

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5979



Introduced by **HON. MIGUEL LUIS R. VILLAFUERTE, HON. VINCENZO RENATO LUIGI R. VILLAFUERTE, HON. TSUYOSHI ANTHONY G. HORIBATA, AND HON. TERRY L. RIDON**

EXPLANATORY NOTE

The 1987 Constitution mandates the State to recognize, protect, and promote the rights of all children, and to make education accessible to all, including those belonging to vulnerable and marginalized sectors. In line with this constitutional directive, Republic Act No. 11650, or the Inclusive Education Act of 2022, institutionalizes an inclusive learning system that ensures learners with special needs are able to access quality education alongside their peers.

However, despite this significant progress, there remains a policy gap in addressing the broader concerns of children with special needs (CSN). The implementation of existing laws has also posed challenges, leaving many families without immediate or adequate support. The country continues to face a shortage of qualified specialists who can provide appropriate interventions, particularly in far-flung and underserved areas.¹ According to estimates from PhilHealth, one in seven Filipino children are living with disabilities, underscoring the urgency of developing inclusive and responsive programs that cater to their unique requirements and those of their families.

This bill seeks to establish a national legislative framework for the protection and support of CSN to ensure that government policies and programs are responsive to their unique circumstances and challenges. It aims to provide them with accessible therapy and education services; offer financial relief to their families; promote public awareness and acceptance through advocacy campaigns; establish comprehensive support systems for families and caregivers; and create the Inter-Agency Coordinating Council for Children with Special Needs, which shall be tasked with formulating a national strategy, overseeing the implementation of programs across concerned agencies, evaluating their impact, and recommending necessary legislative and policy reforms.

Ultimately, this measure seeks to ensure that no learner with special needs is deprived of access to inclusive, equitable, and quality education, while promoting lifelong learning opportunities and social inclusion for all children.

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

¹ Chi, Cristina. (2024, February 26). *Shared responsibility: DepEd told it can't help special needs children alone*. Philstar.com. <https://www.philstar.com/headlines/2024/02/26/2336305/shared-responsibility-deped-told-it-cant-help-special-needs-children-alone>



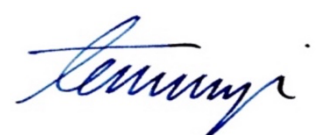
HON. MIGUEL LUIS R. VILLAFUERTE



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**AN ACT PROMOTING THE INCLUSIVE DEVELOPMENT AND WELL-BEING OF
CHILDREN WITH SPECIAL NEEDS, PROVIDING FOR COMPREHENSIVE SUPPORT
SYSTEMS, 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 "Inclusive Development and Well-Being of Children with Special Needs Act."

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect and promote the rights of children with special needs (CSN), ensuring their full and inclusive development. The State recognizes that CSN possess inherent dignity and right to a quality of life that enables them to achieve their fullest potential. To this end, the State shall:

- (a) Prioritize and integrate the needs of CSN into all relevant legislative efforts, policies, programs, and services.
- (b) Ensure access to quality, comprehensive, and appropriate intervention, therapeutic, and educational services.
- (c) Alleviate the financial and emotional burdens on families of CSN through various mechanisms.
- (d) Foster a society that embraces inclusivity, free from stigma and discrimination against CSN and their families.
- (e) Strengthen inter-agency collaboration and establish a comprehensive support system for CSN and their families.

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

- (a) *Assistive Tools and Medical Care.* – devices, equipment, technologies, medications, and healthcare services that assist CSN in their daily living, communication, mobility, and overall health management.
- (b) *Children with Special Needs (CSN).* – individuals below eighteen (18) years of age who have developmental delays, disabilities, or conditions that require specialized interventions, including but not limited to, Autism Spectrum Disorder, Attention-

Deficit/Hyperactivity Disorder, Down Syndrome, Cerebral Palsy, intellectual disability, specific learning disabilities, sensory impairments (visual or hearing), and speech and language disorders. This also includes 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.

- (c) *Early Intervention Services.* – a range of services provided to infants and toddlers with developmental delays or disabilities and their families to promote the child's development and minimize the effects of the disability.
- (d) *Special Education (SPED).* – educational program designed to meet the unique needs of CSN, including SPED centers, inclusive classrooms, and home-based programs.
- (e) *Therapeutic Services.* – professional interventions such as, but not limited to, occupational therapy, physical therapy, speech and language therapy, behavioral therapy, and other related services designed to improve the functional abilities and well-being of CSN.
- (f) *Underserved Areas.* – geographical regions, localities, or communities where access to specialized services for CSN is limited or non-existent.

