson of the

Committee on Health

SECTION 12. Roles and Responsibilities of the BADAC. All BADACs shall:

- a) Create a BADAC Plan of Action to be submitted to CADAC/MADAC, and the DILG City/Municipal Field Office;
- b) Set quarterly targets to reduce the level of drug affectation and ultimately achieve drug- free status and maintain the status of drug-cleared and unaffected barangays;
- c) Empower the community in reporting drug related cases through an Award/Commendation System;

- d) Prepare the Barangay Tanods through seminars or trainings on their roles and functions in the campaign against street-level illegal drug trade;
- e) Identify drug-affected places (i.e. workplace, house clusters, and streets) within their respective barangays where there are violations of RA 9165 and immediately report the same to the PNP or PDEA;
- f) Determine and maintain a record of the names and other pertinent information of residents, including listings of suspected drug user and peddlers and record, update, and monitor all drug-related incidents/cases reported or filed and their effects on the peace and order situation in the barangay;
- g) Consolidate through its chairperson, all information gathered from all sources, related to any illegal drug activities within the barangay, to include names of peddlers, marijuana cultivation, clandestine drug laboratories, and submit immediately to the CADAC/MADAC;
- h) Ensure the existence and efficient operation of barangay rehabilitation referral system, through the Barangay Rehabilitation and Referral Desk (BRRD), intended for drug users and dependents who voluntarily surrendered;
- i) Assist PWUD who surrendered to the BRRD and refer to CADAC/MADAC and other institutions for appropriate action.
- j) Monitor individuals, who are undertaking Community-Based Treatment and Rehabilitation, through their attendance and completion of CBRP requirements.
- k) Conduct consultative meetings at least once a month, and call for special meetings as needed, with organizations in the barangay, such as the Parents Teachers Community Association, youth groups, Boy and Girl Scouts, religious organizations, senior citizens, homeowners, and neighborhood associations, puroks, Tricycle Operators and Drivers Association and other groups in the community to ensure their commitment to assist in curbing the drug menace in society, whenever necessary.
- l) Formulate education programs on drug prevention and ensure implementation of the same in coordination with various associations stated in paragraph (k), using funds which shall be derived from the Local School Board and other available sources.
- m) Conduct an Information Education Campaign on illegal drug demand reduction;
- n) Extend assistance to law enforcement agencies during the conduct of anti-drug operations and the BADAC Chairperson or any elected official present during the

anti-drug operations shall sign as witness the inventory of seized drugs and paraphernalia;

o) Submit all monthly reports to CADAC/MADAC and the DILG City/Municipal Field Office;

p) Submit an annual Accomplishment Report and Fund Utilization Report to the CADAC/MADAC, the higher Peace and Order Council and the DILG Field Office;

q) Submit reports on the implementation of BADAC Plan of Action on drug clearing operations;

r) Create a Barangay Auxiliary Team whose responsibilities and membership shall be included in the Implementing Rules and Regulations of this Act; and,

s) Perform such other related functions as prescribed by the rules and regulations.

SECTION 13. Creation of the ADAO. An ADAO is hereby created in every city and municipality. It shall be headed by an Executive Director who shall be designated by the Chairperson of the ADAC. Each ADAO shall have at least two (2) support staff in order to help fulfill its duties and responsibilities.

SECTION 14. Functions of the Executive Director. The Executive Director shall perform the following:

a. Act as the Head Secretariat of the ADAC;

b. Oversee and supervise the overall operation of the ADAO

c. Ensure the prompt submission of the reports to the ADAC Chairperson and other partner agencies

d. Perform other duties that may be assigned

SECTION 15. Penal Provisions — Failure of the responsible Local Chief Executive to comply with the creation of the ADAC and the implementation of the provisions of this Act shall be penalized with imprisonment of six (6) months and one (1) day to six (6) years with the accessory penalty of perpetual absolute disqualification to hold public office.

SECTION 16. Implementing Rules and Regulations. The DILG, in coordination with DSWD, DepEd, PNP, PDEA, DDB, and Department of Health shall issue the Implementing Rules and Regulations within (90) days from the effectivity of this Act.

SECTION 17. Appropriations. The implementation of this Act shall be done through the concerned LGUs appropriating not less than two percent (2%) of their annual budget to fund the creations and operations of ADACS and ADAOS.

SECTION 18. Separability Clause. If any provision or part hereof is held invalid or unconstitutional, the remainder of the provisions not otherwise affected shall remain valid and subsisting.

SECTION 19. Repealing Clause. The funding provision under RA 9165, Art VII, Sec. 51, on local government units' assistance, is hereby repealed. All laws, decrees, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 20. Effectivity. This Act shall take effect (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.