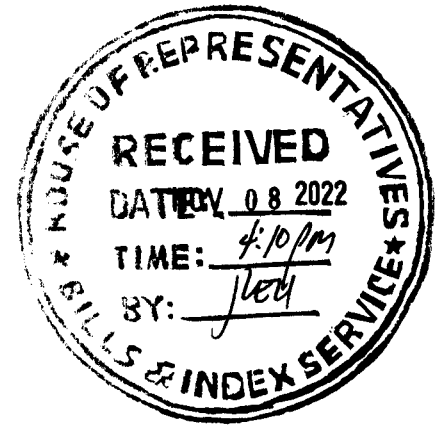


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. **5948**



**Introduced by Representatives Rosanna "Ria" V. Vergara and
Florida "Rida" P. Robes**

AN ACT
INSTITUTIONALIZING THE ASSISTANCE TO INDIVIDUALS IN CRISIS
SITUATION PROGRAM OF THE DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT, PROVIDING PENALTIES FOR THE VIOLATION OF CERTAIN
UNLAWFUL ACTS, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The Department of Social Welfare and Development's Assistance to Individuals in Crisis (DSWD-AICS) Program is part of the national government's protective services for the poor, marginalized, vulnerable, and disadvantaged individuals. The AICS Program has been implemented by the DSWD for decades, as part of its technical assistance and resource augmentation support to the local government units and other partners to provide relief to the following instances when a crisis situation may arise in communities: (1) Deprivation of basic needs such as food, water, clothing, medicine, shelter and sanitation and other health care needs; (2) Lack of job opportunities; (3) Rising number of deported overseas Filipino workers (OFWs) as a result of economic or political crisis in some parts of the world; (4) Sudden death of an immediate family member; (5) Human-induced accidents resulting to physical injuries; (6) Car accidents; (7) Patients suffering from severe and chronic diseases and mental health conditions; (8) Family disintegration due to family and marital problems that cause them to be dysfunctional; (9) Abandoned children who later become out-of-school; (10) Battered wives and malnourished children; and (10) Victims of fire incidents, especially during the peak fire season.

The institutionalization of the DSWD-AICS Program is consistent with Article II, Section 9 of the Philippine Constitution which states that "the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all." The proposed law is aimed not only to improve the DSWD-AICS

Program but also to insulate government assistance from partisan politics. Time and again, some politicians use government-funded programs to advance their own political interest. This law seeks, among others, to penalize any person who will falsely represent to the beneficiaries as to the source of funding for the program or interfere with or disrupt the implementation of the program.

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



ROSANNA "RIA" V. VERGARA
Representative
3rd District, Nueva Ecija



FLORIDA "RIDA" P. ROBES
Representative
Lone District, San Jose Del Monte City

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UNLAWFUL ACTS, AND APPROPRIATING FUNDS THEREFOR

1 **SECTION 1. Short Title.** – This Act shall be known as the “*Assistance to Individuals*
2 *in Crisis Situation (AICS) Act.*”

3 **SEC. 2. Declaration of Policy.** – It is the policy of the State to promote a just and
4 dynamic social order alleviating the plight of the poor through policies that provide adequate
5 social services and raise the standard of living for the improved quality of life for all. Towards
6 this end, the State shall provide assistance through projects, programs and services geared
7 towards alleviating poverty and improving the quality of life of every Filipino, especially the
8 marginalized sector, and disadvantaged individuals and families.

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

- 10
11 a. *Assistive Devices and Technologies* refer to those whose primary purpose is to
12 maintain or improve an individual’s functioning and independence to facilitate
13 participation and to enhance overall well-being and help prevent impairments and
14 secondary health conditions. These include wheelchairs, prostheses, hearing aids,
15 visual aids, and specialized computer software and hardware, or any advancement
16 in technologies that increase mobility, hearing, vision, or communication
17 capacities;
- b. *Burial assistance* refers to assistance to help defray funeral and related expenses,
 such as transfer of cadaver, burial site, and other related expenses incurred by the
 family of the deceased, with consideration to context, cultural, and religious
 backgrounds;

