

Republic of the Philippines
House of Representatives
Quezon City

Twentieth Congress
First Regular Session

House Bill No. 4910



Introduced by Representative Reynante U. Arrogancia

EXPLANATORY NOTE

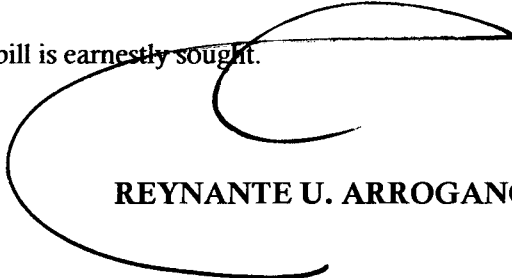
Autism Spectrum Disorder or autism is prevalent in every community in the country. Autism or Autism Spectrum Disorders (ASD) refers to a neurological and developmental disorder that affects how people interact with others, communicate, learn, and behave. Persons with autism have a spectrum of symptoms and challenges. For most of them, communication and social interactions are limited, there are challenges in sensory processing, repetitive behaviors and cognitive development.

In the Philippines, the lack of early diagnosis and appropriate interventions have contributed to the stigma, misunderstandings and misconceptions about persons with autism. There is no current known treatment for ASD but early and intense behavioral therapy has shown to reduce and manage the severity of symptoms. These interventions regulate emotions and behaviors, improve social interaction and help maximize abilities to adapt to daily living. In the Philippines, the caregivers and families of persons with autism are the primary source of support for persons with autism. The care of persons with autism must be a collaborative effort beyond the families and primary caregivers and extend to the government and the community as a whole.

In many instances, people with autism experience isolation, discrimination and lack of access to appropriate health care, education and employment. The Philippines must enact a legislation that guarantee equal opportunities and promote the full participation of people with autism in society. Our policies should promote and adopt inclusive health and education systems, work settings to ensure people with autism have equal opportunities to be included, thrive and be counted. Persons with autism matter and they can contribute to society.

This bill seeks to institute a comprehensive autism intervention act. Bills of similar nature have also been filed in the current and previous Congresses. This version of the bill also seeks the strengthening of the participation of the education sector beyond basic education, membership of persons with autism in the proposed interagency coordinating committee, and the capacity building of families of persons with autism and the persons with autism themselves in areas that would help them prepare for the future.

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


REYNANTE U. ARROGANCIA

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AN ACT
INSTITUTING A NATIONAL COMPREHENSIVE PROGRAM ON AUTISM
SPECTRUM DISORDER AND FOR OTHER PURPOSES

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

1 **Section 1. Short Title.** – This Act shall be known as the “Comprehensive Autism
2 Intervention Act.”
3

4 **Section 2. Declaration of Policy.** - It is the policy of the State to protect and promote
5 the right to health of the people and instill health consciousness among them. The
6 State likewise mandates the adoption of an integrated and comprehensive
7 approach to health development. Hence, the State recognizes the capabilities of the
8 Persons with Autism (PWAs) in contributing to the development of their
9 community and our society through their share of talent, knowledge, interests, and
10 more. Towards this end, the State shall give high priority to the active participation
11 of every citizen towards their personal and holistic growth aimed at reaching their
12 utmost potential geared towards an inclusive society and the establishment of
13 institutional and social mechanisms to support children and adult persons with
14 Autism Spectrum Disorder.
15

16 **Section 3. Definition of Terms.** As used in this Act:
17

18 (a) *Autism or Autism Spectrum Disorders (ASD)* refers to a neurological and
19 developmental disorder that affects how people interact with others,
20 communicate, learn, and behave;
21

22 (b) *Diagnosis* refers to necessary assessments, including but not limited to
23 neuro-psychological evaluations, genetic testing, MRIs, hearing tests,
24 psychometric tests to diagnose or discount autism and/or developmental
25 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, pharmacological, therapeutic, educational, and non-traditional habilitative care;

(d) *Epidemiology* refers to the study and analysis of the distribution and determinants of health conditions, like autism, in defined populations.

