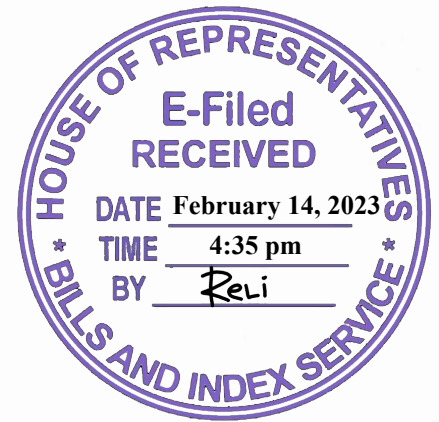


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Nineteenth Congress
First Regular Session

HOUSE BILL NO. **7166**



Introduced by **REP. CLAUDINE DIANA D. BAUTISTA-LIM**

EXPLANATORY NOTE

In order to track the creation and execution of the WHO's Mental Health Action Plan 2013-2020, the World Health Organization (WHO) published the WHO Mental Health Atlas in 2017 using data¹ from questionnaires completed by 177 of WHO's 194 member nations (WHO 2018).

Low- and middle-income nations had little public spending on mental health, and more than 80% of funds went to mental hospitals, according to the WHO atlas. While the median number of mental health workers worldwide is 9 per 100,000 people, the distribution of human resources for mental health services varies significantly between low- and high-income nations (1 in low-income countries to 72 in high-income countries) (WHO 2018).

Students from the Philippines, particularly children and teenagers, have confronted severe mental health threats due to the COVID-19 pandemic. They are particularly susceptible to these harms, yet there are still no coherent, all-encompassing measures for halting the decline of their mental health. Instead, existing therapies concentrate on broader approaches that ignore the unique conditions that they face. Additionally, these approaches fail to address the complex problems that a nation with a lower middle class, like the Philippines, must deal with.

As such, this bill seeks to institute mental health services in all educational institutions. The appeal for better mental health services includes emphasizing marginalized people living in low- and middle-income nations, where the rights to care and dignity still need much work.

When Congress passed the Mental Health Law, it believed that mental health contributes to psychological and mental well-being. Now, we see that access to the same shall be made available to our children and students in school facilities, as we hold that promoting mental health is likely to benefit communities and nations where millions of people live by giving mental health the priority it deserves in the United Nations Sustainable Development Goals.

In view of the foregoing, approval of this bill is highly recommended.


CLAUDINE DIANA D. BAUTISTA-LIM

¹ WHO. 2018. WHO Mental Health, as cited in Bodeker, G. (2020). *Mental wellness in Asia - asian development bank*. Retrieved February 7, 2023, from <https://www.adb.org/sites/default/files/institutional-document/633886/adou2020bp-mental-wellness-asia.pdf>

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HOUSE BILL NO. 7166

Introduced by **REP. CLAUDINE DIANA D. BAUTISTA-LIM**

AN ACT
MANDATING THE INSTITUTIONALIZATION OF MENTAL HEALTH SERVICES
IN EDUCATION INSTITUTIONS AND APPROPRIATING FUNDS THEREFOR

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

Section 1. Title. This Act shall be known as the "Accessibility of Mental Health Services in Philippine Education Institutions Act of 2023."

Section 2. Declaration of Policy. It is hereby declared the policy of the State to guarantee the right of every Filipino to sound mental health, ease of access to mental health services, and provide appropriate medical and psychological intervention to promote the mental health and wellness of students, teaching and non-teaching personnel in all educational institutions in the Philippines.

All educational institutions shall ensure that sufficient mental health services are given the highest priority to students and teaching and non-teaching personnel. Towards these ends, the State shall continue to design programs and services that are instrumental in achieving the same.

Section 3. Mental Health Services. Mental health services shall subscribe to the psychological, psychiatric, or neurologic activities and programs along the whole range of mental health support services, including promotion, prevention, treatment, and aftercare, which are provided by mental health facilities and mental health professionals

Section 4. Establishment of Mental Health Offices (MHOs). The Department of Education (DepEd) and Commission on Higher Education (CHED) shall, subject to the rules and regulations of the Civil Service Commission (CSC) and the Department of Budget and Management (DBM), require all educational institutions to establish a Mental Health Office (MHO) in all respective units.

