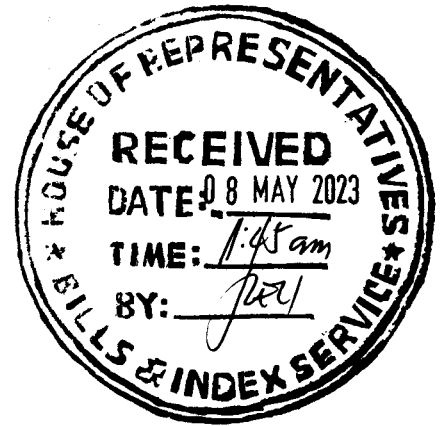


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

H.B. No. 7946

Introduced by Representative Ralph G. Recto

AN ACT
INSTITUTIONALIZING THE ASSISTANCE TO INDIVIDUALS IN CRISIS
SITUATION (AICS) PROGRAM, APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

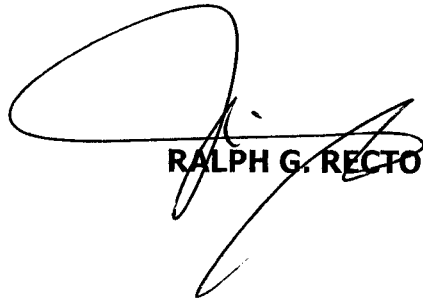
Even with the positive growth trajectory of the Philippine economy, many Filipinos are still one crisis away from living in poverty. Chronic poverty, aggravated by escalating prices of food and other basic commodities, and relatively low and stagnant wages, among others, hinder Filipino households from developing the capacity to protect themselves from financial shocks caused by job displacement, illness, death, and other difficult situations.

In the most recent Family Income and Expenditure Survey, Filipino families save, on the average, less than a quarter of their household income annually – with households earning less than P100,000 a year saving no more than 5.1% of their income. Additionally, almost half of Filipino adults in the most recent Financial Inclusion Survey of the *Bangko Sentral ng Pilipinas* – particularly those from classes D and E – revealed an apprehension that their savings will not last for the ‘rainy days’. This financial vulnerability of Filipino individuals and households has been vividly illustrated by the onslaught of the COVID-19 pandemic, which has rendered an additional 2.3 million Filipinos poor by the end of 2021. Hence, the need for government assistance when they experience extreme hardships and helplessness in times of crisis situations.

To respond to such financial vulnerability, this bill seeks to institutionalize the Assistance to Individuals in Crisis Situation (AICS) Program as a critical government intervention that provides financial, material, psychosocial and referral support and services to individuals and households rendered vulnerable by life's challenges. Apart from the provision of much needed assistance, this bill likewise seeks to relax and simplify the requirements for program availment particularly in exceptional circumstances, ensure the equitable provision of government assistance to those who are in need, and penalize those who seek to exploit the Program for their selfish financial gain.

Ultimately, this measure seeks to contribute to the realization of the Constitutional vision for the country – one where a just and dynamic social order ensures the prosperity and independence of the nation, and where the freedom of the people from poverty is safeguarded by policies that provide adequate social services and promote full employment, a rising standard of living, and an improved quality of life for all.

In light of the foregoing, the approval of this bill is earnestly sought.



RALPH G. RECTO

/mdg

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

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

3 Sec. 2. *Declaration of Policy.* – It is hereby declared a policy of the State to
4 promote a just and dynamic social order that will ensure the prosperity and
5 independence of the nation and free the people from poverty through policies that
6 provide adequate social services, promote full employment, a rising standard of living,
7 and an improved quality of life for all. Towards this end, and in cognizance of the need
8 to provide additional safety nets to assist Filipinos in crisis situations, the State shall
9 provide financial, material, psychosocial and referral support and services to qualified
10 individuals and households and ensure the swift and efficient delivery of such support
11 and services to qualified beneficiaries.

