

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 886



Introduced by **Representative FERDINAND L. HERNANDEZ**

AN ACT
INSTITUTING A PHILIPPINE NATIONAL AUTISM CARE PLAN FOR THE
SUPPORT OF PERSONS WITH AUTISM AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Autism, also referred to as Autism Spectrum Disorder (ASD), is a neurodevelopmental condition that affects how a person communicates and interacts with others, and experiences the world and environment. It is called a “spectrum” because it includes a wide range of characteristics, abilities, and challenges that vary from one person to another. The diagnosis of Autism is based on the history and observation of the individual’s behavior and not on a single medical procedure or test.

According to the World Health Organization (WHO), the incidence of autism spectrum disorder is estimated to occur in one (1) out of one hundred (100) children. Actual rates vary by country due to differences in diagnostic practices, awareness and access to medical or social services and cultural factors. Autism rates have been increasing steadily over the past few decades as a result of better awareness, broader diagnostic criteria and improved screening and reporting.

Persons with Autism Spectrum Disorder or PWAs are assessed based on their communication level, social interaction, sensory profile, cognitive functioning, adaptive functioning and co-occurring conditions which include ADHD, anxiety and epilepsy.

This bill thus seeks to institutionalize a national autism care plan by promoting an environment conducive to the development of persons with autism (PWAs) to become the best of their potential – independent, self-reliant, productive, and socially-accepted members of an inclusive society. This can be achieved by providing them access to education, healthcare, employment, and guarantee of their civil rights.

Presently, there is no cure for Autism, but with early and specialized support of PWAs, desired outcomes of behavior and skills have significantly improved.

Thus, passage of this measure is earnestly being 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 “National Autism Care Plan Act.

SEC. 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 the best of their potentials – independent, self-reliant, productive and socially-accepted members of an inclusive society. Towards this end, the State commits itself to the establishment of institutional and social mechanisms to support PWAs throughout their lifetime, responsive to their needs, empowering and providing them quality of life.

SEC. 3. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- (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.
- (b) “Diagnosis” refers to necessary assessments, including but not limited to neuro-psychological evaluations, genetic testing, MRIs, hearing tests, psychometric tests to diagnose or discount autism and/or developmental disabilities in individuals.

(c) “Intervention” refers to interceding action undertaken to help improve the autism prognosis. Intervention in autism may take the form of medical, pharmacological, therapeutic, educational, and non-traditional habilitative care.

(d) “Epidemiology” refers to the study and analysis of the distribution and determinants of health conditions, like autism in defined populations.

SEC. 4. *Treatment as Persons with Disability.* – All PWAs shall be treated as persons with disability, as defined under Republic Act No. 7277, as amended. They shall be entitled to all the rights, privileges and benefits provided for persons with disabilities under existing laws.

SEC. 5. *Continuing Education and Training on Autism for Public Service Providers.* – All officers and staff in charge of providing services to the public, including but not limited to the Department of Health (DOH), Department of Social Welfare and Development (DSWD), Department of Education (DepEd), Department of Labor and Employment (DOLE), Department of Justice (DOJ), Department of Transportation (DOTr), Department of the Interior and Local Government (DILG), the Department of National Defense (DND), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), National Council on Disability Affairs (NCDA), Persons with Disabilities Affairs Offices (PDAOs) at the Local Government Units (LGUs), Public Safety Units (military, police, firemen, and other first responders), shall undergo mandatory continuing education to sensitize and empower service providers to become effective front liners in the delivery of services to PWAs and their families.

SEC. 6. *Epidemiological Surveillance Programs.* – The National Institute of Health (NIH) is hereby mandated to conduct a bi-annual epidemiological survey to determine the prevalence of autism in the country, for the purpose of providing data to government agencies and the private sector, to make necessary services available to PWAs and their families.

SEC. 7. *Evidence-based Research.* – The NIH is further mandated, in coordination with the DOH and local and international educational institutions, to strengthen its research focus on autism; to invest in clinical and molecular studies and grants, for the purpose of supporting development of best practices in autism intervention in the Philippines.

SEC. 8. *Early Detection and Intervention of Autism.* – The DOH, in coordination with 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 the central PWD registry are updated accordingly.

SEC. 9. *Mandatory PhilHealth Coverage.* – All persons with autism shall be covered by the National Health Insurance Program of the Philippine Health Insurance Corporation (PHIC). Funds necessary to ensure the enrollment of all PWAs, who are not currently covered under any existing category, shall be sourced from the National Health Insurance Fund of PHIC, 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, as one of the available benefits of its members.

SEC. 10. *Protection against Discrimination in Schools, Colleges, Universities and Training Institutions.* – The DepEd, CHED, TESDA shall formulate or update policies and protocols to ensure that all educational institutions shall be inclusive to learners with autism, in matters including, but not limited to, acceptance to academic or training programs, instructional supports, and behavior management.

SEC. 11. *Protection against Discrimination in Insurance Coverage.* – The Department of Finance shall formulate or update policies and protocols to ensure that all insurance providers shall provide PWAs access to life insurance instruments, and shall include allied medical procedures (like occupational and speech therapies) in health insurance benefits of policy holders.