The MHO shall set up hotlines with dedicated and trained guidance counselors to assist the students. Special attention shall be given to those identified with mental health problems or conditions, especially those at risk of suicide.

The DepEd and CHED, through their MHOS, shall initiate and sustain a heightened campaign to raise the collective consciousness about mental health. The awareness campaign shall emphasize the issues of suicide prevention, stress handling, mental health and nutrition, and guidance and counseling. In addition, the campaign shall ensure that the students know of such access to mental health services.

It shall likewise develop and provide for sufficient allocation for mental health programs and projects designed to maintain and address the mental health and well-being of the faculty, students, and personnel.

Each MHO shall be staffed by trained mental health professionals who serve as mental health service personnel. MHO shall create a mechanism for timely crisis intervention and suicide prevention and the appropriate response strategies, especially for the students.

The DepEd and CHED, in coordination with the SUCs, establish mechanisms to maximize existing services offered by other executive departments, such as the attached agencies to the Department of Health (DOH) dealing with mental health and the Department of Social Welfare and Development (DSWD).

Section 5. Hiring, Training, and Deployment of Mental Health Professionals. — Subject to the guidelines set by the DepEd, CHED, Civil Service Commission (CSC), Department of Budget and Management (DBM), educational institutions shall hire, train and deploy mental health professionals, including a psychologist, to the MHO to ensure that each shall have mental health professionals or mental health service providers within five (5) years from the effectivity of this Act.

The educational institutions, in coordination with the DepEd and CHED, shall prepare the appropriate plantilla positions for the additional mental health service personnel to be hired under this Act subject to the existing organizational, staffing, position classification and compensation policies, rules, and regulations to be submitted to the DBM for evaluation and approval.

Notwithstanding the provisions of Republic Act No. 9258, otherwise known as the "Guidance and Counseling Act of 2004," the educational institutions may hire, as may be necessary, graduates with relevant backgrounds in psychology or similar fields who do not yet qualify as mental health professionals to provide mental health services: Provided, That they undergo sufficient capacity building as determined by DepEd and CHED, and are supervised by qualified mental health professionals in their provision of mental health services: Provided further, That they meet the relevant qualifications and are licensed as mental health professionals within three (3) years from their date of hiring. In addition, the MHOs shall formulate a scheme for the continuous training of mental health service personnel, taking into consideration the latest information, studies, and know-how on mental health and mental health services, in accordance with the provisions of Republic Act No. 10912, otherwise known as the "Continuing Professional Development Act of 2016."

Section 6. Salary Grade. The career and salary scales of mental health professionals in educational institutions shall provide a gradual progression from a minimum to a maximum salary employing regular increments, to be given regularly based on merit and competencies. The entry-level mental health professionals shall not be lower than Salary Grade 16. Psychometricians shall have, as entry-level, a Salary Grade of 11.

Section 7. Contract with MHO Personnel. In case of scarcity of available mental health service personnel for full-time employment in the MHO of the educational institutions, they may enter into agreements for their hiring on a contractual or part-time basis.

Section 8. Benefits. The Mental Health Professionals in the MHOs shall enjoy the rights, privileges, and other benefits provided in Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers," Republic Act No. 11036, otherwise known as the "Mental Health Act" and other pertinent laws.

Section 9. Appropriations. The initial funding requirements for the implementation of this Act shall be charged against the current appropriations of the agencies concerned. Thereafter, such sums as may be necessary for the implementation of this Act shall be included in the agencies' yearly budgets under the General Appropriations Act.

Section 10. Implementing Rules and Regulations. Within sixty (60) days after the effectivity of this Act, the DepEd and CHED shall, in coordination with the DOH and other concerned stakeholders shall issue the rules and regulations necessary for the hiring, training, and deployment of the guidance counselors, psychologists, and other mental health services personnel, and for the implementation of this Act.

Section 11. Suppletory Application. — The applicable provisions of Republic Act No. 11036, otherwise known as the "Mental Health Act," insofar as they are not inconsistent with the provisions of this Act, shall apply as suppletory.

Section 12. Separability Clause. If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected shall continue to be in full force and effect.

Section 13. Repealing Clause. All laws, decrees, orders, rules, and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 14. Effectivity Clause. This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,