



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH (20TH) CONGRESS
First Regular Session

HOUSE BILL NO. 3476



Introduced by KAMANGGAGAWA Partylist
Representative **ELIJAH R. SAN FERNANDO**

EXPLANATORY NOTE

Persons with Disabilities (PWDs) in the country face social barriers that limit their equal enjoyment of rights and continue to struggle with barriers to education, employment, mobility, and access to essential services.

For example, according to Republic Act No. 344, also known as the Accessibility Law, the legal standard in the Philippines for the degree of inclination of a ramp for PWDs shall be 4.76 degrees, but the built accessibility ramp at the EDSA Bus Carousel Phil-Am station by the Metropolitan Manila Development Authority (MMDA) was inclined at 14.15 degrees, making it hard for PWDs to use it effectively.

In addition, PWDs are also vulnerable to workplace accidents, especially in environments with machinery or poor lighting, due to the employer's failure to provide basic accommodations such as ramps. DOLE Advisory No. 15, series of 2023, reinforces the legal requirement for employers to provide a barrier-free workplace.

While the Republic Act No. 7277, as amended, or the “Magna Carta for Persons with Disabilities,” has laid the foundation for the protection of PWD rights and welfare, a gap remains in providing consistent and direct financial assistance that would enable PWDs to meet their daily needs, reduce economic hardship, and promote independent living.

As a State Party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), one of the Convention’s general principles includes respect for inherent dignity, individual autonomy, non-discrimination, full and effective participation and inclusion in society, equality of opportunity, accessibility, and respect for the evolving capacities of PWDs.

According to the National Council on Disability Affairs (NCDA), there are 2.28 million registered PWDs in the country. The cost of living for PWDs is often substantially greater than for the general population, owing to the expenses associated with assistive devices, specialized medical care, transportation, and personal support services. These additional costs place a disproportionate financial burden on individuals and their families, frequently resulting in poverty, exclusion, and dependency.

This bill seeks to address this gap by establishing a Disability Support Allowance (DSA) — a regular cash subsidy granted to eligible PWDs to help cover the extra costs of living with a disability. The proposed measure will institutionalize a clear system for identifying qualified beneficiaries, determining the appropriate allowance amount, and ensuring transparent and efficient disbursement through relevant government agencies.

In solidarity with the working class, the passage of this bill is earnestly sought.



ELIJAH R. SAN FERNANDO
Representative
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AN ACT
ESTABLISHING THE DISABILITY SUPPORT ALLOWANCE PROGRAM FOR
PERSONS WITH DISABILITIES, 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 “Disability Support Allowance Act.”

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to:

- (a) Uphold the rights and ensure the full and effective participation of Persons with Disabilities in society on an equal basis with others;
- (b) Value the dignity of every human person and guarantee full respect for human rights¹;

¹ Art. II, Sec. 11, 1987 Constitution of the Republic of the Philippines

- (c) Give highest priority to the enactment of measures that protect and enhance the rights of all people²; and
- (d) Affirm its obligation to ensure access to appropriate social protection measures and promote the full inclusion of Persons with Disabilities in all aspects of life.

SEC. 3. *Objectives.* – The Bill shall have the following objectives:

- (a) To establish and institutionalize a disability subsidy allowance program that provides financial support to persons with disabilities in recognition of the additional costs associated with disability;
- (b) To promote equity and inclusion by ensuring that persons with disabilities, particularly those with high support needs and children with disabilities, have access to appropriate forms of social protection;
- (c) To contribute to the realization of the rights of persons with disabilities as set forth in the 1987 Philippine Constitution, the Magna Carta for Persons with Disabilities, and the United Nations Convention on the Rights of Persons with Disabilities; and
- (d) To institutionalize government accountability in delivering targeted, rights-based, and disability-responsive social protection measures.

SEC. 4. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- (a) “Barriers” refers to anything that hinders persons with disabilities from enjoying or exercising all human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field, on an equal basis with others. It encompasses, in all forms, inaccessible physical environments

² Ibid., Art. XIII, Sec. 1.

and transportation; the unavailability of assistive devices and technologies; inaccessible information both in form and content; non-adapted means of communication; gaps in service delivery such as unavailability of personal assistance and sign language interpretation service; discrimination including denial of reasonable accommodation; attitude, prejudice, and stigma in society; programs, policies, and laws infringing the rights of persons with disabilities as recognized under the Convention on the Rights of Persons with Disabilities;