- 1 c. *Case Management* refers to a process of assessing, planning, managing,
2 coordinating and advocating for services and other interventions used by the
3 Department of Social Welfare and Development (DSWD) to enable the qualified
4 beneficiaries to improve their functioning by dealing with their difficulties in
5 addressing their needs;
- 6 d. *Crisis situation* refers to a condition of an individual in a stressful situation that
7 impairs psychosocial functioning or participation in socio - economic activities,
8 including access to education, work, and health care, that requires series of
9 interventions to prevent further exposure to vulnerabilities, exploitation or abuse;
- 10 e. *Disability support assistance* refers to the monetary support to cover the purchase
11 of assistive products, technologies, provision of sign language interpreter, personal
12 assistant, maintenance medicines and hygiene needs, life support equipment, and
13 other needs of persons with disabilities;
- 14 f. *Educational assistance* refers to financial assistance extended to elementary, high
15 school, and college students to help defray school expenses and/or cost of sending
16 students/children to school such as school fees augmentation, supplies, projects,
17 allowance and other related expenses and to eradicate barriers to quality education,
18 including those barriers faced by persons on account of their disabilities;
- 19 g. *Financial assistance* refers to monetary support in the form of outright cash,
20 guarantee letter, coupon, check or voucher that has monetary value, including burial
21 assistance, transportation assistance, medical assistance, educational assistance,
22 training assistance, food assistance, assistance for other support services and other
23 allied assistance or physical aid such as food, clothing, and assistive devices and
24 technologies;
- 25 h. *Food assistance* refers to assistance to those in need due to human induced and
26 natural calamities and those experiencing other forms of crisis or displacement,
27 eviction, demolitions or requiring interventions for sector-specific support which
28 include hot meals, food or meal allowance, or the cash equivalent of the required
29 hot meals and/or food packs;
- 30 i. *Guarantee letter* refers to a document duly approved and issued by the DSWD,
31 which ensures the payment of the amount appearing on the document, that the
32 beneficiary presents to any public or government owned or controlled hospitals or
33 other entities and to any similar private entity that is willing to provide services on
34 credit and enter into partnership agreement with DSWD;
- 35 j. *Material and other assistance* refers to an assistance given to individuals in crisis
36 by providing them non-food items, non-financial, and the likes, and may also
37 include other professional assistance available in the DSWD, such as psycho-social
38 support and legal consultation;
- 39 k. *Medical assistance* refers to out-of-pocket expense in the form of coupon, stub,
40 guarantee letter, promissory note or voucher that has monetary value, given directly

to recipients or beneficiaries to be used to pay for hospitalization expenses, other medical treatments or procedures, as well as professional fees and consultation fees, for the purchase of drugs, medicines, goods or other services prescribed by the physician of a health facility for in- and out-patients;

l. Persons with disabilities refer to those who have long-term physical, mental, intellectual or sensory impairments that hinder their full and effective participation in society on an equal basis with others, including cancer patients and persons living with cancer and cancer survivors under Republic Act No. 11215, otherwise known as “*National Integrated Cancer Control Act*” and persons with rare disease under Republic Act No. 10747, otherwise known as “*Rare Diseases Act of the Philippines*”;

m. Target Beneficiaries refer to individuals or families who are indigent, vulnerable, disadvantaged, or internally displaced persons or in crisis situation based on the assessment of the social workers of the DSWD; and

n. Transportation assistance refers to the monetary support to cover the actual cost incurred on land, sea, and air travel, including travel insurance and such other related expenses as facilitated by the social workers of the DSWD.

SEC. 4. Assistance to Individuals in Crisis Situation (AICS). – To effectively respond to the needs of the crisis, each qualified target beneficiary shall receive financial, medical, transportation, food, material assistance, and other assistance, to include disability support services including other professional assistance available in the DSWD, such as psychosocial support or intervention for dysfunctional families and their children who need trauma care and management, and legal consultation, based on the assessment of the social workers of the DSWD.

For purposes of this Act, the provision of medical assistance by the Department of Health (DOH) and its health facilities shall be harmonized with that being provided by the DSWD and other agencies. Towards this end, Republic Act No. 11463, also known as the *Malasakit Centers Act*, shall have suppletory effect for purposes of streamlining the grant of medical and financial assistance to eligible beneficiaries at the *Malasakit Centers*, and to prevent duplication in providing medical assistance to beneficiaries in crisis situation.

