

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

House Bill No. **5319**



Introduced by Representative Reynante U. Arrogancia

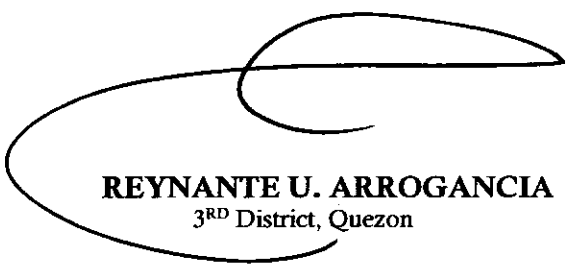
EXPLANATORY NOTE

Mental health is critical for one's wellbeing. Providing access to resources and support on the mental health programs to Filipino students in higher education institutions who are vulnerable to academic pressure, financial difficulties and personal issues in educational institutions could improve their mental health outcomes.

This bill seeks the institutionalization of policies that shall promote the mental health and wellness of students, teaching and non-teaching staff in State Universities and Colleges (SUCs). The bill proposes that the Committee on Higher Education (CHED) require the establishment of Mental Health Office in all SUCs campuses. It likewise mandates for the SUCs based mental health offices to create mechanisms for timely crisis intervention and suicide prevention. Furthermore, the bill seeks to make available relevant trainings and continuous capacity building of the SUCs based mental health service personnel.

The increasing awareness on mental health issues and the need to address the same among our youth, teaching and non-teaching personnel in the educational institutions is a responsive policy to provide treatment and psychosocial support will help address maintain healthy mental health and could result in positive educational outcomes.

A bill of similar nature has been filed in the previous Congress. In view of the foregoing, passage of this bill is earnestly sought.



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3RD District, Quezon

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

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

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4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to uphold the
5 basic right of every Filipino of sound mental health and ensure access to appropriate
6 interventions, therapy, and treatment as needed. Pursuant to this mandate, the State shall
7 institute policies to promote the mental health and wellness of students, faculty, teaching
8 and non-teaching staff, and other personnel in the campuses of SUCs through, among
9 others, the establishment of a Mental Health Office in all SUCs, and the hiring,
10 deployment, and training of additional SUCs-based mental health service personnel.

11
12 All SUCs shall ensure that proper and adequate mental health services are provided to
13 their students, faculty, non-teaching staff, and other personnel. In this regard, all SUCs,
14 through their Mental Health Offices, shall design programs and provide services that shall
15 assist students in resolving emotional, behavioral, and psychosocial issues that are barriers
16 to learning and enhance the preparedness of the faculty, teaching, non-teaching staff, and
17 other personnel to foster an enabling environment for knowledge acquisition and
18 intellectual development.

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

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23 (a) *Guidance Counselor* shall refer to a natural person who has been registered and
24 issued a valid Certificate of Registration and a valid Professional Identification
25 Card by the Professional Regulation Commission (PRC) in accordance with
26 Republic Act No. 9258, otherwise known as the “Guidance and Counselling Act
27 of 2004. *Provided*, That this definition shall be without prejudice to those registered
28 as guidance counselor pursuant to Section 14 of Republic Act No. 9258;
29

- (b) *Mental Health* shall refer 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* shall refer 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* – refers 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* shall refer to a natural person who is duly registered and holds a valid certificate of registration and a valid professional identification card as a professional psychologist, issued by the Professional Regulatory Board of Psychology and the PRC pursuant to Republic Act No. 10029, otherwise known as the "Philippine Psychology Act of 2009", for the purpose of delivering different psychological services: *Provided*, That this definition shall be without prejudice to those registered as psychologists pursuant to Section 16 of Republic Act No. 10029; and
- (f) *SUC- Based Mental Health Service Personnel* shall refer to any mental health professional who is hired or deployed by, or has a contract with an SUC to render mental health services in the campus.

SEC. 4. *Establishment of Mental Health Offices in all SUC Campuses.* – All SUCs shall be mandated to establish a Mental Health Office in their respective campuses to be operated by trained mental health professionals serving as the mental health service personnel of the SUCs: *Provided*, That the establishment and operation of mental health offices in SUC campuses shall be subject to the policies, standards and guidelines issued by the Commission on Higher Education (CHED), Department of Budget and Management (DBM) and Civil Service Commission (CSC).

