



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress

First Regular Session

House Bill No. **7892**



Introduced by:
HON. MARISSA "DEL MAR" MAGSINO
OFW PARTYLIST

EXPLANATORY NOTE

Autism or more formally known as 'Autism Spectrum Disorder' (ADS) is a developmental disorder with symptoms that appear within the first three years of life. The word 'spectrum' indicates that autism appears in different forms with varying levels of severity, with each individual with their own unique strengths, symptoms, and challenges. But the two most common challenges are deficits in social communication and interaction, and restricted or repetitive behaviors, interests, or activities. In some instances, several comorbidities may appear in people with autism including anxiety, depression and sleep disorders. In some cases, people with ASD need a lot of help in their daily lives, while others can work and live with little to no support.

In the Philippines, there are only rough estimates of individuals affected with autism based on the prevalence rates of other countries and on the records of developmental pediatricians. Nonetheless, according to Autism Speaks Foundation, a group currently working with the Department of Health to come up with an updated prevalence rate of autism in the Philippines, there is approximately one million Filipinos affected with ASD.

Unfortunately, there is no cure for ASD, although there are ways how to treat it such as through occupational therapy, speech therapy, and special education. Occupational therapy teaches people in the autism spectrum basic daily tasks and behavior modification and therapy, while speech therapy focuses more on communication. A session may cost around P500 to P1,000 per hour on average depending on the session that will be done.

Special education, on the other hand, has a curriculum to give proper education to people on the autism spectrum. All these services cost a fortune to avail of, one well

beyond the reach of those in the margins of society. Thus, parents of children with autism with little financial capacity have few or no options for providing assured continuing support and care for their children. The government must step in. Private initiatives alone will not be sufficient.

This bill seeks to promote an environment conducive to the development of persons with autism to become self-reliant, productive and socially-accepted members of an inclusive society through mechanisms that will improve their access to education, employment, transportation services, insurance coverage, and medical care and therapeutic services. More importantly, the proposed measure mandates the Philippine Council for Mental Health, in coordination with relevant agencies, to develop and regularly update a National Autism Care Plan (NACP) to respond to the needs of PWAs and their families and for the guidance of stakeholders in the public and private sectors.

One thing is certain. With a growing number of people with autism in the country every year, their problems and concerns must be addressed as soon as possible.

For the foregoing reasons, the immediate consideration and approval of this bill is earnestly urged.



HON. MARISSA "DEL MAR" MAGSINO
Assistant Minority Leader



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AN ACT
PROVIDING FOR PROTECTION AND WELFARE BENEFITS TO PERSONS WITH
AUTISM AND FOR OTHER PURPOSES

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

Section 1. Short Title – This Act shall be known as the ‘Protection to Persons with Autism Act’.

Section 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 self-reliant, productive and socially-accepted members of an inclusive society. Towards this end, the State commits itself to the establishment of institutional mechanisms that will provide protection and support to PWAs throughout their lifetime, responsive to their needs, empowering and providing them quality of life.

Section 3. Definition of Terms – For purposes of this Act:

- 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 Disorders; and,
- b) ‘Intervention’ refers to interceding action undertaken to help improve the autism prognosis. It may take the form of medical, pharmacologic, therapeutic, educational, and non-traditional rehabilitative care.

Section 4. *Treatment as Persons with Disability* – All PWAs shall be treated as persons with disability (PWDs) as defined under Republic Act No. 7277, as amended, otherwise known as the ‘Magna Carta for Disabled Persons’. They shall be entitled to all the rights, privileges, and other benefits provided for persons with disabilities under existing laws.

Section 5. *Early Detection and Intervention of Autism* - The Department of Health (DOH), in coordination with the Department of Education (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 that the central PWD registry is updated accordingly.

Section 6. *Mandatory PhilHealth Coverage* – All PWAs shall be covered by the National Health Insurance Program (NHIP) of the Philippine Health Insurance Corporation (PHIC or PhilHealth). The necessary funds for the enrolment of PWAs, including those covered under any existing category, shall be sourced from the NHIP Fund of PhilHealth, 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, and rehabilitative / therapeutic services, as far as practicable, as available benefits in favor of PWAs.

Section 7. *Protection Against Discrimination in Educational and Training Institutions* – The DepEd, the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) shall formulate or update policies and protocols to ensure that all educational and training institutions shall be inclusive to learners with autism, in matters including but not limited to, acceptance to academic or training programs, instructional support, and behavior management.

Section 8. *Provision for Equal Opportunities for Employment* – The Department of Labor and Employment (DOLE) and the Civil Service Commission (CSC) shall formulate policies and programs to ensure that adult PWAs are provided equal opportunities for gainful employment both in the private and public sectors.

Section 9. *Protection Against Discrimination in Insurance Coverage* – The Department of Finance (DOF) shall formulate or update policies and protocols to ensure that all insurance providers shall provide PWAs access to life insurance instruments which shall include allied medical procedures in health insurance benefits of policy holders such as speech and occupational therapies.

Section 10. *Protection in Cases of Disasters and Emergencies* – The Department of the Interior and Local Government (DILG) and the Department of National Defense (DND) shall formulate the necessary policies and protocols to ensure that the military, public safety professionals, local government units (LGUs), and first responders shall provide the necessary life-saving support to PWAs with behavioral and communication challenges in cases of disasters and emergencies.

Section 11. *Access to Transportation* – The Department of Transportation (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.

Section 12. *Reasonable Accommodation in Legal Actions* – The Department of Justice (DOJ) shall formulate the necessary policies and protocols to ensure criminal justice agencies and professionals shall provide the necessary accommodations and protection to PWAs with behavioral and communication challenges, who may be accused of, victims of, or witnesses to crimes.

Section 13. *The National Autism Care Plan* – The Philippine Council for Mental Health (PCMH) established under Republic Act No. 11036, or the 'Mental Health Act', shall spearhead and coordinate government actions to address the needs of PWAs and their families. The PCMH, in coordination with concerned government agencies and stakeholders, shall develop and regularly update a National Autism Care Plan (NACP), a holistic medium-term plan to respond to the needs of PWAs and their families and for the guidance of stakeholders in the public and private sectors. PCMH shall likewise coordinate and monitor the implementation of the NACP to ensure that the needs of PWAs are served.

Section 14. *Appropriation* – The amount necessary to carry out the provisions of this Act shall be included in the respective funding allocations of the concerned government agencies in the annual General Appropriations Act.

Section 15. *Implementing Rules and Regulations* – The DOH and the PCMH, in consultation with the DepEd, the PhilHealth, the CHED, the TESDA, the DOLE, the CSC, the DOF, the DILG, the DND, the DoTr, and the DOJ, shall formulate and promulgate the rules and regulations necessary for the effective implementation of this Act.

Section 16. *Separability Clause* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

Section 17. *Repealing Clause*. — All laws, decrees, orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 18. *Effectivity Clause* — This Act shall take effect fifteen (15) days after its complete publication in in a newspaper of general circulation.

Approved.