Section 4. Epidemiological Surveillance Programs. - The National Institute of Health (NIH) is hereby mandated to conduct an annual epidemiological survey to determine the extent and total incidence and prevalence of persons with ASD in the country in order for the government to provide the necessary and appropriate interventions to address the needs faced by persons with ASD.

The NIH is mandated to coordinate with the Department of Health (DOH) in the conduct of epidemiological research on the issues concerning ASD. The NIH is mandated to strengthen its research focus on ASD; to renew its investment into basic and clinical research; to expand its research into the link between environmental factors and ASD; and to continue investigation into causation, diagnosis, early detection, and treatment of ASD. Such factors that will be studied shall include, among others, infection and immune function, hormonal and reproductive factors, genetic factors, gastro-intestinal factors, and socio-demographic factors.

Section 5. Guidelines on Research. - The DOH shall issue the standards, guidelines, and regulations in order to ensure that there is no conflict of interest between the research agenda of the researchers and the drug manufactures or government agencies promoting the widespread use of a particular medicine for persons with ASD.

The DOH shall ensure the timely publication and dissemination of information of these guidelines and regulations in order to ensure that the various health providers and stakeholders all over the country are adequately informed.

Section 6. Creation of an Inter-Agency ASD Coordinating Committee. - There is hereby established an Inter-Agency ASD Coordinating Committee (IACC) which shall serve as an inter-agency and multi-sectoral mechanism tasked to promote the implementation of the National ASD Program of the government.

The objectives of the Interagency ASD Coordinating Committee shall endeavor to:

- a. Promote public awareness, education, and information on issues concerning ASD;
- b. Establish sustainable networks of support groups for families of autistic children and adults;

- c. Provided referral services to patients with ASD and identify the appropriate educational and medical expertise and facilities suited to the needs of the autistic person;
- d. Combat the spectrum of disorders related to ASD through screening, education, early intervention, prompt referrals for treatment and services;
- e. Undertake research and/or collaborate with other entities on research activities regarding ASD in the Philippines;
- f. Coordinate with schools in formulating individualized programs for autistic school children and students;
- g. Receive donations and grants from international donor institutions, foundations, and multilateral and bilateral foreign donor agencies involved in the prevention, rehabilitation, interventions, and treatment of persons with ASD;
- h. Promote the advocacy against bias and stereotyping against Persons with Autism (PWAs) thereby eliminating discrimination and/or misconceptions of the notion of being autistic with the end in view of opening the doors of productive economic opportunities to persons with ASD;
- i. Provide the avenue of exchange of information, exchange programs and sharing of best practices on issues relating to the early detection, prevention, interventions, treatment, and rehabilitation of persons diagnosed with ASD;
- j. Network with other organizations, public and private institutions and professionals working for the promotion of legislation and public programs for the persons diagnosed with ASD; and
- k. Assist in the creation of appropriate programs for individuals diagnosed with ASD.

The IACC shall accomplish such objectives and fulfill its mandate towards the end goal of setting up a nationwide network of centers for ASD in highly urbanized cities and in each province in the country.

Section 7. Composition of the Inter-Agency ASD Coordinating Committee (IACC).

- The Inter-Agency ASD Coordinating Committee shall be headed by the Secretary of the DOH as acting Chairperson. The IACC shall be composed on the following members:

- a. The Secretary of the Department of Social Welfare and Development (DSWD);
- b. The Secretary of the Department of Education (DepEd);
- c. The Chairperson of the Council for the Welfare of Children (CWC);
- d. The Chairperson of the Commission on Higher Education (CHED);
- e. The Executive Director of the Technical Education and Skills Development Authority (TESDA);
- f. The Executive Director of the National Council on Disability Affairs (NCDA);
- g. The Head of the Philippine Information Agency (PIA);
- h. One (1) representative from the duly accredited drug manufacturers and distributors;

- i. One (1) representative from the duly accredited association of nurses in the Philippines;
- j. One (1) representative from the duly accredited association of medical doctors in the Philippines;
- k. One (1) representative from the non-governmental organizations (NGOs) involved in the advocacy for the prevention, rehabilitation, interventions, and treatment of persons with ASD; and
- l. Two (2) Persons with Autism who are the members of ASD civil society organization or non-governmental institutions.

