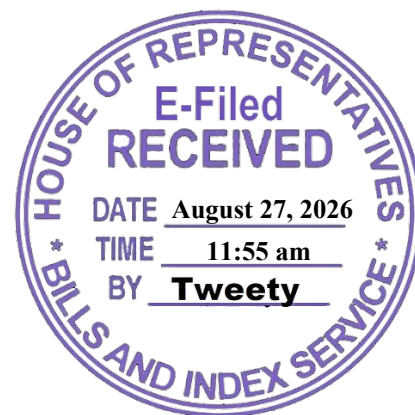


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **11008**



Introduced by **Representative ERIC G. YAP**

EXPLANATORY NOTE

This bill seeks to provide regular financial assistance and strengthen disability support services for indigent persons with disabilities (PWDs). It establishes a Disability Support Fund that augments the rights and benefits guaranteed under Republic Act (RA) No. 7277, otherwise known as the "*Magna Carta for Disabled Persons*", as amended by RA No. 9442 and RA No. 10754.

PWDs incur out-of-pocket expenses for rehabilitation, maintenance medicines, and other health-related needs. Inaccessible facilities and limited support services drive up these costs, pushing indigent PWDs and their families deeper into poverty and exclusion. Existing discounts, privileges, and social protection programs do not sufficiently cover these recurring expenses.

This measure institutionalizes the Disability Support Fund that shall provide an Individual Support Allowance initially set at Two thousand pesos (Php 2,000.00) to qualified indigent PWDs and support disability services managed by local government units. It also mandates the development of a Disability and Needs Assessment System and an integrated disability data management system to ensure that assistance reaches eligible beneficiaries efficiently and transparently.

A nation demonstrates its strength not by how it serves the most privileged, but by how it protects those who face the greatest barriers every single day. For many PWDs, every journey to school, every trip to work, every medical consultation, and every attempt to live independently comes with costs that others never have to bear. Without meaningful government support, these barriers become lifelong obstacles that deny opportunities, dignity, and equal participation. This measure recognizes that genuine inclusion demands more than legal recognition, it requires sustained public investment that empowers persons with disabilities to live with dignity, independence, and hope.

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


HON. ERIC G. YAP

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House Bill No. **11008**

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AN ACT
ESTABLISHING THE DISABILITY SUPPORT FUND FOR THE
EMPOWERMENT, FULL PARTICIPATION, AND INCLUSION OF PERSONS
WITH DISABILITIES IN SOCIETY, AND APPROPRIATING FUNDS
THEREFOR

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

Section 1. *Short Title.* – This Act shall be known as the “*Disability Support Fund Act*”.

SEC. 2. *Declaration of Policy.* – The Philippines, as a State Party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), recognizes all the rights of persons with disabilities and shall take effective and appropriate measures to respect, protect, and fulfill the full enjoyment by persons with disabilities of these rights such as, but not limited to, access to habilitation and rehabilitation services, participation in socio-economic activities, access to a range of in-home, residential, and other community support services, including personal assistance, learning and assistive devices, and technology necessary to support living independently and inclusion in the community, and to prevent isolation or segregation from the community.

It is the declared policy of the State to adopt the generally accepted principles of international law as part of the law of the land. It is likewise vital that the State advance social justice in order to end poverty in all its forms, particularly the historical deprivation of the support required by persons with disabilities for their effective inclusion and full participation in society.

To attain a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, raises the standard of living, and improve the quality of life, appropriate measures in developing social protection programs and allowances that recognize the additional costs associated with disability shall be undertaken.

Towards this end, the State shall establish a Disability Support Fund to augment local government units' assistance for their disability-specific and mainstreamed programs and services, targeting persons with disabilities to support their need to access services and new skills leading to social and economic productivity, and allowing them to gain greater independence and become contributing members in nation-building.

In pursuit of these ends, disability support assistance shall be extended to indigent persons with disabilities to cover part of the disability-related extra costs generated by their disability-specific needs and barriers resulting from inaccessibility of facilities and services.

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

a. Disability is an umbrella term for impairments, activity limitations, and participation restrictions, referring to the negative aspects of interaction between an individual with health condition and contextual factors;

b. Barriers are anything that hinders persons with disabilities from enjoying or exercising all human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field, on an equal basis with others. Barriers in all its forms encompass inaccessible physical environments and transportation; the unavailability of assistive devices and technologies; inaccessible information both in form and content; nonadaptive means of communication; gaps in service delivery such as unavailability of personal assistance and sign language interpretation service; discrimination including denial of reasonable accommodation; attitude, prejudice, and stigma in society; programs, policies, and laws infringing on the rights of persons with disabilities as recognized under the Convention on the Rights of Persons with Disabilities (CRPD);

