

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **9760**



Introduced by Representative Julius Cesar "Jay" V. Vergara

EXPLANATORY NOTE

This bill seeks to establish residential care facilities for persons with disabilities and persons with special needs.

The State shall, pursuant to its constitutional mandate and its role as *parens patriae*, protect and promote the development of persons with disabilities and persons with special needs who have been abandoned, neglected, orphaned or left without adequate care and supervision and unable to fully care for themselves or safeguard their own interests.

While the Philippines has enacted progressive disability laws, particularly Republic Act (RA) No. 7277, otherwise known as the "*Magna Carta for Disabled Persons*," as amended by RA Nos. 9442 and 10754, the current policy framework largely emphasizes community integration and family-based care. These approaches remain important but are not sufficient to address the needs of persons with severe physical, intellectual, developmental, psychosocial, or multiple disabilities who require continuous supervision, specialized interventions, and long-term support services.

A significant number of persons with disabilities and persons with special needs are left without adequate care due to abandonment, death, incapacity, illness, advanced age, or economic limitations of their immediate family members. Many families likewise struggle to sustain the emotional, physical, and financial burden of lifelong caregiving, particularly for individuals with profound dependency and complex medical or developmental conditions. In the absence of accessible and appropriate long-term care facilities, many vulnerable individuals remain exposed to neglect, unsafe living conditions, social isolation, institutional abandonment, and deprivation of opportunities for development and meaningful participation in society.

Available government and international data indicate that disability affects an estimated 9.2 million Filipinos. However, official registration figures remain significantly lower than the estimated population of persons with disabilities, demonstrating the need for stronger institutional mechanisms for identification, intervention, and support services. Existing residential care facilities operated by the government are likewise limited in number, capacity, and specialization, and are often intended primarily for temporary rehabilitation or protective custody rather than long-term or lifelong residential support.

This proposed measure seeks to address these gaps through the establishment of residential care facilities that provide continuous, long-duration, or permanent care for qualified residents. These facilities shall deliver comprehensive and person-centered services, including medical care, therapy, psychosocial interventions, rehabilitation, life-skills and vocational development, educational support, recreational activities, and community integration programs designed to uphold the dignity, welfare, and developmental potential of every resident.

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

A handwritten signature in black ink, appearing to read 'JAY V. VERGARA', with a long horizontal stroke extending to the right.

JULIUS CESAR "JAY" V. VERGARA
Third District of Nueva Ecija

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **9760**

Introduced by Representative Julius Cesar “Jay” V. Vergara

1 **AN ACT**
2 **ESTABLISHING RESIDENTIAL CARE FACILITIES FOR PERSONS WITH**
3 **DISABILITIES AND PERSONS WITH SPECIAL NEEDS AND APPROPRIATING**
4 **FUNDS THEREFOR**

5
6 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
7 *assembled:*

8
9 SECTION 1. *Short Title.* – This Act shall be known as the “*Residential Care*
10 *Facility Act.*”

11 SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to uphold
12 the dignity, rights, and well-being of all persons, particularly persons with disabilities
13 and special needs, and promote their full development, self-reliance, and integration
14 into society.

15 To this end, the State shall establish residential care facilities that provide safe,
16 humane, and responsive living environments for abandoned or neglected persons
17 with disabilities and persons with special needs who require long-term care.

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

19 (a) *Immediate family member* refers to parents, grandparents, siblings, children
20 or spouse;

1 (b) *Person with disability* refers to individual with long-term physical, mental,
2 intellectual, or sensory impairments, which, in interaction with various barriers, may
3 hinder their full and effective participation in society on an equal basis with others;
4 and

5 (c) *Person with special needs* refers to individual who, due to physical,
6 intellectual, developmental, sensory, psychosocial, or chronic medical conditions not
7 necessarily classified as disability under existing law, requires sustained supervision,
8 assistance, or specialized care in daily living, health care, or rehabilitation.

9 SEC. 4. ***Residential Care Facility.*** – A residential care facility (RCF) shall be
10 established in every province under the direct supervision and control of the
11 Department of Social Welfare and Development (DSWD), in coordination with the
12 Department of Health (DOH) and other concerned agencies for the provision of long-
13 term residential, rehabilitative, developmental, medical, and social support services
14 for persons with disabilities and persons with special needs.

