

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 9899



Introduced by **Representative CAMILLE A. VILLAR**

**AN ACT ESTABLISHING A REHABILITATION CENTER FOR CHILDREN
AND YOUTH WITH SPECIAL NEEDS IN THE CITY OF LAS PIÑAS TO BE
KNOWN AS LAS PIÑAS CITY CHILDREN AND YOUTH WITH SPECIAL
NEEDS (CYSN) REHABILITATION CENTER, AND APPROPRIATING
FUNDS THEREFOR**

EXPLANATORY NOTE

The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.¹

Moreover, the State shall defend the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.²

The recent study of the United Nations Children's Fund (UNICEF, 2022) estimates that there are about 1.6 million Filipino children with disabilities.³ Based on the Department of Education (DepEd) data for school year (SY) 2016-2017, 232,975 learners with disabilities or learning exceptionalities were mainstreamed in regular classes.⁴

Merriam-Webster define 'special needs' as "various difficulties (such as a physical, emotional, behavioral, or learning disability or impairment) that causes an individual to require additional or specialized services or accommodations (such as in education or recreation)."

¹ Section 13, Article II, Declaration of Principles and State Policies, of the 1987 Philippine Constitution

² Section 3 (2), Article XV, The Family, of the 1987 Philippine Constitution

³ Congressional Policy and Budget Research Department, House of Representatives, March 2023 (No. 17), citing Cost of Raising Children with Disabilities in the Philippines, UNICEF 2022

⁴ Congressional Policy and Budget Research Department, House of Representatives, March 2023 (No. 17), stating that DepEd uses the term exceptionality to refer to disability. DepEd Datasets-www.deped.gov.ph

In the Philippines, consider the following⁵:

- PhilHealth estimates that one out of seven or around 5.1 million Filipino children are living with disabilities. Yet there is little information on the prevalence of disabilities among Filipino children.
- Children with disabilities continue to experience barriers to access basic social services. This is compounded by poverty, lack of data, weak governance and discriminatory attitudes related to disability in general.
- Children with disabilities are less likely to attend school, access medical services, or have their voices heard in society. Their disabilities also place them at a higher risk of physical abuse and discrimination, and often exclude them from receiving proper nutrition or humanitarian assistance in emergencies.

The State recognizes that children and youth with special needs have the capacity to evolve and to attain a more meaningful, productive and satisfying life. To this end, the State needs to provide quality, affordable and geographically accessible early rehabilitation services to children and youth with special needs in city and municipal rehabilitation centers.

This bill seeks to establish the Las Piñas City Children and Youth with Special Needs (CYSN) Rehabilitation Center, under the direct supervision of the Department of Health.

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


CAMILLE A. VILLAR

⁵ Data culled from Philippine Policy Report No.6, Children with Disabilities: Finding the Way to an Inclusive Service Framework, July 2018, study funded by the Australian Embassy in Manila, UNICEF, DSWD and the Development Academy of the Philippines

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AN ACT
ESTABLISHING A REHABILITATION CENTER FOR CHILDREN AND
YOUTH WITH SPECIAL NEEDS IN THE CITY OF LAS PIÑAS TO BE KNOWN
AS LAS PIÑAS CITY CHILDREN AND YOUTH WITH SPECIAL NEEDS
(CYSN) REHABILITATION CENTER, AND APPROPRIATING FUNDS
THEREFOR

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

SEC. 1. *Declaration of Policy.* - The State promotes and protect the youth's physical, moral, spiritual, intellectual and social well-being in recognition of their vital role in nation-building. The State also recognizes that children and youth with special needs, despite their disabilities and impairments, may contribute to society but only with the timely assistance and intervention of the State through rehabilitation and other welfare services. The State recognizes that children and youth with special needs have capacity to evolve and to attain a more meaningful, productive and satisfying life. To this end, the State shall, as a policy, provide quality, affordable and geographically accessible early rehabilitation services to children and youth with special needs in city and municipal rehabilitation centers.

SEC. 2. *Objectives.* Pursuant to the above declaration of policies, the State adopt the following objectives:

- a.) Provide quality and comprehensive rehabilitation services to assist children and youth with special needs (CYSNs) in maintaining and recovering their overall living functions under an integrated system that provides services ranging from medical to vocational training;
- b.) Provide assessment as well as rehabilitation services to CYSNs as early as possible to immediately address a child's developmental, health and support needs; and

c.) Promote independence and social participation of CYSNs through early intervention and rehabilitation that capacitates them to face social barriers.

SEC. 3. Definition. - For purposes of this Act, the following terms shall mean:

A. Children with special needs (CSNs) refer to those persons below eighteen (18) years old who are gifted or are fast learners; and those who are disabled, impaired and handicapped and in need of special education as well as services for rehabilitation. They differ from the average children in mental characteristics, sensory abilities, neuro-muscular or physical characteristics, social attributes, to such an extent that requires the use of modified school practices or special education services to develop them to maximum capability.