- (b) “Children with Disabilities” refers to individuals under the age of eighteen (18) 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 with others;
- (c) “Disability” refers to an evolving concept that results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others;
- (d) “Disability Assessment and Determination” refers to the process of identifying the priority beneficiaries of the Disability Support Allowance Program;
- (e) “Disability-related Costs” refers to additional expenses borne by persons with disabilities and/or their families that are not typically encountered by persons without disabilities. These arise from the necessity to overcome barriers to participation or exercise of ordinary activities in daily life. Examples of these are: (1) assistive devices and technologies; (2) disability support services such as personal assistants, sign language interpreters, or therapy support; (3) accessible transportation and mobility aid expenses; (4)

increased utility, communication, or accommodation-related expenditures necessary to achieve inclusion and independence;

- (f) “Disability Support Allowance (DSA)” refers to the amount of money received by qualified Persons with Disability under the Disability Subsidy Allowance Program;
- (g) “Human Rights-based Approach to Disability” refers to a conceptual and policy framework that recognizes persons with disabilities as rights-holders who are entitled to dignity, autonomy, equality, and full participation in society on an equal basis with others. It affirms that disability results from the interaction between persons with impairments and attitudinal or environmental barriers, and not solely from individual medical conditions or impairments;
- (h) “Organization of Persons with Disabilities (OPDs)” refers to organizations led, directed, and governed by Persons with Disabilities with a clear majority of their membership being persons with disabilities themselves and promoting the rights and welfare of persons with disabilities. OPDs include, but are not limited to, community, local or national organizations of women with disabilities, impairment-specific organizations such as national organizations of persons with psychosocial disability, parents representing children with disabilities, cross-disability organizations, specific health conditions recognized under the Philippine law such as patients and survivor of cancer, persons with rare diseases, and all other organizations of persons with disabilities as recognized under the Convention on the Rights of Persons with Disabilities;
- (i) “Persons with Disabilities (PWD)” refers to 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 with others;

- (j) “Progressive Realization” refers to the State’s obligation to undertake measures to the maximum of its available resources and where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of rights of Persons with Disabilities, without prejudice to those obligations contained in the UNCPRD that are immediately applicable according to international law; and
- (k) “Reasonable Accommodation” refers to the necessary and appropriate modification and adjustments so as not to impose disproportionate or undue burden, and to ensure that Persons with Disabilities enjoy or exercise on an equal basis with others all human rights and fundamental freedoms.

SEC. 5. *Disability Support Allowance Program.* ~ A Disability Support Allowance Program (DASP) is hereby established to provide disability support allowance for persons with disabilities. The DASP shall supplement and complement other existing social protection measures by addressing the burden of disability-related costs faced by persons with disabilities, regardless of their age and income level. The DASP shall have the following components:

- (a) Program Design and Operational Guidelines, including but not limited to the design of the Disability Assessment Determination System, application and registration procedures, payout system;
- (b) Institutional Arrangements, defining the respective roles, responsibilities, and coordination mechanisms among implementing concerned national government agencies, local government units, and OPDs;

- (c) Implementation Plan, including timelines, capacity-building requirements, and awareness-raising activities based on the progressive rollout program implementation;
- (d) Monitoring and Evaluation Framework, with indicators aligned to human rights and inclusion outcomes, and incorporating feedback and accountability mechanisms with participation from OPDs;
- (e) Budgetary Requirements and Financing Plan, including estimates of annual funding requirements, cost projections, funding sources, and integration into the General Appropriations Act and other relevant financing instruments;
- (f) Information Management and Digital Systems, and integration of disability-inclusive data and information systems for registration, benefit delivery, and program monitoring; and
- (g) Safeguards and complaints mechanisms ensuring non-discrimination, gender and age responsiveness, and accessibility in all aspects of program delivery, and establishing protocols for participation of persons with disabilities and OPDs.

SEC. 6. *Disability Support Allowance.* – The amount of Disability Support Allowance (DSA) shall initially be set at Two Thousand Pesos (Php2,000.00) per month, which will be indexed to inflation to preserve its impact on the cost of living and participation in society of Persons with Disabilities.

SEC. 7. *Eligibility to Apply.* – All persons with a duly acquired Person with Disability Identification Card (PWD ID) and booklet issued and registered under the PWD ID system of the National Council on Disability Affairs (NCDA) are eligible to apply as beneficiaries under the Disability Support Allowance Program, regardless of their employment status, income level, and beneficiary status under other social protection

and social pension programs of government, such as the *Pantawid Pamilyang Pilipino Program* (4Ps) and social pension for indigent senior citizens.

Selection of beneficiaries shall be subject to the application of the Disability Assessment and Determination System as provided for in Section 8 of this Act and the progressive roll-out provision in Section 9 of this Act.

