



**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**TWENTIETH CONGRESS
FIRST REGULAR SESSION**

House Bill No. 1197



INTRODUCED BY **Rep. ZIAUR-RAHMAN ALONTO ADIONG**

EXPLANATORY NOTE

This bill seeks to amend Section 2(f) of Presidential Decree No. 1146, as amended by Republic Act No. 8291 or the Government Service Insurance System (GSIS) Act of 1997, to explicitly include *psychosocial disabilities* as a basis for continued dependency of children beyond the age of majority.

Under the current law, dependents include children who are incapacitated and incapable of self-support due to a mental or physical defect acquired prior to reaching the age of majority. However, the absence of explicit reference to *psychosocial disabilities*—which are recognized under modern frameworks of disability rights, including the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)—may lead to restrictive or inconsistent interpretations by implementing agencies.

Psychosocial disabilities refer to conditions that may arise from or affect an individual's mental health and social functioning, such as chronic depression, schizophrenia, or other serious mental health conditions. These may significantly impair a person's ability to live independently or earn a living, thereby justifying continued classification as a dependent.

By explicitly including *psychosocial disabilities* in the legal definition of dependent children, this measure aims to ensure equitable access to GSIS benefits and prevent the unjust exclusion of a vulnerable sector of society. It also aligns national policy with evolving international norms on disability rights and recognizes the lifelong impact certain conditions can have on a child's ability to be self-sufficient.

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

A handwritten signature in black ink, appearing to read 'Ziaur-Rahman Alonto Adiong', with a stylized flourish at the end.

REP. ZIAUR-RAHMAN ALONTO ADIONG
1st District, Lanao Del Sur



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AN ACT
AMENDING PRESIDENTIAL DECREE NO. 1146 AS AMENDED BY
REPUBLIC ACT 8291 OR THE GOVERNMENT SERVICE INSURANCE
SYSTEM ACT OF 1997

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

Section 1. DEPENDENTS. Section 2(f) of Presidential Decree No. 1146 as amended by Republic Act 8291, shall be amended to read as:

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(f) Dependents — Dependents shall be the following:

(a) the legitimate spouse dependent for support upon
the member or pensioner;

(b) the legitimate, legitimated, legally adopted
child, including the illegitimate child, who:

1. is unmarried, not gainfully employed, not
over the age of majority, or is;
2. over the age of majority but incapacitated
and incapable of self-support due to a
mental, NEURODEVELOPMENTAL,
PSYCHOSOCIAL, physical defect or ANY
OTHER SOURCE OF INCAPACITY acquired
prior to age of majority;

and;

(c) the parents dependent upon the member for
support;

**THE DETERMINATION OF INCAPACITY MUST FOLLOW
GUIDELINES TO BE SET BY THE NATIONAL COUNCIL
ON DISABILITY AFFAIRS AND MAY BE CERTIFIED BY
THE DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT OR THE DEPARTMENT OF HEALTH OR
BY LOCAL GOVERNMENT UNIT'S DISABILITY AFFAIRS
OFFICE.**

XXX

Section 2. IMPLEMENTING RULES AND REGULATIONS. The Government Service Insurance System shall make the necessary changes to incorporate the following changes into the existing IRR of Republic Act 8291 within 60 days from the effectivity of this Act.

Section 3. APPROPRIATIONS. The funds necessary for the implementation of the provisions of this Act shall be included in the annual appropriations of each agency concerned.

Section 4. SEPARABILITY CLAUSE. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 5. REPEALING CLAUSE. The provision of Presidential Decree No. 1146 as amended by Republic Act 8291, is hereby amended. Except as otherwise expressly provided in this Act, all other laws, decrees, executive orders, proclamations and administrative regulations or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

Section 6. EFFECTIVITY CLAUSE. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,