15 The DSWD shall identify the strategic areas for the establishment of RCF,
16 giving priority to locations with a significant number of persons with disabilities and
17 persons with special needs, as determined through available demographic data, local
18 government records, and social welfare assessments indicating a substantial
19 concentration or documented need for residential care services. In determining such
20 areas, the DSWD shall also consider accessibility, availability of support services, and
21 demand for long-term residential care and related interventions.

22 The Protective Services Bureau of DSWD shall be responsible for the policy
23 direction, standard-setting, program oversight, and technical supervision of RCF.

SEC. 5. *Scope of Services.* – Each RCF shall serve as a specialized residential care and support center for persons with disabilities and persons with special needs and provide, at a minimum:

- (a) Safe, sanitary, secure, and accessible shelter accommodations;
- (b) Nutritious meals, personal care, and daily living assistance;
- (c) Medical, nursing and other health-related services appropriate to the condition and needs of the resident;
- (d) Psychological, psychiatric, occupational, speech, and physical therapy, as may be necessary;
- (e) Social work, case management, counseling and other psychosocial support services;
- (f) Special education, life-skills development, and vocational training programs;
- (g) Recreational, cultural, spiritual, and community participation activities;
- (h) Provision of assistive devices and accessibility accommodations, and other support mechanisms necessary to promote mobility, communication and independent functioning; and
- (i) Transition, family reunification when appropriate, community reintegration and aftercare support services.

SEC. 6. *Eligibility.* – Persons with disabilities and persons with special needs who, due to the nature and severity of their condition, are unable to live independently and require long-term residential care may be admitted to the RCF, under either of the following circumstances:

1 (a) They have no living immediate family members;

2 (b) Their living immediate family members are unable to provide adequate
3 care and support;

4 (c) They have been abandoned, neglected, or subjected to abuse by their
5 immediate family members; and

6 (d) Their immediate family members are themselves incapacitated by age,
7 illness, disability, or other serious circumstances.

8 SEC. 7. *Admission Requirements.* – Admission to the RCF shall be supported
9 by the following:

10 (a) A medical certificate issued by a duly licensed physician attesting to the
11 nature, extent, and functional impact of the individual's condition, including the need
12 for long-term residential care;

13 (b) A social case study report prepared by a registered social worker
14 assessing the applicant's socio-economic condition, and care and support needs, and
15 establishing either the absence of living immediate family members or the inability of
16 the immediate family members to provide adequate care and support, based on
17 available records, certifications, affidavits or other competent evidence as may be
18 necessary;

19 (c) Proof of identity and civil status, such as a government-issued
20 identification card, birth certificate, or other official document; and

21 (d) Barangay or local government certification attesting to residency and,
22 where applicable, to the applicant's circumstances of neglect, abandonment, or
23 incapacity of family members.

1 In emergency cases where immediate admission is necessary to protect the life,
2 safety or welfare of the person with disability or person with special needs,
3 provisional admission may be allowed pending completion of the requirements.
4 Emergency cases include situations involving abandonment, neglect, sudden loss or
5 incapacity of primary caregiver, discharge from a medical facility without available
6 caregiver, or other circumstances requiring urgent placement to prevent harm.

7 SEC. 8. **Prioritization.** - Among qualified applicants, priority for admission
8 shall be given to those with the most urgent and critical care needs, including those in
9 crisis situations such as abandonment, sudden loss or incapacity of caregivers, or other
10 circumstances requiring urgent protective care and residential support to ensure
11 safety and well-being.

12 SEC. 9. **Guardianship.** - In cases where a person with disability or person with
13 special needs admitted to the RCF has no immediate family member, or other person
14 legally authorized to act on the person's behalf, the RCF, through the appropriate
15 office of the DSWD, and in coordination with the relevant government agencies, shall
16 assist in the initiation of guardianship proceedings or other legal mechanisms for the
17 protection of the resident's rights, welfare, will, and preferences.

18 The DSWD shall develop referral mechanisms to ensure guardianship, legal
19 assistance and related protective services, in coordination with concerned government
20 agencies, and local government units, consistent with existing laws and the rights and
21 dignity of persons with disabilities and persons with special needs.

22 SEC. 10. **Integrated Registry and Case Management System.** - The Information
23 and Communications Technology Management Service and Protective Services

1 Bureau of the DSWD shall, in coordination with the DOH and other concerned
2 agencies, strengthen existing systems, including the Philippine Registry for Persons
3 with Disabilities, through the establishment and integration into a comprehensive and
4 centralized Integrated Registry and Case Management System.

