

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 7440



Introduced by **Representative RAYMOND ADRIAN SALCEDA**

AN ACT

PROVIDING FOR A MAGNA CARTA FOR CHILDREN WITH DISABILITIES AND THEIR FAMILIES, ESTABLISHING A COMPREHENSIVE FRAMEWORK FOR EARLY INTERVENTION, THERAPY SERVICES, FAMILY SUPPORT, AND RESPITE CARE, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

According to the Philippine Statistics Authority, there are over 1.4 million persons with disabilities in the country, a figure projected to rise in the coming years. A significant proportion of these are children with disabilities who require early intervention, specialized therapies, and sustained support to reach their full potential.

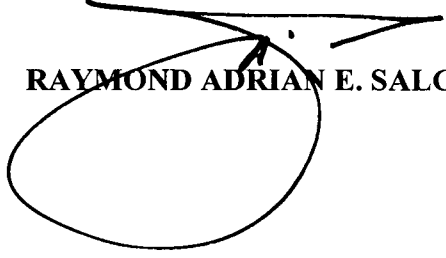
While the Philippines has enacted landmark legislation such as Republic Act No. 7277 (Magna Carta for Persons with Disability) and Republic Act No. 11650 (Inclusive Education Act), these laws primarily address the rights of persons with disabilities in general or focus specifically on education. There remains a gap in comprehensive legislation that addresses the unique needs of children with disabilities and, equally important, the needs of their families who serve as primary caregivers.

Families raising children with disabilities face extraordinary challenges. The cost of therapy services, assistive devices, and specialized care often exceeds what ordinary Filipino families can afford. Parents frequently sacrifice careers to provide full-time care, leading to financial strain and social isolation. Siblings of children with disabilities also experience unique pressures that often go unaddressed.

Research consistently shows that early intervention dramatically improves outcomes for children with disabilities. Yet many Filipino families lack access to early screening, diagnosis, and intervention services, particularly in rural areas. By the time children are identified and receive services, critical developmental windows may have passed.

This bill seeks to establish a comprehensive Magna Carta for Children with Disabilities and Their Families. It provides for early screening and intervention programs, subsidized therapy services, respite care for caregivers, family support programs, and financial assistance. It recognizes that supporting the child means supporting the entire family unit.

The approval of this bill is earnestly sought.



RAYMOND ADRIAN E. SALCEDA

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

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the "Magna Carta for Children with Disabilities and Their Families."

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

- (a) Protect and promote the rights and welfare of children with disabilities, recognizing their inherent dignity and worth as human beings;
- (b) Ensure that children with disabilities have access to early intervention, quality healthcare, education, and rehabilitation services that enable them to develop to their fullest potential;
- (c) Recognize and support families as the primary caregivers of children with disabilities, providing them with the resources, services, and respite they need to fulfill this role;
- (d) Promote the inclusion and participation of children with disabilities in all aspects of community life; and

(e) Eliminate discrimination, stigma, and barriers that prevent children with disabilities and their families from fully participating in society.

SEC. 3. *Definition of Terms.* – For purposes of this Act:

(a) "Child with a Disability" refers to a person below eighteen (18) years of age who has a physical, intellectual, developmental, sensory, psychosocial, or other impairment that, in interaction with various barriers, may hinder the child's full and effective participation in society on an equal basis with others;

(b) "Family" refers to the parents, guardians, siblings, grandparents, and other relatives within the fourth civil degree of consanguinity or affinity who are directly involved in the care and support of a child with a disability;

(c) "Primary Caregiver" refers to the parent, guardian, or family member who assumes the principal responsibility for the day-to-day care of a child with a disability;

(d) "Early Intervention" refers to services and supports provided to infants and young children with developmental delays or disabilities and their families, designed to address the child's developmental needs during the critical early years;

(e) "Therapy Services" refers to interventions provided by licensed professionals to address the developmental, physical, sensory, communication, or behavioral needs of a child with a disability, including but not limited to physical therapy, occupational therapy, speech-language therapy, and behavioral therapy;

(f) "Respite Care" refers to temporary care provided to a child with a disability to give the primary caregiver relief from caregiving responsibilities;

(g) "Assistive Device" refers to any device, equipment, instrument, or technology used to maintain, increase, or improve the functional capabilities of a child with a disability;

(h) "Individualized Family Service Plan" or "IFSP" refers to a written plan developed collaboratively by the family and service providers that outlines the services and supports to be provided to the child with a disability and the family.