12 Sec. 3. *Definition of Terms.* – For the purposes of this Act:

13 (a) *Assistance to Individuals in Crisis Situation Program* or the *Program* shall
14 refer to the government social protection program institutionalized under this Act;

15 (b) *Assistive Devices and Technology* shall refer to systems and services that
16 provide, maintain or improve functional capabilities of people of older age, those with
17 disabilities or mental health conditions, those suffering from illnesses, or those

1 experiencing gradual physical and/or cognitive decline, which enable them to live
2 healthy, independent, productive and dignified lives;

3 (c) *Case Summary* shall refer to a document to be prepared by a registered
4 social worker of the Department of Social Welfare and Development (DSWD) that
5 details the assessment of the social worker on the socioeconomic situation of the client,
6 and the recommendation whether or not the client is qualified for government
7 assistance;

8 (d) *Client* shall refer to an individual or household, or their duly authorized
9 representative, seeking government assistance through the Program;

10 (e) *Educational Assistance* shall refer to assistance provided to a student in
11 crisis to cover school-related expenses, including, but not limited to: school fees,
12 school supplies, school-related projects and activities, and living allowances;

13 (f) *Funeral Assistance* shall refer to assistance to cover expenses incurred for
14 transportation, interment or cremation of the remains of the deceased, including the
15 provision of burial sites;

16 (g) *Material Assistance* shall refer to assistance provided in the form of physical
17 goods or commodities other than cash;

18 (h) *Medical Assistance* shall refer to assistance to cover expenses incurred from
19 hospitalization, medicines, doctor's consultation, medical treatment and procedures,
20 and provision of assistive devices;

21 (i) *Psychological First Aid* shall refer to interventions carried out immediately
22 following a traumatic incident to help individuals it rendered vulnerable to cope with
23 the stress and facilitate their return to normal social functioning;

24 (j) *Psychosocial Support* shall refer to assistance provided to meet the
25 psychological, emotional, social, or spiritual needs, including interventions to improve
26 the capacity of individuals to cope with the adverse psychosocial impact of calamities,
27 illnesses, deaths, loss of employment or livelihood, and other similar difficult
28 circumstances;

29 (k) *Referral Services* shall refer to the endorsement of clients, whose needs
30 are not offered under the Program, to other offices under the DSWD or to other
31 government agencies and instrumentalities;

1 (l) *Subsistence Assistance* shall refer to assistance to cover the expenses
2 related to the provision of food and other basic non-food needs of individuals or
3 households; and

4 (m) *Transportation Assistance* shall refer to assistance to cover the cost of air,
5 sea and land transportation, including the provision for food and other necessary travel
6 expenses, for purposes that include, but are not limited to: returning to home province
7 on a permanent basis, seeking medical attention, attending to emergency concerns
8 such as illness or death of an immediate family member; rescuing maltreated or
9 abused family member, and other analogous circumstances that require the physical
10 presence of the client.

11 Sec. 4. *Assistance to Individuals in Crisis Situation (AICS) Program.* – The
12 Assistance to Individuals in Crisis Situation (AICS) Program, hereinafter referred to as
13 the Program, is hereby institutionalized as a government program to assist individuals
14 and households in a state of active crisis brought about by loss of employment or
15 livelihood, calamities, illnesses, deaths, and other difficult circumstances.

16 Sec. 5. *Eligible Beneficiaries.* – The Program shall be intended for qualified
17 individuals and households, whether indigent or not, determined to be in crisis
18 situation and in need of support from the government, based on the assessment and
19 recommendation as contained in a case summary prepared by the registered social
20 workers of the DSWD.

21 Sec. 6. *Types and Forms of Assistance.* – The following assistance shall be
22 extended to qualified individuals and households, based on the assessment and
23 recommendation contained in a case summary prepared for the client concerned:

24 (a) Financial assistance in the form of outright cash, check, vouchers, tickets,
25 guarantee letters and other similar devices to be issued in favor of qualified
26 beneficiaries of medical, funeral, transportation, educational, subsistence and cash
27 assistance: *Provided*, That the DSWD may adopt mechanisms to ensure swift and
28 efficient grant of financial assistance by requesting the services of national
29 government agencies or local government units (LGUs), or by engaging the services
30 of authorized government depository banks, rural banks, thrift banks, cooperative
31 banks, and institutions engaged in money remittances duly registered with and
32 licensed by the *Bangko Sentral ng Pilipinas*,

1 (b) Material assistance in the form of food packs, ready-to-eat meals, food
2 stubs or vouchers, hygiene kits, sleeping kits, assistive devices and technologies, and
3 other similar implements: *Provided*, That the procurement of goods and commodities
4 shall be in accordance with Republic Act No. 9184, otherwise known as the
5 "Government Procurement Reform Act";

6 (c) Psychosocial support in the form of psychological first aid, social work
7 counseling, and other necessary psychological and emotional interventions: *Provided*,
8 That the provision of psychosocial support shall be in accordance with Republic Act
9 No. 11036, otherwise known as the "Mental Health Act";

10 (d) Referral services in the form of coordination or endorsement of clients to
11 other government agencies that provide other services including, but not limited to:
12 legal, psychiatric, protective, treatment and rehabilitative services; and

13 (e) Other forms of assistance as may be deemed necessary by the DSWD.

