

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2696



Introduced by Rep. FERDINAND ALEXANDER A. MARCOS
1st District, Ilocos Norte

EXPLANATORY NOTE

The 1987 Philippine Constitution mandates the State to recognize, protect, and promote the rights of all children. This constitutional guarantee carries particular force when applied to children with special needs (CSN), a vulnerable and often marginalized segment of our population. It is the duty of the State to provide them with the necessary support to achieve their fullest potential and inclusion in society.

International law reinforces this obligation. The United Nations Convention on the Rights of the Child (UNCRC) requires State Parties to ensure all children's rights without discrimination, including on the basis of disability. The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) goes further by mandating measures that enable children with disabilities to enjoy their rights on an equal basis with others. Both conventions emphasize the right of every child to access inclusive education, health services, and a life free from discrimination, marginalization, and stigma.

Our domestic legal framework echoes these principles through statutes such as Presidential Decree No. 603 (Child and Youth Welfare Code), Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act), and Republic Act No. 7277 (Magna Carta for Disabled Persons). These laws aim to protect the welfare of children and persons with disabilities. Yet, despite these legal safeguards, existing services remain fragmented, underfunded, and inaccessible to many families.

According to the United Nations Children's Fund (UNICEF), 15% of the world's population have some form of disability, whether present at birth or acquired later in life. Nearly 240 million of them are children. In the Philippines, there are at least 375,952 recorded school-age children with disability as of 2010. Across the Philippines, CSNs face developmental challenges such as, but not limited to, Autism Spectrum Disorder (ASD), Attention-Deficit/Hyperactivity Disorder (ADHD), Down Syndrome, cerebral palsy, and other physical, cognitive, and communicative conditions.

In 2018, the World Health Organization reported that barriers to accessing health services go beyond physical structures. This means that aside from the restrictive physical spaces, barriers can include the absence of basic assistive devices, antagonistic mentalities of individuals towards handicaps, lack of rehabilitative services, and non-inclusive approach. Families often bear immense financial burdens, with therapy costs ranging between ₱15,000.00 to ₱30,000.00 per month. This amount is oftentimes beyond the reach of most households.

In response to these realities, this bill proposes the Inclusive Development and Well-Being of Children with Special Needs Act. It establishes a national legislative framework that addresses the unique needs of CSN and their families by advancing five core pillars: a) equitable access to quality services; b) substantial financial relief for families; c) public awareness and social inclusion; d) support for families and caregivers; and e) inclusive policies across all sectors.

To ensure a coordinated and effective implementation, the bill creates the Inter-Agency Coordinating Council for Children with Special Needs (IACCSN), tasked with formulating a national strategy, overseeing agency programs, evaluating impact, and recommending legislative and policy reforms.

This measure affirms that children with disabilities should be empowered, embraced, and provided every opportunity to thrive.

Thus, the prompt approval of this bill is earnestly sought.


FERDINAND ALEXANDER A. MARCOS

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TWENTIETH CONGRESS
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2696
HOUSE BILL NO. _____

Introduced by Rep. FERDINAND ALEXANDER A. MARCOS
1st District, Ilocos Norte

AN ACT
PROMOTING THE INCLUSIVE DEVELOPMENT AND WELL-BEING OF
CHILDREN WITH SPECIAL NEEDS, PROVIDING FOR COMPREHENSIVE
SUPPORT SYSTEMS, 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 "*Inclusive Development and Well-Being of Children with Special Needs Act.*"

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to protect and promote the rights of children with special needs, ensuring their full and inclusive development. The State recognizes that children with special needs possess inherent dignity and right to a quality of life that enables them to achieve their fullest potential. To this end, the State shall:

- a) Prioritize and integrate the needs of children with special needs into all relevant legislative efforts, policies, programs, and services.
- b) Ensure access to quality, comprehensive, and appropriate intervention, therapeutic, and educational services.
- c) Alleviate the financial and emotional burdens on families of children with special needs through various mechanisms.
- d) Foster a society that embraces inclusivity, free from stigma and discrimination against children with special needs and their families.
- e) Strengthen inter-agency collaboration and establish a comprehensive support system for children with special needs and their families.

SEC. 3. Definition of Terms. – As used in this Act:

- a) *Children with Special Needs (CSN)* refers to individuals below eighteen (18) years of age who have developmental delays, disabilities, or conditions that require specialized interventions, including but not limited to, Autism Spectrum Disorder, Attention-Deficit/Hyperactivity Disorder, Down Syndrome, Cerebral Palsy, intellectual disability, specific learning

disabilities, sensory impairments (visual or hearing), and speech and language disorders. This also include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis.

- b) *Early Intervention Services* refers to a range of services provided to infants and toddlers with developmental delays or disabilities and their families to promote the child's development and minimize the effects of the disability.
- c) *Therapeutic Services* refers to professional interventions such as, but not limited to, occupational therapy, physical therapy, speech and language therapy, behavioral therapy, and other related services designed to improve the functional abilities and well-being of CSN.
- d) *Special Education (SPED)* refers to the educational program designed to meet the unique needs of CSN, including SPED centers, inclusive classrooms, and home-based programs.
- e) *Underserved Areas* refers to geographical regions, localities, or communities where access to specialized services for CSN is limited or non-existent.
- f) *Assistive Tools and Medical Care* refers to devices, equipment, technologies, medications, and healthcare services that assist CSN in their daily living, communication, mobility, and overall health management.