SEC. 5. Type, Kind and Amount of Financial Assistance. – The type, kind and amount of assistance that the target beneficiaries may receive are based on the assessment and recommendation of the social workers or authorized personnel of the DSWD, duly approved by their authorized officials. The transportation assistance of qualified target beneficiaries who come from geographically isolated and disadvantaged areas shall be considered.

In order to fully meet the medical needs of individuals in crisis situation, particularly persons with disabilities or people with special needs such as persons with spinal cord injury who need catheter and urine bag that entail additional costs, the DOH may provide the initial costing per type of disability for the effective assessment of social workers of the DSWD.

1 Aside from the regular AICS referral for other services such as legal services,
2 psychosocial interventions, and admission to residential facilities or temporary shelter, referral
3 system for financial assistance augmentation may be utilized by the DSWD.

4 Appropriate documentation as provided for in the DSWD AICS Guidelines shall
5 support all disbursements of funds.

6 A social case study report is required of those whose assistance is higher than ten
7 thousand pesos (P10,000.00).

8 **SEC. 6. *Provision of Assistance Through Adoptive Means.*** – The DSWD shall adopt
9 means in order to efficiently, expeditiously and effectively deliver the financial and material
10 assistance to the clients and communities needing assistance from the government, such as
11 establishment of a mobile command center at the DSWD Central Office and in all regions,
12 establishing an automated system of processing the request for assistance as well as the
13 releasing of the assistance to the beneficiaries, and building a unified information system,
14 payment for the necessary service fees or financial charges for the delivery of assistance, and
15 others.

16 **SEC. 7. *Case Management System.*** – There shall be established a case management
17 system to improve service delivery of the AICS to the qualified beneficiaries.

18 In keeping with the principle of equitable access, and ensuring that access to the AICS
19 is maximized, a mechanism for real-time data sharing between the DSWD and the LGUs shall
20 be institutionalized, subject to the statutory limitations under the Data Privacy Act of 2012.
21 Under this mechanism, concerned agencies and LGUs may share information from a
22 centralized database in order to identify the assistance given to a qualified beneficiary, for
23 purposes of assistance augmentation and to prevent a possible abuse of the assistance given to
24 those in crisis situations.

25 **SEC 8. *Crisis Intervention Program Management Office (CIPMO).*** – A Crisis
26 Intervention Program Management Office is created at the Central Office of the Department of
27 Social Welfare and Development. The office shall monitor and evaluate the implementation of
28 AICS Program and prepare the monitoring and evaluation report for submission to the
29 Secretary of the DSWD. The monitoring and evaluation report must be available and
30 accessible to any stakeholder at the national, regional, and local levels.

31 **SEC. 9. *Additional Plantilla Positions.*** – The DSWD shall create the required plantilla
32 and staffing pattern necessary for the implementation of this Act, in coordination with the
33 Department of Budget and Management and the Civil Service Commission.

34 **SEC. 10. *Personnel Complement.*** – The CIPMO Central Office, the Crisis Intervention
35 Sections, and the Social Welfare and Development Satellite Offices that implement AICS
36 programs shall be adequately staffed by licensed social workers and support staff. The CIPMO
37 program director at the Central Office and the regional directors in the field offices shall
38 appoint and assign the necessary personnel for the effective implementation of the AICS
39 program.

1 **SEC. 11. *Unlawful Acts and Penalties.*** - It shall be unlawful for any individual or
2 organization to:

- 3 a. Defraud the government by issuing or presenting falsified or misleading documents, or
4 using false pretenses or other fraudulent acts to acquire the assistance provided under
5 this Act;
6 b. Coerce, invite, encourage or assist persons to seek assistance from the DSWD for
7 purposes of acquiring from the beneficiary a portion of the assistance, before or after
8 the receipt of assistance;
9 c. Mislead an individual or group to join, pay or cooperate with a group falsely
10 representing connection or affiliation with DSWD or falsely promising priority in the
11 processing of assistance;
12 d. Falsely represent to the beneficiaries through any means that the funding for the AICS
13 program emanates from sources other than the national government; and
14 e. Interfere with or disrupt the implementation or delivery of AICS services or funds to
15 the qualified beneficiaries.