14 *Sec. 7. Lead Agency.* – The DSWD shall serve as the central planning,
15 coordinating, implementing and monitoring body of the Program. In the
16 implementation of this Act, the DSWD shall perform the following functions:

17 (a) Identify reasonable requirements and conditions for availing assistance
18 under the Program;

19 (b) Select and use an appropriate, effective and cost-efficient method to
20 evaluate clients;

21 (c) Determine the appropriate assistance to be provided to qualified
22 beneficiaries and the rate and frequency by which such assistance may be availed;

23 (d) Coordinate with different national and local government agencies, and non-
24 government organizations to ensure cost-effective and harmonized implementation of
25 the assistance provided herein;

26 (e) Establish and maintain a system for real-time data and information sharing
27 with LGUs and other national government agencies providing similar and related
28 services;

29 (f) Formulate mechanisms to prevent fraudulent activities and claims and
30 ensure equitable provision of the assistance and services provided under this Act;

31 (g) Submit an annual report to the President and Congress on all aspects of its
32 operations, financial status and other relevant data;

1 (h) Promulgate the implementing rules and guidelines for the enforcement of
2 this Act; and

3 (i) Perform such other functions as may be necessary or incidental to the
4 proper implementation of the provisions of this Act.

5 *Sec. 8. Simplification of Procedures and Requirements for Availing Assistance*
6 *under the Program.* – The documentary and other requirements for availing assistance
7 under the Program shall be simple, easy to understand, and written in both English,
8 and Filipino or the vernacular. The number of requirements and procedures shall be
9 reduced to a bare minimum, and the duplication of data and information in different
10 forms shall be avoided. To expedite the process for availing the assistance under the
11 Program, the DSWD shall maintain a computerized database of client information in
12 accordance with the provisions of Republic Act No. 10173, otherwise known as the
13 “Data Privacy Act of 2012”.

14 *Sec. 9. Relaxation of Requirements in Exceptional Cases.* – The requirements
15 for the availment of benefits as determined by the DSWD may, upon the
16 recommendation of the social worker concerned, be relaxed and further simplified in
17 cases involving members of Indigenous Cultural Communities/Indigenous Peoples,
18 and survivors of criminal activities, natural and man-made calamities, and other
19 exceptional circumstances where the requirements for availing assistance under this
20 Program could not be reasonably produced: *Provided,* That the justification for the
21 relaxation and simplification of requirements shall be included in the case summary of
22 the client concerned.

23 *Sec 10. Advisory Council.* – An AICS Advisory Council shall be created at the
24 national and regional levels to be headed by the DSWD. The national and regional
25 advisory councils shall have, as members, representatives from the Department of
26 Health (DOH), Department of Education (DepEd), Department of Agriculture (DA),
27 Department of Labor and Employment (DOLE), Department of Trade and Industry
28 (DTI), Department of Agrarian Reform (DAR), Department of Science and Technology
29 (DOST), Commission on Higher Education (ChED) and Technical Education and Skills
30 Development Authority (TESDA). The national and regional advisory councils shall also
31 have, as additional members, two (2) representatives from accredited
32 nongovernmental organizations working or monitoring social welfare service programs.

1 The Advisory Councils shall have the following functions:

2 (a) Meet regularly to promote coordination across agencies to enhance the
3 implementation of the Program and jointly address and resolve program
4 implementation issues;

5 (b) Recommend to the President measures and policies for the responsive
6 delivery of the commitments under this Act and integration with the general poverty
7 reduction and social protection strategy of government;

8 (c) Determine the funding requirements for the Program and recommend its
9 inclusion in the annual government appropriations;

10 (d) Promulgate a grievance redress system and accept complaints and
11 grievances pertaining to the implementation of the Program; and

12 (e) Review the monitoring and assessment reports of the Independent
13 Monitoring Committee and submit necessary policy recommendations to the President
14 and Congress in order to improve and strengthen the Program, if necessary.