c. Indigent as used in this Act, is a person with disability who has no visible means of income or whose income is insufficient for maintenance medications, treatments, and other disability-related extra costs, as identified based on specific criteria to be formulated by the Department of Social Welfare and Development (DSWD), the National Council of Disability Affairs (NCDA), and representatives from national organizations of persons with disabilities, in accordance with the guiding principles set forth in Section 2;

d. Impairment is the description of body structures that are diminished, weakened, or damaged. Impairments can be divided into primary and secondary:

i. Primary impairments are motor behaviors that are directly related to changes in any system. Examples may include muscle tone, postural stability, motor coordination. Primary impairments are any

impairments that are present at birth such as heart defects, endocrine diagnoses, visual impairments;

ii. Secondary impairments develop over time and frequently as a result of the primary impairments. Examples may include decreased range of motion, force production and endurance;

e. Persons with Disability (PWD) include 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 with others;

f. Community Support Systems refers to the combination of services, products, and people that assist persons with disabilities to carry out daily life activities and participate in their communities;

g. Disability and Needs Assessment refers to the process by which disability of an individual is officially recognized for the purpose of eligibility determination to diverse entitlements. It is based on a human rights model of disability, with a focus on functional limitations, support requirements, and barriers restricting participation.

Persons who may fall in this definition are all other persons under the disability assessment and determination system issued by the Persons with Disability Affairs Office (PDAO) which will be developed under this law and shall also be used in the issuance of the persons with disability identification card (ID);

h. Habilitation refers to a process aimed at helping people gain certain new skills, abilities, and knowledge. Habilitation involves learning skills that will enable a person to function in society, which are usually programs that target children born with disabilities;

i. Reasonable Accommodation means the necessary and appropriate modification and adjustments so as not to impose disproportionate or undue burden, and to ensure that persons with disabilities enjoy or exercise on an equal basis all human rights and fundamental freedoms;

j. Rehabilitation means restoring capacity and ability, and refers to re-gaining skills, abilities, or knowledge that may have been lost or compromised as a result of acquiring a disability, or due to a change in one's disability or circumstances. This generally applies to an adult who has to re-adapt to society after acquiring a disability;

k. Progressive Realization means undertaking measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view of achieving progressively the full

realization of these rights, without prejudice to those obligations contained in the CRPD that are immediately applicable according to international law;

l. Disability-Related Extra Costs are the expenses subjected to a person with disability based on disability-specific needs and barriers resulting from inaccessibility of facilities and services. Refers to the direct (e.g., buying assistive device, paying for personal assistance or sign language interpretation service, extra health care like medicines, more expensive housing or transportation service, etc.) and indirect (e.g., loss productivity because of longer travel time such as experienced by those who need to travel by wheelchair because they cannot use the cheaper public transport, family members who stop working to provide care and support to persons with disabilities, etc.) costs as a result of their disability that drives persons with disabilities in situation of poverty, exposure to vulnerability of exclusion, or restriction to participation;

m. Children with Disabilities include those individuals under the age of eighteen 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;

n. Disability-Related Needs include disability-related medical supplies (e.g., medicines, catheters, diapers), medical-related services (e.g., rehabilitation services, etc.), assistive products, personal assistance, sign language interpreter, higher cost of accessing services because of lack of accessibility (e.g., transportation cost), and others; and

o. Organization of Persons with Disabilities (OPD) are led, directed, and governed by persons with disabilities with a clear majority of their membership being recruited among persons with disabilities themselves. Examples of OPDs include national organizations of women with disabilities, impairment-specific organizations such as national organizations of persons of psychosocial disability, parents representing children with disabilities, cross-disability organizations, specific health conditions recognized under the Philippine law such as patients and survivor of cancer, persons with rare diseases, and all other organizations of persons with disabilities as recognized under the CRPD.

SEC. 4. *Disability Support Fund.* - The Disability Support Fund aims to address the gaps in the program implementation currently undertaken at the national and at the local level through programs and projects of local government units (LGUs) and civil society organizations (CSOs). LGUs and accredited CSOs will also be assisted through funding to establish responsive services supporting independent living of persons with disabilities.

The Disability Support Fund shall provide individuals with disabilities the opportunity to avail of disability related services and have access to government

assistance and services for all. The Disability Support Fund shall have the following components, such as, but not limited to the following:

- a. LGUs establishing a comprehensive Disability Support Services through provincial, city and municipal Persons with Disabilities Affairs Office;
- b. Development of affordable and accessible Disability Support Services managed by organizations of persons with disabilities; and
- c. Individual Support Allowance for qualified persons with disabilities, identified by the National Disability Assessment and Determination System which shall be developed by a Technical Working Group led by the DSWD, Department of Health (DOH), Department of Education (DepEd), and the Department of Labor and Employment (DOLE) with diverse representations from Organizations of Persons with Disabilities.

This support shall cover expenses related to disability such as, but not limited to, augmentation to transportation services, food and nutrition, disability support services provided by human interventions, maintenance medicines, rehabilitation services, educational needs, such as but not limited to assistive devices, technology and support equipment, pre-employment and during employment services, and access to government assistance and services for all.