5 The system shall serve as the primary database for the registration,
6 consolidation, updating, and management of accurate, reliable, and timely
7 information on persons with disabilities and persons with special needs to support
8 effective planning, referral, and delivery of services and programs.

9 The registry and case management system must include information on
10 residential care needs, long-term support requirements, guardianship status, family
11 or caregiver circumstances, medical and developmental interventions, and
12 individualized care and transition plans.

13 SEC. 11. *Staffing and Personnel.* – The DSWD shall, in coordination with the
14 DOH, determine and prescribe the standard staffing complement and qualification
15 requirements for each RCF, subject to the evaluation and approval of the Department
16 of Budget and Management and in accordance with existing civil service laws, rules
17 and regulations.

18 Each RCF shall maintain a uniform staffing structure, but the actual number of
19 personnel may be adjusted based on the number of residents and the level of care
20 required, subject to the approval of the Secretary of Social Welfare and Development.

21 SEC. 12. *Standards of Care and Monitoring.* – The DSWD shall ensure that all
22 RCF provide quality, compassionate, and person-centered care, and maintain safe,

comfortable, humane, and dignified living conditions for persons with disabilities and persons with special needs.

The DSWD shall, in coordination with DOH, prescribe the minimum standards for operations and services, and conduct regular monitoring and evaluation of the RCF, including mandatory monthly visits and comprehensive assessment, to ensure compliance and continuous improvement in the delivery of services.

SEC. 13. *Social Integration and Community Participation.* – All RCF established under this Act shall implement programs and services that promote social integration, community participation, inclusion, and holistic development of residents, whenever appropriate and feasible. Such programs shall include:

- (a) Access to inclusive and appropriate educational opportunities;
- (b) Participation in community, recreational, and civic activities;
- (c) Supported employment, skills development, livelihood training and opportunities for productive engagement;
- (d) Provision of psychosocial support, behavioral, therapeutic and developmental interventions; and
- (e) Gradual transition to community-based living arrangements whenever practicable and in the best interest of the resident.

SEC. 14. *Access for Non-Residents.* – Subject to the availability of resources, capacity of personnel and safeguarding of the welfare of residents, the RCF may extend selected services to non-residents, particularly persons with disabilities and persons with special needs within its catchment area.

1 The services may include medical consultation, therapy and rehabilitation
2 services, psychosocial support, assistive device assessment and referral assistance.
3 However, the provision of services to non-residents must not compromise the quality,
4 safety or continuity of care for admitted residents.

5 SEC. 15. ***Local Government Units.*** – The local government units shall assist
6 and cooperate with the DSWD and may provide support for the establishment,
7 operation and maintenance of the RCF within their respective jurisdictions.

8 The support may include the provision of land or existing structures,
9 augmentation of personnel and resources, referral and case management assistance,
10 community-based support services, transportation assistance, and other appropriate
11 interventions for persons with disabilities and persons with special needs.

12 SEC. 16. ***Appropriations.*** – The amount necessary for the initial
13 implementation of this Act shall be charged against the current year's appropriations
14 of the DSWD and Contingency Fund. Thereafter, such amount as may be necessary
15 for the continued implementation of this Act shall be included in the annual General
16 Appropriations Act.

17 Local government units may augment the budget for the establishment,
18 operation and maintenance of the RCF within their respective jurisdictions and may
19 likewise provide financial or other support for residents originating from their
20 jurisdictions who are admitted in the RCF, subject to the approval of the appropriate
21 *Sanggunian*.

22 SEC. 17. ***Implementing Rules and Regulations.*** – Within ninety (90) days from
23 the effectivity of this Act, the Secretary of Social Welfare and Development shall, in

1 coordination with the Secretary of Health and other relevant agencies, promulgate the
2 necessary rules and regulations for the effective implementation of this Act.

3 SEC. 18. *Repealing Clause.* - All laws, executive orders, and regulations
4 inconsistent with the provisions of this Act are repealed or modified accordingly.

5 SEC. 19. *Separability Clause.* - If any provision or part of this Act is declared
6 unconstitutional, the provisions or parts not affected shall remain in full force and
7 effect.

8 SEC. 20. *Effectivity.* - This Act shall take effect fifteen (15) days after its
9 publication in the *Official Gazette* or in a newspaper of general circulation.

10 Approved,