15 Sec. 11. *Independent Monitoring Committee.* – An Independent Monitoring
16 Committee shall be created at the national and regional levels, composed of
17 representatives from the private sector, including civil society organizations, to
18 complement the monitoring activities of the DSWD and provide feedback for
19 appropriate action. It shall submit a report on the results of its monitoring activities
20 relative to the implementation of the Program to the respective national and regional
21 advisory councils.

22 Sec. 12. *Convergence of Programs and Services.* – Within the framework of a
23 national poverty alleviation strategy and a holistic social protection program,
24 government agencies implementing multi-stakeholder social protection programs and
25 services shall guarantee that the same complement and converge seamlessly with the
26 aim of ensuring that the appropriate type and level of assistance is extended to target
27 beneficiaries. Such convergence shall focus on the enhancement of operational
28 efficiency and strengthening of inter-agency partnership in ensuring the equitable
29 provision of government assistance and mitigating the duplication, overlap or
30 redundancy in the delivery of government services. The government shall monitor the
31 performance of these agencies to ensure the sustainability and positive impact of its
32 social protection programs.

1 Sec. 13. *Reportorial Requirements.* – The DSWD shall, on an annual basis,
2 monitor the implementation of the Program and shall submit to the President and
3 Congress an annual report thereof. The report shall include, but not be limited to, the
4 financial disclosures on the Program; information about beneficiaries based on
5 geographical area, and socioeconomic and cultural circumstances; and
6 recommendations to further enhance program implementation. Such report shall
7 likewise be published in the official website of the DSWD.

8 Sec. 14. *Organizational Complement.* – The DSWD may, if necessary, modify
9 its existing organizational structure and staffing pattern to effectively implement the
10 provisions of this Act, subject to the approval of the Department of Budget and
11 Management (DBM).

12 Section 15. *Penalties.* – Any person, whether or not acting in conspiracy with
13 public officials or employees, who, by act or omission, provides false or misleading
14 documents, information or statements with the intent of defrauding or aiding to
15 defraud the government, shall be penalized with imprisonment of not less than one
16 (1) month but not more than one (1) year, a fine of not less than Ten thousand pesos
17 (P10,000.00) but not more than One hundred thousand pesos (P100,000.00) or both,
18 at the discretion of the court.

19 A public official or employee who commits any of the following acts shall be
20 penalized with imprisonment of not less than one (1) year but not more than five (5)
21 years, a fine of not less than Fifty thousand pesos (P50,000.00) but not more than
22 Two hundred thousand pesos (P200,000.00), or both, at the discretion of the court:

23 (a) Unduly interfering in the implementation of the Program, including, but not
24 limited to, the selection of beneficiaries, preparation of case summaries, and delivery
25 of assistance to qualified recipients;

26 (b) Encouraging, assisting, or coercing individuals or households to seek
27 assistance in exchange for money or a portion of the benefits that may be received
28 under the Program;

29 (c) Fabricating false documents, information, statements or case summaries
30 with the intent of soliciting assistance for unqualified clients, or defrauding or aiding
31 to defraud the government; and

1 (d) Committing other similar acts or omissions as may be identified by the
2 DSWD.

3 The erring public official or employee, in addition to the aforementioned
4 penalties, shall be temporarily disqualified from holding public office: *Provided*, That
5 the penalties imposed under this Act shall be without prejudice to administrative or
6 criminal sanctions that may be imposed by government agencies concerned.

7 *Sec. 16. Appropriations.* – The amount necessary for the implementation of this
8 Act shall be charged against the applicable appropriations in the General
9 Appropriations Act for the current fiscal year. Thereafter, such sums necessary for the
10 continued implementation of this Program shall be included in the annual General
11 Appropriations Act.

12 *Sec. 17. Implementing Rules and Regulations.* – Within ninety (90) days after
13 the approval of this Act, the DSWD shall, in coordination with the DBM and other
14 agencies concerned, issue the necessary rules and regulations for the effective
15 implementation of this Act.

16 *Sec. 18. Separability Clause.* – Should any provision of this Act be found
17 unconstitutional by a court of law, such provision shall be severed from the remainder
18 of this Act, and such action shall not affect the enforceability of the remaining
19 provisions of this Act.

20 *Sec. 19. Repealing Clause.* – All laws, decrees, letters of instruction, resolutions,
21 orders or parts thereof which are inconsistent with the provisions of this Act are hereby
22 repealed, modified or amended accordingly.

23 *Sec. 20. Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
24 publication in the *Official Gazette* or in any national newspaper of general circulation.

Approved,