

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. 2805



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

EXPLANATORY NOTE

The 1987 Philippine Constitution states that in the matter of health services, priority shall be given to the needs of the underprivileged sick, elderly, *disabled*, women, and *children* (Section 11, Article XIII, italics supplied).

Autism or autism spectrum disorder (ASD) is a neurological condition that first appears during infancy or childhood, and it affects how people perceive and relate to one another which can cause problems with social interaction and communication. It is characterized by difficulty with social skills, repetitive behavior and non-verbal communication.

To date, it has been estimated that there are more than a million Filipinos with autism. All persons with autism (PWAs) require special attention and expert healthcare. Sadly, however, government support for PWAs is significantly lacking. They are still often subject to stigma and discrimination, and they lack access to healthcare, education and employment opportunities.

With proper attention, guidance, education and training, PWAs can become productive members of society.

There is a need to put in place a comprehensive framework and implement programs that will help society understand, accept, support and even empower PWAs. Measures must be established with regard to autism-screening, early diagnosis, autism research as well as intervention programs. Addressing the needs of PWAs by improving their access to education, intervention, therapy, employment and care, will hopefully redound to a better quality of life for these needy citizens.

In view of the foregoing reasons, the immediate approval of this bill is earnestly requested.


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AN ACT
INSTITUTING A COMPREHENSIVE NATIONAL CARE PLAN TO
ENCOURAGE COOPERATION, ACCOUNTABILITY AND RESEARCH FOR
THE EDUCATION AND SUPPORT OF PERSONS WITH AUTISM AND FOR
OTHER PURPOSES

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

SECTION 1. *Short Title.* — This Act shall be known as the “*Autism Cooperation, Accountability, Research, Education and Support (CARES) Act*”.

SEC. 2. *Declaration of Policy.* — The State hereby affirms its role in protecting and upholding the rights of all persons with disability, by giving full support to the improvement of their well-being and their integration into mainstream society. To this end, the State recognizes the need to legislate for the distinctive needs of persons with autism (PWAs) and commits itself to institutionalizing adequate policies and programs that shall increase awareness and proper understanding of autism, to develop a clear and consistent pathway to early detection and diagnosis, provide access to quality education and employment opportunities such that PWAs may live independently within the community, to minimize or completely eradicate discrimination and to enable the private sector to extend relevant services that will complement the government's programs.

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

- a.) *Autism* — 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, pharmacologic, therapeutic, educational, and non-traditional habilitative care;

- d.) *Epidemiology* — refers to 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 Republic Act No. 10754 and other related laws.

SEC. 5. *Inter-Agency Cooperation, Accountability and Research.* — The Department of Health (DOH), in coordination with Department of Social Welfare and Development (DSWD), National Council on Disability Affairs (NCDA), Department of Education (DepEd), the Philippine Council for Mental Health (PCMH), other academic institutions and non-governmental organization, is hereby mandated to establish and evaluate the following activities:

- a.) Inform and educate on such disabilities to increase awareness relating to causes, early detection, management, treatment as well as development milestones;
- b.) Promote research into the development and validation of reliable screening tools for such disabilities;
- c.) Develop a curriculum for continuing education to assist individuals in recognizing the need for, and using, valid and reliable screening tools;
- d.) Promote early screening of children and individuals at higher risk for such disabilities;
- e.) Promote research to determine evidence-based practices for interventions, develop guidelines for those interventions and disseminate information related to such research and guidelines; and
- f.) Encourage public participation in decisions relating to such disabilities.

SEC. 6. *Continuing Education and Training on Autism for Public 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 Interior and Local Government (DILG), the Department of National Defense (DND), Department of Science and Technology (DOST), 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 education and training to empower service providers to become more responsive, sensitive, and compassionate in the delivery of services to PWAs and their families.

SEC. 7. *Epidemiological Surveillance.* — The Department of Health, in coordination with different academic institutions and non-governmental

organization is hereby mandated to annually conduct an epidemiological survey to determine the prevalence of autism in the country to provide data to government agencies and the private sector, and to make necessary services available to PWAs and their families.

SEC. 8. *Evidence-based Research.* — The DOH, the Philippine Council for Health Research and Development (PCHRD), and the National Institute of Health (NIH) are mandated, in coordination with local and international mental health institutions, to promote, create, develop, and adopt research and strategic plans that will continue to determine and establish evidence-based practices for interventions in the treatment, care and integration into society of PWAs.

SEC. 9. *Early Detection and Intervention of Autism.* — The DOH, in coordination with the 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 is updated accordingly.

SEC. 10. *Protection Against Discrimination in Schools, Colleges, Universities and Training Institutions.* — The DepEd, CHED and 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 support, and behavior management.

SEC. 11. *Provision for Equal Opportunities for Employment.* — The DOLE and the Civil Service Commission (CSC) shall formulate policies and programs to ensure that PWAs are provided equal opportunities for gainful employment and apprenticeship opportunities in the private and public sector.

SEC. 12. *Mandatory Insurance Coverage and Prohibition Against Discrimination thereof.*

— All persons with autism shall be automatically covered by the National Health Insurance Program of the Philippine Health Insurance Corporation (PHIC) as provided under Republic Act No. 11228. Funds necessary to ensure the enrolment of PWAs, who are 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, detection programs, and maintenance medical procedures such as therapies as part of the available benefits of its members. The DOH shall coordinate with the PHIC to ensure that insurance packages are available to PWAs. The Department of Finance (DOF) shall likewise issue guidelines 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. 13. *Protection in Cases of Disaster and Emergencies.* — The DILG, DSWD and the DND shall formulate the necessary policies and protocols to ensure that the military, public safety professionals, local government units, and

first responders shall provide the necessary life- saving support to PWAs with behavioral and communication challenges, in times of disasters, calamities and other emergencies.

SEC. 14. **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. 15. **Reasonable Accommodation in Legal Proceedings.** — The DOJ shall formulate the necessary policies and protocols to ensure criminal justice agencies and professionals shall provide the necessary accommodation and protection to PWAs in behavioral and communication challenges, who may be accused of, or become victims of, or witnesses to crimes.

SEC. 16. **The National Autism CARES Plan.** — The Philippine Council for Mental Health (PCMH), a multi-sector body established by the Mental Health Act, in coordination with other government agencies and stakeholders, shall develop, regularly update and monitor the implementation of the Autism Cares Plan (ACP), a holistic medium-term plan that shall embody the provisions of this Act, in order to respond to the needs of PWAs and their families for the guidance of the stakeholders in public and private sector. The PCMH shall likewise coordinate the development and implementation of necessary policies and programs to operationalize the ACP and to ensure the needs of PWAs are served.

SEC. 17. **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. 18. **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. 19. **Repealing Clause.** – All laws, executive orders, presidential decrees, presidential proclamations, letters of instruction, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 20. **Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,