SEC. 12. *Protection in cases of Disasters and Emergencies.* – The DILG and the DND shall formulate the necessary policies and protocols to ensure the military, public safety professional, local government units, and first responders shall provide the necessary life-saving support to PWAs with behavioral and communication challenges.

SEC. 13. *Access to Transportation.* – The 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.

SEC. 14. *Reasonable Accommodation in cases of Legal Action.* – The DOJ shall formulate the necessary policies and protocols to ensure criminal justice agencies and professionals shall provide the necessary accommodations and protections to PWAs with behavioral and communication challenges, who may be accused of, victims of or witnesses to crimes.

SEC. 15. *The Autism Council of the Philippines.* – There is hereby created the Autism Council of the Philippines (Council), under the Department of Health (DOH), which shall serve as an inter-agency and multi-sectoral mechanism to develop and implement a sustainable, long-term Philippine National Autism Plan.

The Council shall be responsible for:

- (a) Developing and updating the Philippine National Autism Plan – a holistic roadmap in addressing the needs of Filipinos with autism and their families for the guidance of stakeholders in the private and public sectors; calibrated to meet changing needs of society and developments in technology.
- (b) Designing campaigns that promote awareness of autism, and acceptance, accommodation and appreciation of PWAs;
- (c) Undertaking research and/collaborating with private and public entities on research activities regarding autism in the Philippines;

- (d) Improving capabilities of government to provide nationally-available services that diagnoses, early intervention, education, training, employment, livelihood;
- (e) Assisting the private and public sector in the design and delivery of appropriate programs for PWAs and their families;
- (f) Developing capacity-building programs, incentives and awards, for PWAs in leadership, science, culture, arts and sports;
- (g) Networking with other organizations, institutions and professionals working for the promotion of legislation and public programs for PWAs and
- (h) Receiving donations and grants from international donor institutions, foundations, and multilateral and bilateral foreign donor agencies, involved in the transfer of knowledge or direct services for PWAs’
- (i) Provide grants to duly accredited non-government organization involved in providing direct services to PWAs’

SEC. 16. *Composition of the Autism Council of the Philippines.* – The Council shall be composed of the following:

- (a) The DOH Secretary as Chairperson;
- (b) The DSWD Secretary as Vice-Chairperson;
- (c) The DepEd Secretary as Member;
- (d) The DILG Secretary as Member;
- (e) The DOLE Secretary as Member;
- (f) The NCDA Executive Director as Member;
- (g) The NIH Head as Member;
- (h) The Philippine Information Agency (PIA) Head as Member;
- (i) Three (3) representatives from the Philippine Association of Speech Pathologists and the Philippine Association of Occupational Therapists, as Members;
- (j) Two (2) representatives from the Autism Society Philippines, as Members; and
- (k) One (1) individual with autism, as Member.

The members of the Council from the government agencies and institutions may designate their permanent representatives who shall have a rank not lower than an assistant secretary as their official representative in the meetings of the Council.

The six (6) appointive members of the Council shall be appointed by the President of the Philippines, from a list of five (5) nominees from each sector, who shall serve for a term of three (3) years, and renewable for another term; provided: the person appointed shall be of good moral character, of unquestionable integrity; with expertise and experience of at least six (6) years in the field of autism, service delivery and other related fields; and that in the event of a vacancy, the successor appointed to fill the same shall serve only the unexpired portion of the term of the member he/she succeeds to.

The Council shall have a Secretariat which will coordinate the functions and organize the services as may be required by the Council in the exercise of its functions. It shall be headed by an Executive Director to be appointed by the Council.

All members of the Council shall receive emoluments as may be determined by the Council, in accordance with existing budget and accounting rules and regulations.

SEC. 17. *Programs and Services of the Autism Council of the Philippines.* – The Council shall design, implement and deliver programs and services, relevant to children and adults with autism and their families, under the following areas:

- (a) Information campaigns;
- (b) Research;
- (c) Assessment, diagnosis and intervention;
- (d) Education, sports and arts;
- (e) PWA and family support;
- (f) Employment and livelihood;
- (g) Residential and hospice care.

SEC. 18. *Meetings.* – The Council shall meet at least once a month upon a three-day notice signed by the Chairperson, or as often as necessary upon the written request signed by two-thirds (2/3) of its members. The presence of a majority of the members of the Council shall constitute a quorum in order for it to conduct its business.

SEC. 19. *Implementing Rules and Regulations.* – Within six (6) months from the date of effectivity of this act, the Council shall promulgate the necessary implementing rules and regulations to ensure that above-mentioned government agencies can develop and implement necessary policies and protocols for service delivery to PWAs and their families.

The Council shall ensure the timely publication and dissemination of information of these guidelines and regulations in order to ensure that the various stakeholders in the welfare of PWAs are adequately informed.

SEC. 20. *Appropriation.* – The amount necessary to carry out the provisions of this Act shall be included and incorporated in the annual general appropriations of the DOH.

SEC. 21. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

SEC. 22. *Repealing Clause.* – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

Approved,