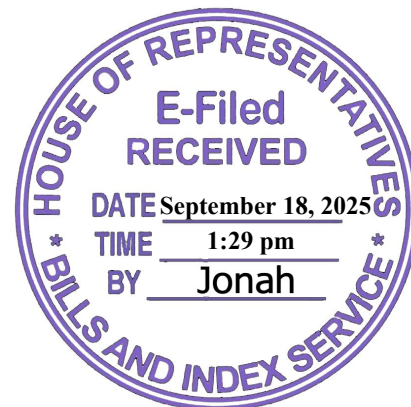




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 4697



Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre

AN ACT
STRENGTHENING THE MENTAL HEALTH SERVICES OF STATE
UNIVERSITIES AND COLLEGES AND APPROPRIATING FUNDS
THEREFOR

EXPLANATORY NOTE

Section 13, Article II of the 1987 Philippine Constitution mandates the State to promote and protect the physical, moral, spiritual, intellectual, and social well-being of the youth. Further, under Republic Act No. 11036, otherwise known as the Mental Health Act, the State affirms the basic right of all Filipinos to mental health as well as the fundamental rights of people who require mental health services.

Currently, the lack of accessible mental health services in the country is one of the reasons why mental health among young people are not properly addressed. Due to this situation, it is not common for the youth to consider seeking help from mental health professionals, and instead, choose to confide with peers and family members.

Thus, this bill seeks to ensure that proper and adequate mental health services are provided by state universities and colleges to their students and personnel. It provides for the establishment of mental health offices in all campuses and the

development of the career of the mental health professionals by providing enhanced benefits.

Through this bill the State will be able to uphold its commitment to promoting the well-being of people by ensuring that mental health is valued, promoted and protected; mental health conditions are treated and prevented; timely, affordable, and high quality; and, persons affected by mental health conditions are able to exercise the full range of human rights, and participate fully in society and at work free from stigmatization and discrimination.

This measure was approved by the House on Third Reading during the 19th Congress.

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



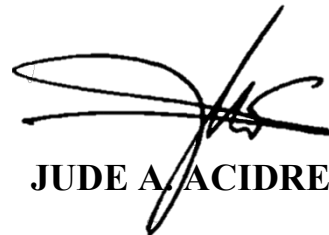
FERDINAND MARTIN G. ROMUALDEZ



YEDDA MARIE K. ROMUALDEZ



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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 “*State Universities and Colleges (SUCs) Mental Health Service Act*”.

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to uphold the basic right of every Filipino to sound mental health and ensure access to appropriate interventions, therapy, and treatment as needed. Pursuant to this mandate, the State shall institute policies to promote the mental health and

wellness of students, faculty, teaching and non-teaching staff, and other personnel in the campuses of SUCs through, among others, the establishment of a Mental Health Office in all SUCs, and the hiring, deployment, and training of additional SUCs-based mental health service personnel.

All SUCs shall ensure that proper and adequate mental health services are provided to their students, faculty, non-teaching staff and other personnel. In this regard, all SUCs, through their Mental Health Offices, shall design programs and provide services that shall assist students in resolving emotional, behavioral, and psychosocial issues that are barriers to learning and enhance the preparedness of the faculty, teaching, non-teaching staff, and other personnel to foster an enabling environment for students to acquire knowledge and to develop intellectually.

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

- a) *Guidance counselor* refers to an individual who possesses a license or certification granted by the Professional Regulation Commission (PRC) and holds at the minimum a master's degree in Guidance and Counseling, Guidance, or Counseling, without prejudice to those registered under the grandfather's clause of Republic Act No. 9258, otherwise known as the "Guidance and Counseling Act of 2004", and is competent to perform guidance and counseling, career guidance and implement mental health programs;
- b) *Mental health* refers to a state of well-being in which the individual realizes one's own abilities and potentials, copes adequately with the normal stresses of life, displays resilience in the face of extreme life events, works productively and

fruitfully, and is able to make a positive contribution to the community;

c) *Mental health professional* refers to a medical doctor, nurse, guidance counselor, psychologist, or any other appropriately-trained and qualified person with specific skills relevant to, and necessary for, the provision of mental health services;

d) *Mental health services* refer to the psychosocial, psychiatric, or neurologic activities and programs along the whole range of the mental health support services including promotion, prevention, treatment, and aftercare, which are provided by mental health facilities and mental health professionals;

e) *Psychologist* refers to a natural person who has professional training and clinical skills in psychotherapeutic intervention and assessment for mental health problems and possesses a license or certification granted by the PRC and holds at the minimum a master's degree in Psychology without prejudice to those granted licenses under the grandfather's clause of Republic Act No. 10029, otherwise known as the "Philippine Psychology Act of 2009";

f) *SUCs-based mental health service personnel* refers to any mental health professional who is hired or deployed by, or has a contract with an SUC to render mental health services in its campus.

SECTION 4. *Establishment of Mental Health Offices in All SUCs Campuses.*

– The Commission on Higher Education (CHED) shall, subject to the rules and regulations of the Civil Service Commission (CSC) and the Department of Budget

and Management (DBM), and the policies, standards, and guidelines of the CHED, require all SUCs to establish a Mental Health Office in all their campuses.

The Mental Health Offices shall set up campus hotlines with dedicated and trained guidance counselors to provide assistance to the whole SUC Community, especially the students. Special attention shall be given to those identified to have mental health problems or conditions, especially those at risk of committing suicide.