SEC. 4. Accessible Therapy and Education. – The State shall ensure that all CSN have equitable access to quality therapy and education. To this end, the following shall be implemented:

- a) *Expansion of SPED Schools and Centers.* The Department of Education (DepEd), in coordination with the Department of Social Welfare and Development (DSWD) and the Department of Health (DOH), shall establish and expand SPED schools and centers in underserved areas, ensuring adequate facilities and qualified SPED teachers and therapists.
- b) *Subsidies for Therapy Services.* The DOH and DSWD, in coordination with the Philippine Health Insurance Corporation (PhilHealth), shall develop and implement a subsidy program for therapeutic services for CSN, covering a significant portion of therapy and rehabilitation costs. The subsidy program shall prioritize indigent and low-income families.
- c) *Inclusion in Regular Schools.* The DepEd shall strengthen its education program, providing necessary and inclusive training for teachers, learning resources, and education plans to facilitate the successful integration of CSN into mainstream classrooms wherever appropriate.

SEC. 5. Financial Relief for Families. – To mitigate the financial burden on families of CSN, the following measures shall be undertaken:

- a) *Vouchers and Grants.* The DSWD, in coordination with relevant agencies, shall establish a system of vouchers and grants for eligible families of CSN to support the costs of therapy, medical care, assistive tools, and specialized

education. Priority shall be given to families categorized as indigent or vulnerable.

- b) *Tax Incentives.* The Bureau of Internal Revenue (BIR) shall explore and recommend to Congress appropriate tax incentives for parents or legal guardians of CSN, including deductions for medical expenses, therapy costs, and specialized educational fees.
- c) *PhilHealth Coverage Expansion.* PhilHealth shall expand its coverage to include a range of therapeutic services, diagnostic procedures, and assistive devices for CSN, with higher benefit limits and streamlined claims processes.

SEC. 6. Public Awareness and Acceptance Campaigns. – The State shall promote public awareness and acceptance of CSN designed to foster an inclusive society and combat stigma.

- a) *National Awareness Campaigns.* The Department of Education (DepEd), Department of Health (DOH), Department of Social Welfare and Development (DSWD), and the Philippine Information Agency (PIA) shall develop and implement national public awareness and acceptance campaigns on various special needs, which shall promote understanding, empathy, and early identification.
- b) *Educational Curricula Integration.* The DepEd shall integrate modules on special needs awareness, inclusion, and disability rights into relevant educational curricula at all levels.

SEC. 7. Support Systems for Families and Caregivers. – The State shall establish and strengthen support systems for families and caregivers of CSN.

- a) *Community Centers for CSN.* The DSWD, in coordination with the Local Government Units (LGUs), shall endeavor to establish or support existing community centers in their jurisdiction. The support may include any of the following: i) free or subsidized therapy services, ii) parental training, and/or, iii) emotional support groups for families of CSN. These centers shall also serve as hubs for information dissemination and referral to other relevant services.
- b) *Parental Training and Empowerment Programs.* The DSWD and DOH shall, in coordination and cooperation with the Technical Education and Skills Development Authority (TESDA), develop and implement comprehensive training programs for parents and caregivers of CSN. These training programs shall focus on equipping them with the knowledge and skills necessary to support their child's development and manage challenging behaviors.

SEC. 8. Stronger Policies for Inclusion. – The State shall ensure the full inclusion of CSN in all aspects of society.

- a) *Inclusion in Schools.* The DepEd shall formulate and implement guidelines for inclusive education, mandating reasonable accommodations, and non-discriminatory practices for CSN in both public and private schools.
- b) *Accessibility in Public Spaces.* All government agencies and private establishments shall ensure that public spaces, facilities, and services are accessible to CSN, in compliance with existing accessibility laws and regulations.

SEC. 9. Inter-Agency Coordinating Council. – There is hereby created an Inter-Agency Coordinating Council for Children with Special Needs (IACCSN) (hereinafter referred to as the "Council"), to ensure the effective implementation of this Act. The Council shall be composed of representatives from the DSWD, DOH, DepEd, National Council on Disability Affairs (NCDA), PhilHealth, and at least two representatives from the private sector, which directly implement programs relevant and related to the needs of the CSNs. The Council shall:

- a) Formulate and oversee the implementation of a comprehensive national plan for the welfare of CSN.
- b) Coordinate the programs and activities of various government agencies and non-government organizations pertaining to CSN.
- c) Monitor and evaluate the effectiveness of policies and programs addressing the needs of CSN.
- d) Recommend legislative and policy reforms to further enhance the rights and well-being of CSN.

SEC. 10. Appropriations. – The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC. 11. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the DSWD, in coordination with the DOH, DepEd, NCDA, PhilHealth, and in consultation with other relevant agencies and stakeholders, shall formulate and promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 12. 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.

SEC. 13. Repealing Clause. – All laws, decrees, orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 14. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,