The five (5) members of the Inter-Agency ASD Coordinating Committee coming from the representatives of the drug manufacturers and distributors; caregivers; nurses; medical doctors, and non-government organizations shall be appointed by the President of the Philippines, from a list of three (3) nominees from each sector, who shall serve for a term of three (3) years, and renewable for another term: *Provided*, That the person appointed shall be of good moral character, of unquestionable integrity, and with expertise and experience of at least six (6) years in field of ASD, mental health and other related fields: *Provided* that, the Persons with Autism who shall be appointed by the President of the Philippines, shall serve for four (4) years and renewable for another four (4) years. *Provided, further*, That in the event of a vacancy, the successor appointed to fill the same shall serve only the unexpired portion of the term of the member he/she succeeds to.

The members of the IACC from the government agencies and institutions may designate their permanent representatives who shall have a rank not lower than an assistant secretary or its equivalent to attend meetings.

All members of the IACC shall receive emoluments as may be determined by the Committee, in accordance with existing budget and accounting rules and regulations.

Section 8. Meetings. – The IACC shall meet at least once a month upon a three-day notice signed by the Chairperson or as often as necessary upon the written request signed by the two-thirds (2/3) of its members.

The presence of a majority of the members of the IACC shall constitute a quorum in order for it to conducts its business.

Section 9. Programs and Services of the Inter-Agency ASD Coordinating Committee (IACC). – The programs and services that will be provided by IACC shall include, among others, the following:

- a. Orientation and Counseling Services for a family of newly diagnosed children with ASD;

- b. Establishment of Family Support Networks and Sibling Programs for families of persons with ASD to seek psycho-social support for the various problems faced by families with persons with ASD;
- c. Establishment of National and Regional Referral Services wherein the IACC will update a list of professionals and child care institutions concerned with the care and development of persons with ASD;
- d. Publication of reading materials, manuals and easily readable instruction materials for ASD early detection, prevention, rehabilitation and care;
- e. The conduct of continuing education, information and training programs and lectures on the proper handling of persons with ASD;
- f. The establishment of a databank and information and monitoring system (IMS) on demographic, socio-economic and incidence and prevalence of persons with ASD in the country;
- g. The publication of a newsletter on current developments, resources, and research on ASD;
- h. The conduct of continuing education/training of families, teachers, therapists, and caregivers of persons with ASD through seminars, conventions, and other forms of tri-media educational tools;
- i. The conduct of training and education of families, caregivers of persons with ASD, and the PWAs themselves on the legalities on financial planning, including estate planning, investment planning and trusts instruments for the long-term financial security of the PWAs;
- j. The IACC shall maintain and update the roster of government agencies and private entities or corporations that employ PWAs; and
- k. The IACC is tasked to update and monitor the list of persons diagnosed with ASD in the country in its central registry.

Section 10. Early Identification and Intervention for children with ASD. – The IACC is hereby mandated to establish a program for early identification, screening, and detection of ASD, and to provide the appropriate services and referrals to programs of the government, if any, to minors with developmental delays associated with ASD.

Section 11. ASD Early Detection and Screening Fees. – The Philippine Health Insurance Corporation (PHIC) shall include the cost of early detection and screening programs as one of the available benefits of its members.

The early detection and screening test fees shall be applied to, among others, testing costs, follow-up, and readable overhead expenses. These early detection and screening tests are designed to identify children who should receive more intensive diagnosis or assessment in order to improve child health and well-being especially for children suspected within the autism spectrum disorder.