The CHED and the SUCs, through their Mental Health Offices, shall initiate and sustain a heightened campaign to raise the collective consciousness about mental health. The awareness campaign shall give special emphasis to the issues of suicide prevention, stress handling, mental health and nutrition, and guidance and counseling. The campaign shall ensure that the whole SUC community, especially the students, is aware of in-campus mental health services.

The SUCs, through the Mental Health Offices, shall implement mental health programs and projects designed to promote the mental health and well-being of faculty, students, and personnel alike.

Each Mental Health Office shall be manned by trained mental health professionals who shall serve as the mental health service personnel of the SUCs.

The SUCs-based mental health service personnel of the Mental Health Offices, including those who shall be hired upon the effectivity of this Act, shall create a mechanism for timely crisis intervention and suicide prevention and the appropriate response strategies for the whole SUCs community, especially the students.

The CHED shall, in coordination with the SUCs, establish mechanisms to maximize existing services offered by other executive departments such as the attached agencies to the Department of Health (DOH) dealing with mental health and the Department of Social Welfare and Development (DSWD).

SECTION 5. *Hiring, Training and Deployment of Mental Health Professionals.*

- Subject to the guidelines set by the CHED and the SUCs, CSC and DBM, the SUCs shall hire, train and deploy mental health professionals, including a psychologist, to the Mental Health Office to ensure that each SUC shall have mental health professionals or mental health service providers within five (5) years from the effectivity of this Act.

The SUCs shall, in coordination with the CHED, prepare the appropriate plantilla positions to be submitted to the DBM for evaluation and approval for the additional SUC-based mental health service personnel to be hired under this Act, subject to the existing organizational, staffing, position classification and compensation policies, rules, and regulations.

Notwithstanding the provisions of Republic Act No. 9258, otherwise known as the “Guidance and Counseling Act of 2004”, SUCs may hire, as may be necessary, college graduates who do not yet qualify as mental health professionals but who possess a background in psychology or similar fields to provide mental health services: *Provided*, That the CHED shall provide for the appropriate training and instruction of such college graduates in order for them to gain and develop the necessary skills to render counselling services to faculty, students and school

personnel, and assist them in managing mental health issues: *Provided, further*, That such services shall be rendered under the supervision of qualified mental health professionals within the schools division: *Provided, finally*, That a college graduate hired to work in a Mental Health Office shall, within three (3) years from the date of employment in the SUC, secure the appropriate license to practice as a mental health professional and meet the relevant qualification requirements of their position.

The CHED and the SUCs, through the Mental Health Offices, shall formulate a scheme for the continuous training of mental health service personnel, taking into consideration the latest scientific studies, psycho-social approaches and know-how on mental health and mental health services, in accordance with the provisions of Republic Act No. 10912, otherwise known as the “Continuing Professional Development Act of 2016”.

SECTION 6. *Professional and Career Development of Mental Health Professionals.* - The CHED shall, in coordination with the DBM, CSC, DOH and the PRC:

- a) Prepare a uniform career and personnel development plan that shall include provisions on personal wellness, merit promotion, performance evaluation, in-service training, graduate scholarships, research grants, and incentive award system;
- b) Match the salary grades of mental health professionals with related plantilla items under the provisions of Republic Act No. 6758, otherwise known as the “Compensation and Position Classification Act of 1989,” as amended;

- c) Align the qualifications and standards for the qualification outcomes of Mental Health Professionals to the provisions of Republic Act No. 10968, otherwise known as the “Philippine Qualifications Framework Act”;
- d) Revisit the organizational structure of the SUCs to provide competent and professional personnel who shall provide supervision and technical assistance to the guidance counselors;
- e) Review, revise and develop the duties and responsibilities of mental health professionals in accordance with laws governing their professions;
- f) Prepare a performance evaluation plan that considers the improvement of the efficiency and organizational effectiveness of each counselor: *Provided*, That each employee shall be informed regularly by their immediate supervisor of the evaluation of their performance; and
- g) Provide periodic training, aimed at retooling and upgrading the skills of mental health professionals.

SECTION 7. *Salary Scale.* - The career and salary scales of mental health professionals in SUCs shall provide for a gradual progression from a minimum to a maximum salary by means of regular increments, to be given regularly based on merit and competencies.

The entry level of mental health professionals shall not be lower than Salary Grade 16. Mental health professionals hired by SUCs as Psychometricians shall be hired at Salary Grade 11 at the entry level.

SECTION 8. *Contractual Hiring of Mental Health Personnel.* - In case of a scarcity of mental health professionals who are available to work on a full-time basis in a Mental Health Office, the concerned SUC may hire qualified professionals on a contractual or part-time basis, subject to the evaluation and approval of the DBM.

SECTION 9. *Benefits.* - All mental health professionals employed in the various Mental Health Offices shall enjoy the rights, privileges, and other benefits provided in Republic Act No. 7305, otherwise known as the “Magna Carta of Public Health Workers”, Republic Act No. 11036, otherwise known as the “Mental Health Act”, and other pertinent laws.

SECTION 10. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be included in the Annual General Appropriations Act.

SECTION 11. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the CHED shall, in coordination with the DOH, the Philippine Association of State Universities and Colleges, and other concerned stakeholders, issue rules and regulations to govern the hiring, training and deployment of guidance counselors, psychologists and other mental health service personnel in SUCs, and for the implementation of this Act.

SECTION 12. *Suppletory Application.* - The applicable provisions of Republic Act No. 11036, otherwise known as the “Mental Health Act”, insofar as they are not inconsistent with the provisions of this Act, shall apply suppletorily.

SECTION 13. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected, shall remain in full force and effect.

SECTION 14. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is repealed, modified or amended accordingly.

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

Approved,