CHAPTER II

RIGHTS OF CHILDREN WITH DISABILITIES

SEC. 4. *Right to Early Screening and Diagnosis.* – Every child shall have the right to early screening for developmental delays and disabilities. The Department of Health (DOH), in coordination with local government units, shall establish a universal developmental screening program for all children from birth to five (5) years of age, integrated into routine well-child visits and immunization programs.

SEC. 5. *Right to Early Intervention.* – Every child with a disability or developmental delay, from birth to six (6) years of age, shall have the right to early intervention services appropriate to

the child's needs. Early intervention services shall be provided in the child's natural environment to the maximum extent appropriate, including the home and community settings.

SEC. 6. *Right to Therapy and Rehabilitation Services.* – Every child with a disability shall have the right to access therapy and rehabilitation services necessary to address the child's developmental, physical, sensory, communication, or behavioral needs. Such services shall be provided by licensed professionals and shall be covered under the benefit packages of the Philippine Health Insurance Corporation (PhilHealth).

SEC. 7. *Right to Assistive Devices.* – Every child with a disability shall have the right to access assistive devices necessary for the child's mobility, communication, learning, and daily living. The Department of Social Welfare and Development (DSWD), in coordination with the DOH and the National Council on Disability Affairs (NCDA), shall establish a program for the provision of subsidized or free assistive devices to children with disabilities from low-income families.

SEC. 8. *Right to Inclusive Education.* – Every child with a disability shall have the right to inclusive, quality education as provided under Republic Act No. 11650 and other applicable laws. Nothing in this Act shall diminish the rights of children with disabilities under existing education laws.

SEC. 9. *Right to Play and Recreation.* – Every child with a disability shall have the right to engage in play, recreation, leisure, and sporting activities appropriate to the child's age and abilities. Local government units shall ensure that public playgrounds, parks, and recreational facilities are accessible to children with disabilities.

CHAPTER III

FAMILY SUPPORT SERVICES

SEC. 10. *Family-Centered Approach.* – All services and supports provided under this Act shall adopt a family-centered approach that recognizes the family as the constant in the child's life and respects family diversity, strengths, and decision-making authority. Service providers shall work in partnership with families and build upon family strengths.

SEC. 11. *Individualized Family Service Plan.* – For every child with a disability receiving services under this Act, an Individualized Family Service Plan (IFSP) shall be developed in collaboration with the family. The IFSP shall include:

- (a) An assessment of the child's present levels of development;
- (b) The family's resources, priorities, and concerns;
- (c) Measurable goals and outcomes for the child and family;
- (d) The specific services to be provided, including frequency, intensity, and duration;
- (e) The natural environments in which services will be provided; and

(f) A transition plan for when the child moves to school-age services.

SEC. 12. *Respite Care Services.* – The DSWD, in coordination with local government units, shall establish respite care programs to provide temporary relief to primary caregivers of children with disabilities. Respite care may be provided in the family home, in community-based settings, or in licensed respite care facilities. Families of children with disabilities shall be entitled to a minimum of forty-eight (48) hours of subsidized respite care per month.

SEC. 13. *Parent and Caregiver Training.* – The DOH and DSWD shall establish training programs for parents and caregivers of children with disabilities. Training shall include:

- (a) Understanding the child's disability and developmental needs;
- (b) Techniques for supporting the child's development at home;
- (c) Behavior management strategies;
- (d) Navigation of service systems and advocacy skills; and
- (e) Self-care and stress management for caregivers.

SEC. 14. *Sibling Support Programs.* – The DSWD shall establish programs to support siblings of children with disabilities, recognizing the unique experiences and needs of siblings. Such programs may include peer support groups, recreational activities, and counseling services.

SEC. 15. *Mental Health Support for Families.* – Families of children with disabilities shall have access to mental health services, including counseling and therapy, to address the emotional and psychological impact of caregiving. Such services shall be covered under PhilHealth benefit packages.

