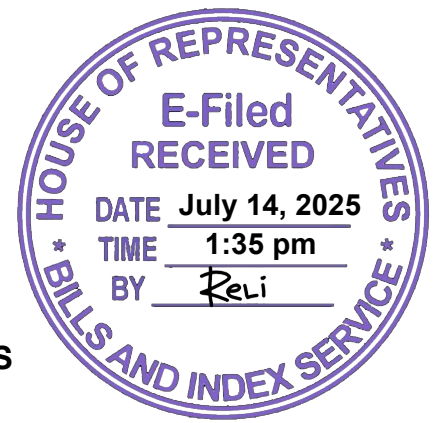


TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
HOUSE BILL No. 1853

Introduced by **REP. CLAUDINE DIANA D. BAUTISTA-LIM**

EXPLANATORY NOTE

Republic Act No. 11210, or the 105-Day Expanded Maternity Leave Law is a noble piece of legislation that was passed to protect maternal health and promote post-natal care for women employed in the government and the private sector.

Maternal health does not end in childbirth. As defined under Section 4 of the Reproductive Health Law, maternal health refers to the health of a woman of reproductive age, including, but not limited to, during pregnancy, childbirth, and the postpartum period.

The postpartum period¹ is equally important but often not prioritized. During pregnancy, birth, and the immediate postpartum period, a woman goes through a range of physical, hormonal, and emotional changes. Mood swings, feelings of sadness, fear, confusion, and the inappropriateness of own feelings to idealized social expectations can occur in almost every woman during the postpartum period². Scholarly works ascertain that depression is one of the most common mental health disorders and that more than 3.8% of the population suffers from depressive disorders³.

This proposed legislation seeks to provide additional maternity leave for women undergoing postpartum depression. It grants a leave period of fifteen (15) days, in addition to maternity leave, upon validated diagnosis of a competent medical professional and healthcare facility. This may be availed with an option to extend for one (1) year or 365 days without pay.

¹ Postpartum depression (PPD) is a depressive disorder that can develop continuously from the time of pregnancy or occur after childbirth and lasts until a year after delivery. The main symptoms of PPD include inability to sleep, anxiety, loss of energy and/or interest in daily activities, appetite/weight changes, poor concentration, extreme concern and worry about the baby, guilt and/or hopelessness.


² O. Sacristan-Martin, M.A. Santed, J. Garcia-Campayo, et al. **A mindfulness and compassion-based program applied to pregnant women and their partners to decrease depression symptoms during pregnancy and postpartum: study protocol for a randomized controlled trial.** Available from: <https://pubmed.ncbi.nlm.nih.gov/31779683/>

³ World Health Organization. **The Global Strategy for Women's, Children's and Adolescent's Health (2016-2030).** Available from: <https://www.who.int/life-course/partners/global-strategy/globalstrategyreport2016-2030-lowres.pdf>

The causes of postpartum depression are complex; when left unattended, it can lead to further depression. This may worsen and may even result in substance abuse, loss of employment, divorce and further social alienation, self-destructive behavior, or even suicide. Other known sociological impacts include adverse effects on the infant's physical and psychological development, child abuse, neglect or death of the infant or other siblings, and the disruption of the family.

While we can do statistical extrapolation based on reported cases, we must break the stigma and help women come forward and avail of this benefit that the government can extend to them. The complexity of postpartum depression should not hinder us from caring for mothers but rather provide all the support we can offer them.

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


CLAUDINE DIANA D. BAUTISTA-LIM
DUMPER PTDA Party-List

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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HOUSE OF REPRESENTATIVES
HOUSE BILL No. 1853

Introduced by **REP. CLAUDINE DIANA D. BAUTISTA-LIM**

AN ACT
PROVIDING FOR ADDITIONAL MATERNITY LEAVE TO WOMEN WITH
POSTPARTUM DEPRESSION, EXPANDING FOR THIS PURPOSE THE
COVERAGE OF REPUBLIC ACT NO. 11210 AND FOR OTHER PURPOSES

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 "Additional Maternity Benefit for Mothers with Postpartum Depression Act."

SEC. 2. Declaration of Policy. — It is the declared policy of the State to ensure optimal maternal healthcare and extend the same to the postpartum period while being consistent with the Sustainable Development Goals. Towards this end, the State shall encourage and support mental health derivatives that will eliminate the social stigma surrounding depression and mental illness and the myth of motherhood. This will provide an enabling environment for support needed in the new mother's inability to self-diagnose her condition, the new mother's shame or embarrassment over discussing her depression so near to the birth of her child, the lack of understanding in society and the medical community of the complexity of postpartum depression.

SEC. 3. Maternity benefit for women with postpartum depression. — In addition to the benefits that may be availed under Republic Act No. 11210, otherwise known as the 105-Day Expanded Maternity Leave Law, all covered female workers in government and the private sector, including those in the informal economy, regardless of civil status or the legitimacy of her child, shall be granted additional fifteen (15) days in addition to maternity leave with full pay; *Provided*, That they may avail the same with an option to extend for one (1) year or 365 days without pay. This is to ensure that women will continue to uphold their maternal functions and the treatment requirements for postpartum depression, whether the child survives or not.

SEC. 4. Non-Diminution of Benefits. – Nothing in this Act shall be construed to diminish existing maternity benefits currently enjoyed, whether these are granted under collective bargaining agreements (CBA) or present laws if the same are more beneficial to the female worker. Furthermore, any other working arrangement that the female worker shall agree to during the additional maternity leave period shall be allowed: *Provided*, That in case the woman qualifies as a solo parent under Republic

Act No. 8972 or the "Solo Parents' Welfare Act," the availment of additional fifteen (15) days maternity leave with full pay shall not be diminished.

SEC. 5. Penalties. –Whoever fails or refuses to comply with the provisions of this Act shall be punished by a fine of not less than Twenty thousand pesos (₱20,000.00) nor more than Two hundred thousand pesos (₱200,000.00), and imprisonment of not less than six (6) years and one (1) day nor more than twelve (12) years or both. Furthermore, if the act or omission penalized by this Act shall be committed by an association, partnership, corporation, or any other institution, its managing head, directors, or partners shall be liable to the penalties provided in this Act for the offense.

Failure on the part of any association, partnership, corporation, or private enterprise to comply with the provisions of this Act shall be a ground for non-renewal of business permits.

SEC. 6. Implementing Rules and Regulations. — The CSC, the DOLE, and the SSS shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days from the effectivity thereof.

SEC. 7. Separability Clause. If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SEC. 8. Repealing Clause. — All laws, decrees, orders and rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

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

Approved,