SEC. 8. Disability Assessment Determination System. To ensure the effective and equitable implementation of the Disability Support Allowance Program, a Disability Assessment and Determination System (DADS) shall be established to serve as the mechanism to select the beneficiaries of the program. The DADS shall be established, guided by the following operating principles:

- (a) Human Rights-based Approach to Disability – The DADS shall uphold the rights of Persons with Disabilities in accordance with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and reflect the interaction of individual impairments with environmental barriers;
- (b) Functionality-oriented Assessment – Selection shall be based primarily on functional limitations and participation restrictions, recognizing these as practical proxies for disability-related cost burdens;
- (c) Administrative Simplicity, Accessibility, and Non-Discriminatory – The DADS shall be designed to be administratively simple, easy to understand, and efficient to implement. The assessment process shall be inclusive and shall ensure reasonable accommodation to avoid placing undue burden on applicants and uphold their dignity throughout the process;
- (d) Participation and Transparency – The development, implementation, and evaluation of the DADS shall involve consultations with OPDs and relevant stakeholders, and shall be guided by transparency, fairness, and accountability; and

- (e) Interoperability with the PWD ID Data Management System – The DADS shall be linked to the PWD ID system.

SEC. 9. *Progressive Rollout.* – The DASP shall be implemented in three (3) phases in accordance with the principle of progressive realization as recognized under international human rights instruments to ensure that it expands sustainably and equitably and prioritizes those with the greatest needs, at the same time building the necessary systems and capacities for nationwide coverage.

- (a) Phase One (1) – The Phase One or the initial phase shall be implemented within a maximum time frame of three (3) years from the effectivity of this Act and shall cover all Persons with Disabilities who are seventeen (17) years old and below;
- (b) Phase Two (2) – The second phase shall commence no more than five (5) years from the effectivity of this Act and shall expand the coverage of Phase One to include Persons with Disabilities who are sixty (60) years old and above;
- (c) Phase Three (3) – The final phase shall commence no longer than seven (7) years from the effectivity of this Act and shall expand the coverage of Phase Two to the rest of the population of persons with disabilities.

SEC. 10. *Lead Agency.* The Department of Social Welfare and Development (DSWD) is hereby mandated to serve as the central planning, coordinating, implementing, and monitoring body of the Disability Support Allowance Program. It shall integrate the DASP as part of the agency's regular programs, annual and strategic plans, and budgets. The DSWD shall coordinate with the National Council on Disability Affairs (NCDA) and delegate such tasks, functions, and activities as it deems necessary to effectively and efficiently supervise the program.

SEC. 11. *Penal Provisions.* – The penalties shall apply to the following:

- (a) Any person who, through fraud or misrepresentation, applies for, or aids in the application for benefits under this law without being a qualified person with disability entitled thereto shall suffer the following penalties:
- (1) For the first violation, a fine of not less than twenty-five thousand pesos (Php25,000.00) but not exceeding fifty thousand pesos (Php50,000.00); and
 - (2) For any subsequent violation, a fine of not less than fifty thousand pesos (Php50,000.00) but not exceeding one hundred thousand pesos (Php100,000.00).
- (b) Any person violating any provision of this Act and its implementing rules and regulations, except violations pertaining to Subsection (a) of this Section, shall be penalized with a fine of not less than fifty thousand pesos (Php50,000.00) but not exceeding one hundred thousand pesos (Php100,000.00).

SEC. 12. *Appropriations.* - The amount necessary for the implementation of the Act shall be included in the annual General Appropriations of the year following its enactment into law and thereafter. The initial amount of which shall be determined by the Department of Social Welfare and Development (DSWD), the National Council on Disability Affairs (NCDA), and representatives from other major stakeholders, including organizations of persons with disabilities. The allocated budget for the first year of its operation shall gradually increase in view of progressive realization.

SEC. 13. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, the Department of Social Welfare and Development, in consultation with the National Council on Disability Affairs, Department of Interior and Local Government, Department of Health, Philippine Statistics Authority, Department of Economy, Planning and Development, representatives from organizations of persons with disabilities, and other relevant stakeholders from government agencies and non-government organizations, shall formulate and issue the necessary rules and regulations to implement the provisions of this Act.

SEC. 14. *Periodic Review.* - Within five (5) years from the effectivity of this Act and every five (5) years thereafter, the DSWD shall conduct a comprehensive performance evaluation of this Act and submit its findings and recommendations to the appropriate committees of the Senate and the House of Representatives.

SEC. 15. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, the remaining provisions shall remain in full force and effect.

SEC. 16. *Non-impairment Clause.* - Nothing in this Act shall be construed as to diminish, impair, or repeal rights recognized, granted, or made available to disadvantaged, marginalized, or specific sectors under existing laws.

SEC. 17. *Repealing Clause.* - All laws, decrees, executive orders, rules, and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 18. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,