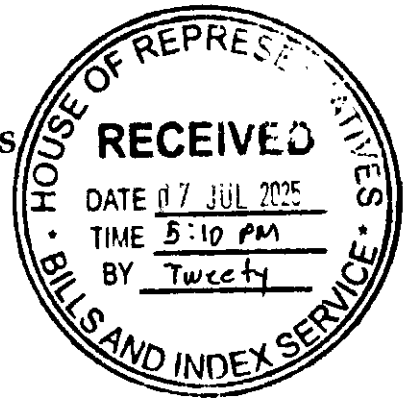


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
1st Regular Session

House Bill No. **1514**



Introduced by Representatives ERIC GO YAP and EDVIC G. YAP

EXPLANATORY NOTE

The Assistance to Individuals in Crisis Situations (AICS) is part of the Department of Social Welfare and Development's (DSWD) protective services for the poor, marginalized, and vulnerable / disadvantaged individuals / families. It has been implemented by the agency for decades, as part of its technical assistance and resource augmentation support to Local Government Units and other partners.

Up to the present, it complements the social amelioration programs of the government and sustains the basic necessities of families affected by the health and socio-economic disruption brought about by the COVID-19 pandemic. For the First Quarter of 2022, 484,784 individuals / households received assistance through the AICS program, in a range of services, such as immediate rescue and provision of direct financial assistance, psychosocial support, and material assistance including medical, transportation, financial, burial, and other services.

This bill seeks to institutionalize AICS, to further strengthen and enhance the existing assistance delivery system to benefit the Filipino people in need. It shall continue to serve as a social safety net or stop-gap measure to support the recovery of individuals and families suffering from unexpected life events or crises.

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

A stylized, horizontal signature in black ink.

HON. ERIC GO YAP

A stylized, vertical signature in black ink.

HON. EDVIC G. YAP

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

TWENTIETH CONGRESS
1st Regular Session

House Bill No. **1514**

Introduced by Representatives ERIC GO YAP and EDVIC G. YAP

AN ACT
INSTITUTIONALIZING THE ASSISTANCE TO INDIVIDUALS IN CRISIS
SITUATION PROGRAM OF THE DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT, PROVIDING PENALTIES FOR THE VIOLATION OF
CERTAIN UNLAWFUL ACTS, AND APPROPRIATING FUNDS THEREFOR

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 "*Assistance to Individuals in Crisis Situation (AICS) Act.*"

SECTION 2. *Declaration of Policy.* - It is the policy of the State to promote a just, humane, harmonious and productive society, which addresses the plight of the poor and disadvantaged through interventions that provide focused and adequate social services, thereby raising their standard of living and quality of life. To do this, the State shall provide assistance through projects, programs and services geared towards alleviating poverty and improving the quality of life of every Filipino, during both normal times and crisis situations, especially the marginalized sector and disadvantaged individuals and families.

SECTION 3. *Definition of Terms.* - As used in this Act:

- a. *Assistive Devices and Technologies* refer to those whose primary purpose is to maintain or improve an individual's functioning and independence to facilitate participation and to enhance overall well-being and help prevent impairments and secondary health conditions. These include wheelchairs, prostheses, hearing aids, visual aids, and specialized computer software and hardware, or any advancement in technologies that increase mobility, hearing, vision, or communication capacities;
- b. *Burial assistance* refers to assistance to help defray funeral and related expenses, such as transfer of cadaver, burial site, and other related expenses incurred by the family of the deceased, with consideration to context, cultural, and religious backgrounds;

- c. *Case Management* refers to a process of assessing, planning, managing, coordinating and advocating for services and other interventions used by the Department of Social Welfare and Development (DSWD) to enable the qualified beneficiaries to improve their functioning by dealing with their difficulties in addressing their needs;
- d. *Crisis situation* refers to a condition of an individual in a stressful situation that impairs psychosocial functioning or participation in socio-economic activities, including access to education, work, and health care, that requires series of interventions to prevent further exposure to vulnerabilities, exploitation or abuse;
- e. *Disability support assistance* refers to the monetary support to cover the purchase of assistive products, technologies, provision of sign language interpreter, personal assistant, maintenance medicines and hygiene needs, life support equipment, and other needs of persons with disabilities;
- f. *Educational assistance* refers to financial assistance extended to all eligible students to help defray school expenses and/or cost of sending students/children to school such as school fees augmentation, supplies, projects, allowance and other related expenses and to eradicate barriers to quality education, including those barriers faced by persons on account of their disabilities;
- g. *Financial assistance* refers to monetary support in the form of cash, guarantee letters, coupons, checks, or vouchers that has monetary value, including burial assistance, transportation assistance, medical assistance, educational assistance, training assistance, food assistance, assistance for other support services and other allied assistance or physical aid such as food, clothing, and assistive devices and technologies;
- h. *Food assistance* refers to assistance to those in need due to human induced and natural calamities and those experiencing other forms of crisis or displacement, eviction, demolitions or requiring interventions for sector-specific support which include hot meals, food or meal allowance, or the cash equivalent of the required hot meals and/or food packs;
- i. *Guarantee letter* refers to a document duly approved and issued by the DSWD, which ensures the payment of the amount appearing on the document, that the beneficiary presents to any public or government owned or controlled hospitals or other entities and to any similar private entity that is willing to provide services on credit and enter into a partnership agreement with the DSWD;
- j. *Material and other assistance* refers to assistance given to individuals in crisis situations by providing them non-food items, non-financial assistance, and the likes, which may also include professional assistance

available in the DSWD, such as psycho-social support and legal consultations;

