



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 11010



Introduced by
HON. ATTY. GERVILLE “JINKY BITRICS” R. LUISTRO

**AN ACT EXPANDING PHILHEALTH COVERAGE TO INCLUDE BENEFIT
PACKAGE TO ALL MENTAL HEALTH DISORDERS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Filipinos have an integral right to attain mental health services. Republic Act No. 11036, or the Mental Health Act, has institutionalized mental health care to be provided in a timely, reasonable, and culturally acceptable manner. This is a landmark law as it depicts the State’s willingness to resolve the issue of mental health problems that are on the rise in the country, an issue previously side lined due to a lack of awareness and the stigma surrounding it.

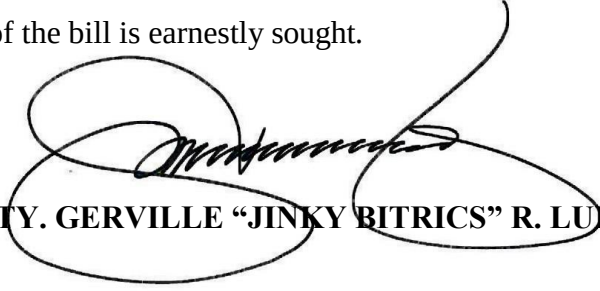
Issues regarding mental well-being have been under the spotlight especially during COVID-19 pandemic where a Department of Health study estimates about 3.6 million Filipinos were suffering from mental disorders. The COVID-19 pandemic, alongside the extensive periods of isolation, were clear cases of how central the issue of access to mental health services was.

Research indicates that 10% to 15% of children in the Philippines aged 5 to 15 experience challenges related to mental health while 16.8% of adolescents aged 13 to 17 have attempted suicide as confirmed a survey by the World Health Organization in 2015. While many people are willing to access treatment, financial barriers exist that prohibits them from doing so.

It is high time for mental health services to be mainstreamed under the universal health care system. At the moment, only a tiny portion of the health funding is assigned to mental health, and there are a limited number of mental health care workers. The extent of coverage of

treatments for conditions PhilHealth offers is also limiting to the less fortunate populations in the Philippines. These gaps are sought to be filled by the proposed this proposed legislation.

In view of the foregoing, approval of the bill is earnestly sought.



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

Section 1. Short Title. – This Act shall be known as the “Comprehensive Mental Health Benefit Act”.

Section 2. Declaration of Policy. – The State affirms the basic right of all Filipinos to mental health as well as the fundamental rights of people who require health services.

The State commits itself in promoting the well-being of people by ensuring that: mental health is valued, promoted, and protected; mental health conditions are treated and prevented; timely, affordable, high quality, and culturally-appropriate mental health case is made available to the public; mental health service are free from coercion and accountable to the service users; and persons affected by mental health conditions are able to exercise the full range of human rights, and participate fully in society and at work free from stigmatization and discrimination.

The State shall comply strictly with its obligations under the United Nations Declaration of Human Rights, the Convention on the rights of Persons with Disabilities, and all other relevant international and regional human rights, conventions and declarations. The applicability of Republic Act No. 7277, as amended, otherwise known as the “Magna Carta for Disabled Persons”, to person with mental health conditions, as defined herein, is expressly recognized.

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

Mental Health – refers to a state of well-being in which the individual realizes one's own abilities and potentials, scopes adequately with the normal stresses of life, displays resilience in the face of extreme life events, works productively and fruitfully, and is able to make a positive contribution to the community;

Mental Health Condition – refers to a neurologic or psychiatric condition characterized by the existence of a recognizable, clinically-significant disturbance in an individual's cognition, emotional regulation, or behavioral that reflects a genetic or acquired dysfunction in the neurological, psychosocial, or developmental process underlying mental functioning. The determination of neurologic and psychiatric conditions shall be based on scientifically-accepted medical nomenclature and best available scientific and medical evidence;

Mental Disorders – refer to conditions that affect a person's thinking, feelings, mood, and behavior. These may be occasional or chronic.

Section 4. Mental Health Benefit Package. — Within one (1) year from the effectivity of this Act, PhilHealth, in consultation with the Department of Health (DOH) and the Philippine Council for Mental Health (PCMH), along with key stakeholders such as professional societies, patient organizations, and health facilities, shall develop a benefit package for Filipinos with mental health illnesses. The benefit package shall be comprehensive and shall include but is not limited to coverage of emergency services, psychiatric and neurological services, therapy sessions and mental health gap action program (mhGAP).

Towards this end, the Health Technology Assessment Council (HTAC) created by virtue of Republic Act No. 11223 or the Universal Health Care Act, in consultation with the PCMH, shall review the existing case rate packages of PhilHealth for mental and behavioral disorders and recommend an appropriate increase in benefit package taking into consideration current costs in medical services.

Section 5. Implementing Rules and Regulations. — The PhilHealth Secretary of DOH, in consultation with Health Technology Assessment Council (HTAC), the PCMH and other key stakeholders, shall promulgate the necessary rules and regulations to implement the provisions of this Act.

Section 6. Appropriations. – The amount necessary to implement this Act shall be charged against the total revenue of PhilHealth, composed of premium contributions from direct contributors and premium subsidies of the government for the indirect contributors.

Section 7. Separability Clause. — If any provision or part of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 8. Repealing Clause. –Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent or contrary to the provision of this Act is hereby repealed or modified accordingly.

Section 9. Effectivity Clause. – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or a newspaper of general circulation.

Approved,