CHAPTER IV

FINANCIAL ASSISTANCE AND INCENTIVES

SEC. 16. *Therapy Subsidy Program.* – The DSWD shall establish a Therapy Subsidy Program to provide financial assistance to families of children with disabilities for therapy services not covered by PhilHealth. Priority shall be given to families belonging to the first three (3) income deciles as identified in the Listahanan database.

SEC. 17. *Monthly Caregiver Allowance.* – Primary caregivers of children with disabilities who require substantial support, as certified by a licensed physician, shall be entitled to a monthly caregiver allowance from the DSWD. The amount of the allowance shall be determined by the DSWD in consultation with the NCDA, subject to annual adjustment based on inflation.

SEC. 18. *Tax Incentives.* – Parents or guardians of children with disabilities shall be entitled to an additional personal exemption equivalent to Twenty-five Thousand Pesos (P25,000.00) per child with a disability, in addition to existing exemptions under the National Internal Revenue Code. Expenses for therapy, assistive devices, and other disability-related costs shall be deductible from gross income, subject to guidelines to be issued by the Bureau of Internal Revenue.

SEC. 19. *PhilHealth Coverage*. – PhilHealth shall include in its benefit packages comprehensive coverage for:

- (a) Developmental screening and diagnostic assessments;
- (b) Early intervention services;
- (c) Therapy services, including physical therapy, occupational therapy, speech-language therapy, and behavioral therapy;
- (d) Assistive devices prescribed by licensed professionals;
- (e) Mental health services for children with disabilities and their families; and
- (f) Respite care services.

CHAPTER V

SERVICE DELIVERY SYSTEM

SEC. 20. *Child and Family Development Centers*. – The DOH, in coordination with local government units, shall establish Child and Family Development Centers in all provinces, highly urbanized cities, and independent component cities. These centers shall serve as one-stop shops for early intervention, therapy services, family support, and service coordination for children with disabilities and their families.

SEC. 21. *Barangay-Based Services*. – Local government units shall endeavor to bring services closer to families by establishing barangay-based early intervention and family support programs. Barangay health workers shall be trained to conduct developmental screening and provide basic guidance to families of children with developmental concerns.

SEC. 22. *Service Coordination*. – Every family of a child with a disability receiving services under this Act shall be assigned a service coordinator who shall assist the family in navigating the service system, coordinating services across agencies, and ensuring that the IFSP is implemented.

SEC. 23. *Database and Registry*. – The DSWD, in coordination with the DOH, Department of Education (DepEd), and NCDA, shall establish and maintain a national database of children with disabilities. The database shall be used for planning, resource allocation, and monitoring of services. Data collection and management shall comply with the Data Privacy Act of 2012.

CHAPTER VI

WORKPLACE SUPPORT FOR PARENTS AND CAREGIVERS

SEC. 24. *Flexible Work Arrangements*. – Employers shall endeavor to provide flexible work arrangements to employees who are primary caregivers of children with disabilities, including but not limited to flexible working hours, compressed work weeks, telecommuting, and part-time work, where the nature of the work permits.

SEC. 25. *Special Leave for Therapy and Medical Appointments.* – Employees who are parents or guardians of children with disabilities shall be entitled to a special leave of seven (7) days per year, with pay, to accompany the child to therapy sessions, medical appointments, or school-related activities pertaining to the child's disability. This leave shall be in addition to existing leave benefits.

SEC. 26. *Non-Discrimination.* – No employer shall discriminate against an employee or job applicant on the basis of being a parent or caregiver of a child with a disability. Discrimination includes denial of employment, demotion, termination, or any adverse action based on the employee's caregiving responsibilities.

CHAPTER VII

FINAL PROVISIONS

SEC. 27. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the DSWD, in coordination with the DOH, DepEd, PhilHealth, NCDA, Department of Labor and Employment (DOLE), and organizations of and for persons with disabilities and their families, shall promulgate the necessary rules and regulations to implement this Act.

SEC. 28. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC. 29. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 30. *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.

SEC. 31. *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,