- k. *Medical assistance* refers to out-of-pocket expenses in the form of coupons, stubs, guarantee letters, promissory notes, or vouchers of monetary value, given directly to recipients or beneficiaries to pay for hospitalization expenses, other medical treatments or procedures, as well as professional fees and consultation fees, purchase of drugs, medicines, goods or other services prescribed by a physician of a health facility to patients;
- l. *Persons with disabilities* refer to those who have long-term physical, mental, intellectual or sensory impairments that hinder their full and effective participation in society on an equal basis with others, including cancer patients and persons living with cancer and cancer survivors under Republic Act No. 11215, otherwise known as "*National Integrated Cancer Control Act*" and persons with rare disease under Republic Act No. 10747, otherwise known as "*Rare Diseases Act of the Philippines*";
- m. *Target Beneficiaries* refer to individuals or families who are indigent, vulnerable, disadvantaged, or internally displaced persons or in crisis situation based on the assessment of the social workers of the DSWD; and
- n. *Transportation assistance* refers to the monetary support to cover the actual cost incurred on land, sea, and air travel, including travel insurance and such other related expenses as facilitated by the social workers of the DSWD.

SECTION 4. *Assistance to Individuals in Crisis Situation (AICS).* - The DSWD shall effectively respond to the needs of individuals/families in crisis by giving qualified target beneficiaries financial, medical, transportation, food, and material assistance, and other forms of assistance that may be made available in this program. Such assistance shall include disability support services such as but not limited to psychosocial support or intervention for dysfunctional families and their children who need trauma care and management, legal counseling, and other available and appropriate professional services based on the assessment of social workers of the DSWD.

For purposes of this Act, the provision of medical assistance by the Department of Health (DOH) and its health facilities shall be harmonized with that being provided by the DSWD and other agencies. Towards this end, Republic No. 11463, also known as the *Malasakit Centers Act*, shall have suppletory effect for purposes of streamlining the grant of medical and financial assistance to eligible beneficiaries at the Malasakit Centers, and to prevent duplication in providing medical assistance to beneficiaries in crisis situation.

SECTION 5. *Type, Kind and Amount of Financial Assistance.* - The type, kind and amount of assistance that the target beneficiaries may receive are based on the

assessment and recommendation of the social workers or authorized personnel of the DSWD, duly approved by their authorized officials.

- a. Other forms of financial assistance such as transportation assistance for qualified target beneficiaries who come from geographically isolated and disadvantaged areas shall be given.
- b. In order to fully meet the medical needs of individuals in crisis situation, particularly persons with disabilities or people with special needs such as persons with spinal cord injury who need catheter and urine bag that entail additional costs, the DOH may provide the initial costing per type of disability for the effective assessment of social workers of DSWD. To ensure effective implementation, DSWD and DOH shall keep a database of all usual assistance and circumstances, which shall guide planning, programming, and procurement (if necessary).
- c. Aside from the regular AICS referral for their services such as legal services, psychosocial interventions, and admission to residential facilities or temporary shelter, a referral system for financial assistance augmentation shall be utilized by the DSWD.
- d. Appropriate documentation as provided for in the DSWD AICS Guidelines shall support all disbursements of funds.
- e. A social case study report is required of those whose assistance is higher than ten thousand pesos (P10,000.00)

SECTION 6. *Provision of Assistance Through Adoptive Means.* - The DSWD shall adopt means in order to efficiently, expeditiously, and effectively deliver the financial and material assistance to the clients. [and communities needing assistance from the government, - **may be deleted already**] These means may include establishment of a mobile command center at the DSWD Central Office and in all regions (or affected regions) and establishment of an automated information system that can (i) process requests for assistance, (ii) facilitate release of assistance to beneficiaries, (iii) keep track of and facilitate payments for the necessary service or financial charges for the delivery of assistance, and (iv) other relevant functions as stated in Section 5 and 7 of this Act.

SECTION 7. *Case Management System.* - There shall be established a case management system to improve service delivery of the AICS to the qualified beneficiaries.

In keeping with the principle of equitable access [and ensuring that access to the AICS is maximized - **may already be deleted**], and as stipulated in relevant sections of this Act, a mechanism for real-time data sharing between the DSWD and the LGUs shall be institutionalized, subject to the statutory limitations under the Data Privacy Act of 2012. Under this mechanism, concerned agencies and LGUs may share information from the centralized database in order to monitor the assistance

given to qualified beneficiaries for purposes of assistance augmentation, prevention of abuse, [of the assistance given to those in crisis situations - **may already be deleted**], and planning.

