

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 10498



Introduced by **Representative Wilbert T. Lee**

AN ACT
INSTITUTING THE NATIONAL AUTISM PLAN FOR BETTER INTERVENTIONS,
AND CONDUCT OF RESEARCH AND STUDIES LEADING TO EFFECTIVE
POLICIES FOR THE DEVELOPMENT OF PERSONS WITH AUTISM SPECTRUM
DISORDER

EXPLANATORY NOTE

The 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them.¹ Further, the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health, and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children.²

In the Philippines, people with autism are prevalent and continuously increasing. The Centers for Disease Control and Prevention stated that one in every 100 Filipinos has an autism spectrum disorder.³ The increase in cases of children with autism is alarming, the Department of Health stated that Filipinos with autism ballooned from 500,000 in 2008 to 1,000,000 in April 2018.

The Philippines has a lack of statistics for neurodivergence such as Autism because of underreporting, misdiagnosis, or a general lack of sufficient programs.⁴ Along with this, the level of awareness and understanding of autism is alarmingly low. With the lack of research, accurate and updated data, and autistic-specific accommodations, creating an inclusive society where persons with autism can also thrive and not be discriminated against is still a challenge.

¹ 1987 Constitution, Art. 2, Sec. 15

² Art. 13, Sec. 11

³ Philippine information Agency (PIA), 02 April 2024

⁴ PNA, 'Neurodivergence in PH: The fight for awareness, inclusivity', 15 March 2023, available at <https://www.pna.gov.ph/opinion/pieces/647-neurodivergence-in-ph-the-fight-for-awareness-inclusivity>

Autism is not a disease or illness. Scientifically, it is identified as a neurological disability that affects how people see and interact with their environment.⁵ It is linked with brain development with recognizable genetic factors. Unfortunately, autism has no recognized treatment but only early interventions such as therapy serve to reduce the severity of autism. However, such early interventions help people with autism to regulate their emotions and behavior and develop abilities that are helpful for everyday life.⁶ To provide early intervention, there shall be early screening to discover the presence of autism in a child. However, the cost of therapies, early interventions, and newborn screening are not affordable to the public.⁷

The bill seeks to address the issues of persons with autism by creating the National Autism Plan which serves to provide guidance and objectives for the development of persons with autism. Research and studies are conducted to determine the ways to prevent and treat autism on our local landscape, and to craft more affordable early screening, interventions, and therapy to address the gap.⁸ Studies found out that the earlier the screening and intervention are, the more the child with autism can reduce the severity of symptoms.

This representation believes filing this measure is a big step towards the goal of providing support and development for persons with autism which they urgently need. The State can further formulate responsive and effective policies for people with autism if there is enough information through studies and research. To help them more, we need to know more. With this policy, we ensure that we are a State that can accommodate different persons and give them a lending hand to help them reach their fullest development and potential.

HON. WILBERT T. LEE
Representative
AGRI PARTYLIST

⁵ PIA, 'Advancing acceptance and inclusion: The Filipino nation's drive to support persons with autism', 17 January 2024, available at <https://pia.gov.ph/features/2024/01/17/advancing-acceptance-and-inclusion-the-filipino-nations-drive-to-support-persons-with-autism>.

⁶ Ibid.

⁷ Quiledrino, Castor, Menoza, Vea, Carandang (2022), The Direct Cost of Autism and its Economic Impact on the Filipino Family, Vol. 56 No. 9 2022, Acta Medica Philippina.

⁸ Ibid

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SPECTRUM DISORDER**

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

Sec. 1. *Short Title.* This Act shall be known as the “Care for Autism Act of 2024”.

Sec. 2. *Declaration of Policy* – It is hereby declared the policy of the State to protect and promote the right to health of the people, including the rights of persons with autism to full, healthy, and holistic development. As such, the State shall promote an environment conducive to the development of autistic persons to become, to the best of their potential, independent, self-reliant, and productive members of society.

Towards this end, the State commits itself to the establishment of institutional and social mechanisms to support children and adult persons with autism and their families. In this light, the State shall institutionalize a holistic program for persons with autism in the country that will be sensitive to their needs for purposes of empowering and providing them quality of life.