The Mental Health Offices in SUCs shall perform the following duties and functions:

- (a) Implement mental health programs and projects designed to promote mental health and well-being of students, faculty, teaching and non-teaching staff, and other personnel employed in SUC campuses;
- (b) Set up twenty-four seven (24/7) campus hotline members attended by dedicated and trained guidance counselors to provide assistance to the whole SUC Community, with special attention individuals with history of mental health problems or conditions, and those who have higher risk factors for self-harm or suicide;
- (c) Initiate and sustain a heightened campaign to raise the collective consciousness about mental health, promoting mental health and nutrition, and guidance and counseling;
- (d) Establish systems to maximize the utilization of existing mental health services provided by other government agencies; and

- (e) Create a mechanism for crisis intervention and response, particularly for cases involving suicide and other immediate or life-threatening emergencies;
- (f) Perform other duties and functions in relation to mental health awareness and promotion as may be identified by CHED.

SEC. 5. *Recruitment, Training and Deployment of Mental Health Professionals in SUC Campuses.* - Within five (5) years from the effectivity of this Act, the SUCs shall ensure that their respective mental health offices are staffed with mental health professional. For this purpose, the SUCs shall, in coordination with CHED and subject to evaluation and approval of the DBM, formulate the appropriate organizational structure and staffing pattern for their respective mental health offices.

Notwithstanding the provisions of Republic Act No. 9258, otherwise known as the "Guidance and Counseling Act of 2004", SUCs shall be authorized to recruit individuals with undergraduate degrees in psychology or other related disciplines but lack other requisites to qualify as mental health professionals: *Provided*, That the services rendered such individuals shall be performed under the supervision of qualified mental health professionals: *Provided, further*, That the CHED and the SUC concerned shall provide for the appropriate training, instruction and assistance to enable them to develop the necessary skills to render counselling and other mental health services to students, faculty, teaching and non-teaching staff, and other personnel employed in SUC campuses: *Provided, finally*, That individuals recruited without the required licenses or certification under this Act shall, within three (3) years from the date of recruitment, secure such licenses and certification required in the performance of the responsibilities as mental health professionals.

SEC. 6. *Professional and Career Development for In-Campus Mental Health Professionals.* - In accordance with the provisions of Republic Act No. 10912, otherwise known as the "Continuing Professional Development Act of 2016", the CHED shall formulate continuing professional development and training programs for SUC mental health personnel and shall ensure the adoption of the appropriate mental health interventions for students, faculty, teaching and non-teaching staff, and other personnel employed in SUC campuses.

The CHED shall, in coordination with the DBM, CSC, DOH, and PRC, perform the following:

- (a) Prepare a uniform career and personnel development plan that includes provisions on personal wellness, merit promotion, performance evaluation, in-service training, graduate scholarships, research grants, and incentive award systems;
- (b) Ensure that compensation of mental health professionals employed by SUCs are commensurate with other 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) Review the organizational structure of the SUCs to ensure the availability of competent and professional personnel that can supervise and provide 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 geared towards the improvement of the efficiency and effectiveness of each mental health professional: *Provided*, That the employees shall be adequately informed 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.

SEC. 7. *Salary Scale.* – The career and salary scales of mental health professionals in SUCs shall provide for a progression from a minimum to a maximum salary by means of salary adjustments and/or regular increments, to be given based on necessity, merit and competencies: *Provided*, That the entry level for qualified mental health professionals employed by SUCs shall not be lower than Salary Grade 16.

SEC. 8. *Recruitment of Mental Health Personnel on a Contract-of-Service and other Similar Arrangements.* – In cases where SUCs are unable to engage the services of qualified personnel for regular appointment, the SUC concerned shall be authorized to engage the regular appointment, the SUC concerned shall be authorized to engage the services of mental health professionals under a contract-of-service and other similar work arrangements, whether full-time or part-time basis, subject to existing laws, rules and regulations.

SEC. 9. *Benefits.* – All mental health professionals employed in Mental Health Offices of the SUCs 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.

SEC. 10. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be included in the Annual General Appropriations Act or sourced from the internally-generated income of the SUCs.

SEC. 11. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the CHED shall, in coordination with the DBM, PRC, DOH, Philippine Association of State Universities and Colleges, and other stakeholders concerned, promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 12. *Suppletory Application.* - The applicable provisions of this Republic Act no. 11036, otherwise known as the “Mental Health Act”, insofar as such provisions are not inconsistent with the provisions and objects of this Act, shall apply suppletorily.

SEC. 13. *Separability Clause.* - If any provision or part hereof is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

177 **SEC. 14. *Repealing Clause.*** – All laws, acts, decrees, executive orders, issuances, and rules
178 and regulations or parts thereof which are contrary to and inconsistent with this Act are
179 hereby repealed, amended or modified accordingly.
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181 **SEC. 15. *Effectivity*** -This Act shall take effect immediately following its publication in
182 the Official Gazette or in a newspaper of general circulation.
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184 Approved,