SECTION 8. *Crisis Intervention Program Management Office (CIPMO).* - A Crisis Intervention Program Management Office is created at the Central Office of the Department of Social Welfare and Development. The office shall monitor and evaluate the implementation of AICS Program and prepare monitoring and evaluation reports for submission to the Secretary of the DSWD. The monitoring and evaluation reports must be available and accessible to any stakeholder at the national, regional, and local levels. - This is problematic given the plans for "rightsizing the bureaucracy". /we can't keep on creating new offices. (See also comments of DBM-they are correct, for the most parts.) We need to rationalize the offices, programs, etc. in DSWD vis-a-vis LGUs, Local Government Code, Mandanas ruling, etc. I suggest to replace this with:

SECTION 8. *Reengineered DSWD Specialized Programs Sub-Cluster.* In keeping with the plans of government in rightsizing the bureaucracy, mandate of local governments, Mandanas-Garcia ruling, and the whole-of-government approach, the DSWD shall undergo an organizational review and re-engineering to allow more efficient and effective delivery of AICS and other relevant services under the **Special Programs Sub-Cluster**. The current structure and personnel complement shall continue managing the functions of the AICS program until such time that a re-engineered organization has been established. If necessary and practical, some functions may already be fully or partially devolved to the local governments while other national-level functions may become part of the ongoing rightsizing efforts such as but not limited to the following:

- a. Development of databases shall already be undertaken directly by relevant agencies such as the Department of Information and Communications Technology, Philippine Statistics Authority, and National Economic and Development Authority, provided that such function shall be done with supervision of and in coordination with DSWD;
- b. All medical-related services that are usually provided by the Department of Health shall automatically be lodged with it unless the qualified beneficiaries automatically fall within the care of DSWD (e.g., abused women and children, PWDs, victims of calamities, etc.); and
- c. Other functions where transfer to relevant agencies and/or LGUs shall lead to seamless and more efficient delivery of services.

SECTION 9. *No Additional Plantilla Positions.* - The DSWD shall no longer create new plantilla positions for the AICS program but where necessary and applicable due to the rightsizing and streamlining efforts, the staffing pattern necessary for the implementation of this Act and other services under the **Specialized Programs Sub-Cluster** shall be modified in coordination with the Department of Budget and Management and the Civil Service Commission.

SECTION. 10. *Personnel Complement.* - The Specialized Programs Sub-Cluster, the Crisis intervention Sections, and the Social Welfare and Development Satellite Offices that implement AICS programs shall be adequately staffed by licensed social workers and support staff. If necessary and based on the organization development or re-engineering process, a program director at the Central Office shall be assigned/reassigned or promoted from current roster while the regional directors in the field offices shall support the reorganization process and rationalize their personnel and operations to ensure effective implementation of the AICS program and other programs in the sub-cluster.

SECTION. 11. *Unlawful Acts and Penalties.* - It shall be unlawful for any individual or organization to:

- a. Defraud the government by issuing or presenting falsified or misleading documents, or using false pretenses or other fraudulent acts to require the assistance provided under this Act;
- b. Coerce, invite or encourage persons to seek assistance from the DSWD for purposes of acquiring from the beneficiary a portion of the assistance, before or after the receipt of assistance.
- c. Mislead an individual or group to join, pay or cooperate with a group falsely representing connection or affiliation with DSWD or falsely promising priority in the processing of assistance.

Any person who commits any of the foregoing unlawful acts shall be punished by imprisonment of not less than one (1) year but not more than six (6) years and a fine of not less than but not more than triple the amount of the assistance, at the discretion of the court. If the offender is an organization, the president, manager, or any officer of the organization who directly participated in the violation of the unlawful acts shall be held liable.

SECTION. 11. *Joint Congressional Oversight Committee.* - A congressional oversight committee is hereby constituted to monitor, set the overall framework, and review the implementation of this Act. The committee shall determine the inherent weaknesses in the law and recommend necessary remedial legislation or executive measures.

The oversight committee shall be composed of five (5) members from each House to be appointed by the Senate President and the Speaker of the House of Representatives, respectively, and co-chaired by the Chairpersons of the Committee on Social Justice, Welfare and Rural Development of the Senate and the Committee on Social Services of the House of Representatives.

For purposes of determining remedial legislation, the oversight committee shall, within three (3) years after the effectivity of this Act, conduct a review which

shall include a systematic evaluation of the impact of this Act, accomplishments of the program, and the performance of the implementing agencies.

SECTION. 12. *Implementing Rules and Regulations.* - Within six (6) months from the effectivity of this Act, The Secretary of the DSWD in consultation with the Secretary of the DOH and the Commission on Audit (COA), shall promulgate the necessary rules and regulations to carry out the provisions of this Act.

SECTION. 13. *Appropriations.* - The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of DSWD. Thereafter, such sum as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act, including the payment for the necessary service fees, financial charges, or administrative cost, and capital outlay for the establishment of the necessary offices for the delivery of assistance.

SECTION. 14. *Separability Clause.* - If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION. 15. *Repealing Clause.* - All laws, presidential decrees or issuances, executive orders, letter of instructions, administrative orders, rules, and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are amended, repealed, or modified accordingly.

SECTION. 16. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,