Sec. 3. *Definition* – As used in this Act, the following terms are defined, as follows:

- (a) Autism or Autism Spectrum Disorder - refers to a range of conditions characterized by challenges with social skills, repetitive behaviors, speech and nonverbal communication, as well as by unique strengths and differences. It includes autism disorder, Asperger syndrome, Rett's syndrome, and pervasive developmental disorders not otherwise specified.
- (b) Treatment - refers to those that are medically necessary, appropriate, effective or efficient and shall include evaluation and assessment services; behavior training and management

and applied behavior analysis; habilitative or rehabilitative care, including occupational, physical or speech therapy; pharmacy care and medication; psychiatric care; psychological care; and therapeutic care.

- (c) Diagnosis - refers to medically necessary assessments, evaluations including neuropsychological evaluation, genetic testing, or other tests to diagnose whether an individual has one of the autism spectrum disorders.

Sec. 4. *Additional Duties of the NCDA*- The NCDA shall have the following additional duties:

- (a) To create networks of Family and Community support groups that include all persons who are caring for autistic children or adults including professionals engaged in such service;
- (b) To offer adult and aging care services to ensure that autistic children are not led astray upon the passing of their guardian;
- (c) To provide support facilities;
- (d) To undertake extensive research on autism in the Philippines and the development of the same. The research shall include the following:
 - (1) Scientific causes of autism
 - (2) Ways to prevent children from acquiring Autism
 - (3) Proper treatment and rehabilitation of persons with autism
 - (4) Development of persons with autism
- (e) To represent the community in formulating national and local policies regarding persons with autism
- (f) To actively participate in planning for modules and lesson plans for autistic children;
- (g) To receive donations and grants from international donor institutions, foundations, and multilateral and bilateral foreign donor agencies involved in the prevention, cure, and rehabilitation of persons with autism;
- (h) To promote the advocacy against bias and stereotyping against persons with autism thereby eliminating discrimination and misconceptions of the notion of being autistic with the end in view of opening the doors of productive economic opportunities to persons with autism;
- (i) To provide the avenue for the exchange of information, exchange programs and sharing of best practices on issues relating to the early detection, prevention, cure, treatment, and rehabilitation of persons diagnosed with autism;
- (j) To coordinate with educational institutions in formulating individualized programs for school children and young students with autism;
- (k) To promote public awareness, education, and information on issues concerning autism;
- (l) To advocate for the eradication of discrimination of any kind against children and adults with autism;
- (m) To assist in the creation of appropriate programs for individuals diagnosed with autism;
- (n) To form partnerships with the private sector to promote more employment opportunities for persons with autism;

- (o) To orient and counsel families of newly diagnosed children with autism
- (p) To establish a databank and information and monitoring system of persons with autism
- (q) The conduct of continuing education/training of families, teachers, therapists and caregivers of persons with autism through seminars, conventions, and other forms of tri-media educational tools.
- (r) To promote affordable newborn screening for early detection of children with autism
- (s) To assist in the creation of appropriate programs for individuals diagnosed with autism.
- (t) to network with other organizations, institutions and professionals working for the promotion of legislation and public programs for persons diagnosed with autism; and
- (u) To provide a system of early detection which is followed by responsive support

Sec. 5. *National Autism Program* – To attain the objectives of this Act, there shall be formulated and established a National Autism Program which serves as a guide and direction for programs related to autism. This program shall include, but not be limited to, programs, projects, and interventions for autism, and development research necessary for the formulation of policies regarding school, employment, therapy, and support groups.

The National Autism Program shall be formulated and recommended by the NCDA to the President for his approval.