They may be classified as follows:

1. *Gifted children and fast learners* are those capable of superior performance including those with demonstrated achievement or potential ability in one or more of the following areas: general intellectual ability, specific academic aptitude, creative or productive thinking ability, leadership ability, ability in the performing arts and psychomotor ability, or those individuals who consistently manifest the following cluster of traits: above average ability (including intelligence), high creativity (implies the developmental appreciation of innovative ideas) and high task commitment (related to a high degree of motivation) and those who by reason thereof, require services or activities not ordinarily provided by the school;
2. *Children with mental retardation intellectual disability* are those who have substantial limitation in present functioning characterized by significant sub-average intellectual functioning, existing concurrently with the related limitations in two or more of the applicable adaptive skill areas; communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work;
3. *Children with visual impairment* are those who are blind or having a low vision. Persons are blind if they have a visual capacity of 20/200 or less in a better eye after maximum correction. The low vision persons retain a relatively low degree of vision and can read only enlarged print or regular print under special conditions;
4. *Children with hearing impairment* are those who are deaf or hard-of-hearing. The deaf persons are one whose hearing are non-functional for ordinary purpose in life. The hard-of-hearing have a defective sense of hearing that is functional without a hearing aid;
5. *Children with behavior problems* are those who cannot adjust to the socially accepted norms or behavior and, consequently disrupt their academic progress, in the learning efforts of their classmates and interpersonal relations;

6. *Children with orthopedic/physical handicap* are those whose impairment permanently or temporarily interferes with the normal functions of the joints, muscles or limbs;
7. *Children with special health problems* are those who have health conditions that tend to keep children out-of-school or those with chronic and/or debilitating illnesses such as cardiac (heart) diseases, asthma, diabetes, tuberculosis and other respiratory ailments, carcinoma, epilepsy, malnutrition and others;
8. *Children with learning disabilities* are those who, although normal in sensory, emotional and intellectual abilities, exhibit disorders in perception, listening, thinking, reading, writing, spelling or arithmetic. They have such condition as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia;
9. *Children with speech defects* are those whose speech differs from the average so far as to draw unfavorable attention to the manner of speaking rather than to the thought conveyed, which include communication disorders such as stuttering impaired articulation, language impairment, or a voice impairment that adversely affects a child's educational performance;
10. *Children with autism* are those with developmental disabilities, the onset of which occurs before thirty (30) months of age which is marked by disturbance in development, language and relationship with persons, activities and objects and which may coexist with intellectual disability and epilepsy. Children afflicted with this disorder have perceptual cognitive communication and social difficulties which change over time;
11. *Children with multi-handicaps* are those with more than one disability such as the deaf-blind or those diagnosed with autism and intellectual disability;
12. *Children with Specific Learning Disability*- A disorder in one or more of the basic physiological processes involved in understanding or in using language, spoken or written, which may manifest itself in the imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. Such term includes conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia;

13. *Children with Traumatic Brain Injury* - An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment or both, and that adversely affects a child's educational performance. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior physical functions, information processing, and speech. The term does not apply to brain injuries that are congenital or degenerative or to brain injuries induced by birth trauma.

B. Youth with special needs (YSNs) refer to those persons between fifteen (15) years old to thirty (30) years old with the same characteristics are CSNs, except those mentally gifted or fast learners. Provided, that, those persons who have mental retardation or autism or other chronic intellectual disabilities, shall be considered a YSN regardless of age.

C. Rehabilitation - refers to an integrated approach to physical, psychosocial, cultural, spiritual, educational and vocational measures that create conditions for the individual to attain the highest possible level of functional ability.

D. Early Intervention - refers to assessment, diagnosis and treatment of a CYSN in the early stages of his or her development;

E. Indigent - a person who has no visible means of income, or whose income is insufficient for the subsistence of his family, as identified by the Department of Social Welfare and Development (DSWD) based on a specific criteria set for this purpose.

SEC. 4. *Staff Complement-* The Las Piñas City Children and Youth with Special Needs Rehabilitation Center shall have the following staff complement:

a.) At least one (1) Physician, preferably a Psychiatrist or Developmental Pediatrician, who shall assess and diagnose a CYSN;

b.) At least one (1) Physical Therapist, who is trained in occupational therapy;

c.) At least one (1) Special Education Teacher;

d.) At least one (1) Social Worker; and

e.) At least one (1) Barangay Health Worker.

SEC. 5. *Functions.* - The Rehabilitation Center shall carry out the following functions:

a. **Physical Rehabilitation** - The Rehabilitation Center shall render regular physical and/or occupational therapy sessions to CYSNs for the improvement of their physical condition, mobility and cognitive skills;

b. **Social Rehabilitation** - The Rehabilitation Center shall provide regular counselling and social enhancement activities;

c. **Psycho-social Component** - The Rehabilitation Center shall provide self-development training opportunities such as personality development, career development, job and internship coaching and orientation for potential employers;

d. **Training for Parents, Guardians and Caregivers** - The Rehabilitation Center shall provide training for parents, guardians and caregivers of CYSNs and other volunteers on how to properly take care of CYSNs, including basic exercises for these children and youth that may be done in their own homes to ensure continued therapy; and

e. **Information and Resource Center** - The Rehabilitation Center shall also serve as information centers for the rights and incentives accorded to CYSNs. Disability-related documents, materials and data shall be made available in accessible formats.

SEC. 6. *Referral Fees.* - The Rehabilitation Center shall offer its services for free to indigent CYSNs. CYSNs who do not qualify as indigent can avail of the services for a minimal fee, based on the fees prescribed by the DOH in the implementing rules and regulations of this Act. The fees collected shall accrue as revenue of the City of Las Piñas and shall be utilized only for the operation and maintenance of the Rehabilitation Center, and salary of staff complement.

SEC. 7. *Implementing Rules and Regulations.* - The DOH, in coordination with the DSWD, the National Council on Disability Affairs, and in consultation with non-government organizations advocating the rights CYSNs, shall promulgate the necessary implementing rules and regulations within sixty (60) days after this Act takes effect.

SEC. 8. *Appropriations.* - The Secretary of Health shall immediately include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 9. *Separability Clause.* - Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SEC. 10. *Repealing Clause.* - All laws, decrees, letters of instructions, resolutions, orders, ordinances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SEC. 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,