Section 12. Creation of a National Website for Persons with ASD. – The IACC is hereby mandated to establish a national website on the National Program for ASD in the Philippines. The website shall highlight the various programs, interventions,

services, and advocacy channels being provided by the government on the issue concerning ASD so that parents and relatives of persons with ASD can avail of the information and services being provided by the State.

This website shall contain all the information on the variety of medical, psychological, psycho-social and research interventions available in the Philippines on the issues concerning ASD.

The website shall also include information on the various DOH accredited health service providers who can provide therapy, interventions, and treatment to persons with ASD in the country.

It will also be an avenue to clear misconceptions and incorrect information on the mental state of being of persons with ASD.

Section 13. Inclusive Education. - As mandated in Republic Act No. 11650, otherwise known as the "Instituting a Policy of Inclusion and Services for Learners with Disabilities in Support of Inclusive Education Act", the policy of inclusion is hereby instituted in all early and basic education schools, both public and private. All schools, whether public or private, shall ensure equitable access to quality education to every learner with disability, including learners with autism spectrum disorder (ASD), such that no learner shall be denied admission on the basis of disability.

Section 14. Continuing Education and Training of Health Personnel and Service Providers on ASD. - All DOH, DSWD, CWC officers and their staff in charge with providing various developmental and welfare services to persons with ASD are mandated to undergo a mandatory continuing education and training program to sensitize and empower service providers to become effective frontliners in the delivery of health service delivery to the persons with ASD, who are the beneficiaries of this Act.

Section 15. Protection against Discrimination in Schools. - The Department of Education (DepEd) and the Commission on Higher Education (CHED), in coordination with the Department of Health (DOH), Department of Social Welfare and Development (DSWD), Council for the Welfare of Children (CWC) and the National Institute for Health (NIH), shall formulate the necessary implementing rules and regulations to ensure that all educational institutions shall be free from policies and regulations discriminatory to school children and students with autism.

Towards this end, the DepEd shall conduct an annual education, information, and training program for school administrators, faculty, and staff to empower them to effectively handle school children and students with ASD.

Section 16. Non-Discrimination of Adults with ASD. – Within six (6) months from the date of effectivity of this Act, the IACC shall formulate the necessary guidelines, standards, and regulations in order to ensure that adults with ASD are not discriminated against due to their condition.

The IACC shall ensure the timely publication and dissemination of information of these guidelines and regulations in order to ensure that the various stakeholders all over the country in the early detection, prevention, rehabilitation, and care of persons with ASD are adequately informed.

Section 17. Trainings for Adults with ASD. – The TESDA shall make available with the IACC the range of skills training programs that Adults with ASD may avail under the TESDA. The instructors of the TESDA on the aforesaid skills programs may undergo the necessary trainings on autism similar to or including those provided under items (e) and (h) of Section 9 of this Act.

Section 18. Employment for Adults with ASD. – The DOLE shall work with DepEd and CHED to develop a training program which will help learners with ASDs transition from school to work. The DOLE shall conduct employability and enhancement seminars, provide pre-employment counseling and orientation, and offer programs and activities on employment assistance pursuant to Republic Act No. 8579, otherwise known as the Public Employment Service Office Act of 1999, as amended.

Section 19. Appropriations. – The amount necessary to carry out the provisions of this Act shall be included and incorporated in the annual general appropriations of the Department of Health (DOH), the Department of Social Welfare and Development (DSWD), National Institute of Health (NIH), and the Council for the Welfare of Children (CWC).

Section 20. Implementing Rules and Regulations (IRR). – Within six (6) months from the effectivity of this Act, the DOH, in coordination with the DSWD, CWC, NIH, and PIA, shall promulgate necessary implementing rules and regulations to implement the provisions of this Act.

Section 21. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, or parts thereof not consistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 22. Separability Clause. – If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, other provisions of this Act which are not affected hereby shall continue to be in full force and effect.

295 ***Section 23. Effectivity Clause.*** - This Act shall take effect fifteen (15) days from
296 the date of its complete publication in the Official Gazette or in at least two (2)
297 newspapers of general circulation.

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299 Approved,