Sec. 6. *Programs and Services of the NCDA for Persons with Autism* – The programs and services that will be provided by the NCDA shall include, among others, the following:

- (a) Orientation and counseling services for families of newly diagnosed children with autism;
- (b) Establishment of Family Support Networks and Sibling Program for families of persons with autism to seek psycho-social support for the various problems they face;
- (c) Establishment of National and Regional Referral Services wherein the NCDA will update a list of professionals and childcare institutions concerned with the care and development of persons with autism;
- (d) Publication of reading materials, manuals and easily readable instruction materials for autism early detection, prevention, rehabilitation and care;
- (e) The conduct of continuing education, information, and lectures on the proper handling and treatment of persons with autism;
- (f) The establishment of a databank and information and monitoring system (IMS) on the demographic, socio-economic and incidence and prevalence of persons with autism in the country;
- (g) The establishment of welfare homes and care facilities for poor or detached autistic children and adults;
- (h) The publication of a newsletter on current developments, resources and research on autism; and
- (i) The conduct of continuing education/training of families, teachers, therapists, and caregivers of persons with autism through seminars, conventions, and other forms of tri-media educational tools.

Sec. 7. *Early Identification and Intervention for Children with Autism* – The NCDA shall establish a program ensuring affordable early screening and identification of autism for children. Along with the identification, services that are necessary for early intervention for children with autism shall be undertaken to ensure full development and prevention of more severe autism.

The NCDA is tasked to monitor and update the list of children diagnosed with autism in the country in its central registry so that such persons may be referred to programs of the government, should the same become available.

Sec. 8. *Information Campaign* – The NCDA shall widely disseminate information, findings, and knowledge about autism, to educate the public and lessen discrimination. It shall include proper engagement, prevention, available early interventions, and newborn screening.

Sec. 9. *Treatment as Persons with Disabilities*. —All persons with autism shall be treated as persons with disability as defined under Republic Act No. 7277, as amended. As such, they shall be entitled to all the rights, privileges, and benefits provided for persons with disabilities under existing laws.

Sec. 10. *Protection against Discrimination in Schools* – No school shall adopt policies and rules that promote discrimination against children with autism.

The NCDA shall conduct training for teachers and officials of schools about autism and handling children with the same. The training shall ensure that the school, teachers, and officials of the school know how to engage with children with autism, and their obligation to inform their students who are non-autistic to respect and not discriminate against autistic children.

The NCDA, Department of Education (DepEd), in coordination with the DOH, shall formulate general rules to be followed by the schools about engaging and handling children with autism. This serves as a guide for the schools on how to properly treat and understand children with autism.

Sec. 11. *Continuing Education and Training of Public Servants* – All public servants, regardless of their line of work, shall undergo a mandatory continuing education and training program to ensure they know how to treat and properly engage persons with autism with the end in view of providing excellent public service. The training module and plan shall be consulted with and approved by the NCDA to ensure the accuracy and responsiveness of the training.

Sec. 12. *Research and Development* - The NCDA shall undertake extensive research, with the Department of Health (DOH), and Department of Social Welfare and Development (DSWD), the Department of Education (DepEd), the Philippine Council for Mental Health (PCMH), and other academic institutions and non-governmental organizations. The research shall focus on autism in the Philippines and the development of the same, the scientific causes of autism, ways to prevent children from acquiring autism, and proper treatment, rehabilitation, and development of persons with autism. The research shall also venture into affordable means of early detection, screening, and intervention for children with autism.

Sec. 13 *Epidemiological Surveillance Programs.* - The NCDA is hereby mandated to conduct an annual epidemiological survey to determine the extent and total incidence and prevalence of persons with autism in the country in order for the government to provide the necessary and appropriate interventions to address the needs faced by persons with autism. The survey shall include the relationship of different relevant factors with the incidence and distribution of autism.

The NCDA shall record the incidence and number of children diagnosed with autism in the Philippines.

Sec. 14. *Appropriations* – The amount necessary to carry out the provisions of this Act shall be included and incorporated in the annual general appropriations of the Department of Social Welfare and Development (DSWD).

Sec. 15. *Separability Clause.* - If for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

Sec. 16. *Repealing Clause.* - All laws, executive orders, presidential decrees, rules, and regulations or parts thereof contrary to or inconsistent with any provisions of this Act are hereby repealed, amended, or modified accordingly.

Sec. 17. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.