SECTION 4. Accessible Therapy and Education. – The State shall ensure that all CSN have equitable access to quality therapy and education. To this end, the following shall be implemented:

- (a) *Expansion of SPED Schools and Centers.* – The Department of Education (DepEd), in coordination with the Department of Social Welfare and Development (DSWD) and the Department of Health (DOH), shall establish and expand SPED schools and centers in underserved areas, ensuring adequate facilities and qualified SPED teachers and therapists.
- (b) *Subsidies for Therapy Services.* – The DOH and DSWD, in coordination with the Philippine Health Insurance Corporation (PhilHealth), shall develop and implement a subsidy program for therapeutic services for CSN, covering a significant portion of therapy and rehabilitation costs. The subsidy program shall prioritize indigent and low-income families.
- (c) *Inclusion in Regular Schools.* – The DepEd shall strengthen its education program, providing necessary and inclusive training for teachers, learning resources, and education plans to facilitate the successful integration of CSN into mainstream classrooms wherever appropriate.

SECTION 5. Financial Relief for Families. – To mitigate the financial burden on families of CSN, the following measures shall be undertaken:

- (a) *Vouchers and Grants.* – The DSWD, in coordination with relevant agencies, shall establish a system of vouchers and grants for eligible families of CSN to support the costs of therapy, medical care, assistive tools, and specialized education. Priority shall be given to families categorized as indigent or vulnerable.
- (b) *Tax Incentives.* – The Bureau of Internal Revenue (BIR) shall explore and recommend to Congress appropriate tax incentives for parents or legal guardians of CSN, including deductions for medical expenses, therapy costs, and specialized educational fees.

- (c) *PhilHealth Coverage Expansion.* – PhilHealth shall expand its coverage to include a range of therapeutic services, diagnostic procedures, and assistive devices for CSN, with higher benefit limits and streamlined claims processes.

SECTION 6. *Public Awareness and Acceptance Campaigns.* – The State shall promote public awareness and acceptance of CSN designed to foster an inclusive society and combat stigma.

- (a) *National Awareness Campaigns.* – The DepEd, DOH, DSWD, and the Philippine Information Agency (PIA) shall develop and implement national public awareness and acceptance campaigns on various special needs, which shall promote understanding, empathy, and early identification.
- (b) *Educational Curriculum Integration.* – The DepEd shall integrate modules on special needs awareness, inclusion, and disability rights into relevant educational curricula at all levels.

SECTION 7. *Support Systems for Families and Caregivers.* – The State shall establish and strengthen support systems for families and caregivers of CSN.

- (a) *Community Centers for CSN.* – The DSWD, in coordination with the Local Government Units (LGUs), shall endeavor to establish or support existing community centers in their jurisdiction. The support may include any of the following:
- (i) free or subsidized therapy services,
 - (ii) parental training, and/or
 - (iii) emotional support groups for families of CSN.

These centers shall also serve as hubs for information dissemination and referral to other relevant services.

- (b) *Parental Training and Empowerment Programs.* – The DSWD and DOH shall, in coordination and cooperation with the Technical Education and Skills Development Authority (TESDA), develop and implement comprehensive training programs for parents and caregivers of CSN. These training programs shall focus on equipping them with the knowledge and skills necessary to support their child's development and manage challenging behaviors.

SECTION 8. *Stronger Policies for Inclusion.* – The State shall ensure the full inclusion of CSN in all aspects of society.

- (a) *Inclusion in Schools.* – The DepEd shall formulate and implement guidelines for inclusive education, mandating reasonable accommodations and non-discriminatory practices for CSN in both public and private schools.
- (b) *Accessibility in Public Spaces.* – All government agencies and private establishments shall ensure that public spaces, facilities, and services are accessible to CSN, in compliance with existing accessibility laws and regulations.

SECTION 9. *Inter-Agency Coordinating Council.* – There is hereby created an Inter-Agency Coordinating Council for Children with Special Needs (IACCSN) (hereinafter referred to as the "Council"), to ensure the effective implementation of this Act. The Council shall be composed of representatives from the DSWD, DOH, DepEd, National Council on Disability Affairs (NCDA), PhilHealth, and at least two representatives from the private sector, which directly implement programs relevant and related to the needs of the CSNs. The Council shall:

- (a) Formulate and oversee the implementation of a comprehensive national plan for the welfare of CSN.
- (b) Coordinate the programs and activities of various government agencies and non-government organizations pertaining to CSN.
- (c) Monitor and evaluate the effectiveness of policies and programs addressing the needs of CSN.
- (d) Recommend legislative and policy reforms to further enhance the rights and well-being of CSN.

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 ninety (90) days from the effectivity of this Act, the DSWD, in coordination with the DOH, DepEd, NCDA, PhilHealth, and in consultation with other relevant agencies and stakeholders, shall formulate and promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 12. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 13. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,