16
17 Any person, group or organization who commits any of the foregoing unlawful acts
18 shall be punished by imprisonment of not less than one (1) year but not more than six (6) years
19 and a fine of not less than but not more than double the amount of the assistance, at the
20 discretion of the court. If the offender is an organization, the president, manager, or any officer
21 of the organization who participated in the commission of the acts enumerated above or
22 benefited therefrom, or both, shall be held liable. If the offender is an official or employee of
23 any local government unit, the penalty shall include perpetual disqualification from public
24 office.

25
26 Conspiracy to commit the foregoing unlawful acts shall be penalized by the same
27 penalty prescribed under this Section.

28
29 In all circumstances, the government shall be authorized to prosecute or to file cases on
30 behalf of the private individual defrauded and damaged by the aforementioned acts.

31
32 Any person who were coerced, invited, encouraged or misled while committing the
33 crimes above, or any person who has witnessed or has knowledge or information on the
34 commission of the crime and has testified or is testifying or about to testify before any judicial
35 or quasi-judicial body, or before any investigating authority, may be admitted into the witness
36 protection program, Provided that to become a state witness for this crime, he/she shall not be
37 the most guilty.

38 **SEC. 12. *Transparency and Public Service.*** In the spirit of transparency and the
39 principle that government resources should be used only in the performance of official
40 functions and not for private gain or political purposes, the DSWD shall produce inexpensive
41 information materials which shall be adequate to inform the beneficiaries that the AICS fund
42 originates from the revenues of the national government headed by the President. The said
43 information materials shall contain, among others, the statement "*Pera ng Taong Bayan, Para*
44 *sa Taong Bayan.*"

45
46 **SEC. 13 *Joint Congressional Oversight Committee.*** – A congressional oversight
47 committee is constituted to monitor, set the overall framework, and review the implementation

1 of this Act. The committee shall determine the inherent weaknesses in the law and recommend
2 necessary remedial legislation or executive measures.

3 The oversight committee is composed of five (5) Senators and five (5) Representatives
4 to be appointed by the Senate President and the Speaker of the House of Representatives,
5 respectively, and co-chaired by the Chairpersons of the Committee on Social Justice, Welfare
6 and Rural Development of the Senate and the Committee on Social Services of the House of
7 Representatives.

8 For purposes of determining remedial legislation, the oversight committee shall, within
9 three (3) years after the effectivity of this Act, conduct a review which shall include a
10 systematic evaluation of the impact of this Act, accomplishments of the program, and the
11 performance of the implementing agencies.

12 **SEC. 14. *Implementing Rules and Regulations.*** – Within one hundred eighty (180)
13 days from the effectivity of this Act, the Secretary of the DSWD in consultation with the
14 Secretary of the DOH and the Commission on Audit (COA), shall promulgate the necessary
15 rules and regulations to carry out the provisions of this Act.

16 **SEC. 15. *Appropriations.*** – The amount necessary for the initial implementation of this
17 Act shall be charged against the current year's appropriations of DSWD. Thereafter, such sum
18 as may be necessary for the continued implementation of this Act shall be included in the
19 annual General Appropriations Act, including the payment for the necessary service fees,
20 financial charges, or administrative cost, and capital outlay for the establishment of the
21 necessary offices for the delivery of assistance.

22 **SEC. 16. *Separability Clause.*** – If any provision or part of this Act is held invalid or
23 unconstitutional, the remaining parts or provisions not affected shall remain in full force and
24 effect.

25 **SEC. 17. *Repealing Clause.*** – All laws, presidential decrees or issuances, executive
26 orders, letter of instructions, administrative orders, rules, and regulations or parts thereof
27 contrary to or inconsistent with the provisions of this Act are amended, repealed, or modified
28 accordingly.

29 **SEC. 18. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
30 in the Official Gazette or in a national newspaper of general circulation.

31 ***Approved,***