The Disability Support Fund shall aim to provide a periodic and regular stipend to indigent persons with disabilities based on the eligibility criteria to be formulated by the DSWD, the NCDA, and representatives from national organizations of persons with disabilities. The initial amount of Two thousand pesos (Php 2,000.00) a month per individual beneficiary shall be set for the Disability Support Fund, which will be indexed to inflation and must account for the expenses or costs of services and tools related to disability to preserve its positive impact on the standards of living and participation of people with disabilities. This would contribute, in combination with existing social protection programs and discounts to address the higher cost of transportation, housing, nutrition, hygiene, and temporary human assistance requirements, among others. For working age adults who are out of work, it will provide a basic income security and will help cover disability related costs for finding and keeping work.

The Program shall be implemented in two (2) phases starting with the existing master list of LGUs who already have the ID:

- a. Phase 1 - The initial phase of the Disability Support Fund Program, to be implemented in the first three (3) years, shall prioritize provision of stipends to:
 - i. Children with disabilities;

ii. Adults with moderate and severe disability, who are facing the highest barriers and disability-related costs; and

iii. Persons with disabilities who are recipients of social protection and economic empowerment programs such as but not limited to the Social Pension for Indigent Senior Citizens;

b. Phase 2- The second phase of the Program, to be implemented in the next three (3) years, shall include all persons with disabilities certified as indigent by the DSWD, based on the eligibility criteria to be formulated under this Act.

Provided, That the abovementioned programs and services on counseling, capability-building of social workers, both local and national, and provision of assistive equipment and devices, such as wheelchairs, and prosthetic devices, among others, may be given in addition to the abovementioned Program to indigent persons with disabilities.

SEC. 5. *Coverage.* – All indigent persons with disabilities, as certified by the DSWD, based on a human rights approach, shall be covered by the provisions of this Act. Priority shall initially be given to children with disabilities and adults with significant disabilities who are facing the highest barriers and disability-related costs.

However, the aim is to eventually cover all registered persons with disabilities who have either no income or have low levels of income as well as persons with disabilities who face disability-related extra costs that deprive them of an adequate standard of living.

SEC. 6. *Eligibility.* – In determining eligibility to avail of the Disability Support Fund, the Disability and Needs Assessment System shall be considered, with a focus on functional limitations, support requirements, and barriers to participation.

In recognition of the multiple forms of poverty and the extent of disability-related costs required for basic participation, eligibility of persons with disabilities to avail of the Disability Support Fund will be compatible, insofar as practicable, with eligibility and benefits from different social protection and economic empowerment programs such as, but not limited to, the Social Pension for Indigent Senior Citizens, the Fund acting as a top-up for subsidizing disability-related extra costs.

Provided, That the DSWD may, in its discretion, adopt additional bases to achieve the objectives of this Act.

SEC. 7. *Role of the Department of Social Welfare and Development (DSWD).* – The DSWD shall be the administrator of the Disability Support Fund. All applications for availing of the Fund shall be lodged with the DSWD. In partnership with the

NCDA, organizations of persons with disabilities, all concerned government agencies, local government units thru the PDAO, and non-government organizations shall implement programs and services targeting persons with disabilities.

All policies concerning programs and services for persons with disabilities shall be reviewed and enhanced for clarity of operationalization at the local level by the DSWD.

SEC. 8. *Disability and Needs Assessment System.* – To effectively implement social protection measures targeting persons with disabilities, a Disability Data Management System shall be created and managed by the DSWD, in coordination with the Department of Information and Communications Technology (DICT), and shall be linked to the Community-Based Monitoring System (CBMS) which aid in the development of poverty-reduction programs from local to the national level. Linkage to the National ID System, and the DOH Persons with Disability Registry, which is mirrored with the PhilHealth Database System, shall also be done to provide real-time disability data and subsidized enrolment to PhilHealth insurance.

SEC. 9. *Policy on Disability Identification Cards.* – The issuance of Disability Identification Cards pursuant to Republic Act (RA) No. 7277, otherwise known as the “*Magna Carta for Disabled Persons*”, as amended, along with other relevant laws, administrative issuances, and local ordinances, shall incorporate the information necessary for the granting of the periodic and regular Disability Support Fund allocation to eligible persons with disabilities.

SEC. 10. *Penal Provisions.* – The penalties shall apply to the following:

a. Any PWD, or his/her parent or his/her relative of any degree of consanguinity or affinity, or any third person found to be deliberately committing any fraudulent act of applying or enrolling a PWD to the benefits of this law when a person is not eligible shall suffer the following:

i. For the first violation, a fine of not less than Twenty-five Thousand Pesos (P25,000) but not exceeding Fifty Thousand Pesos (P50,000);

ii. For any subsequent violations, a fine of not less than Fifty thousand pesos (Php 50,000.00) but not exceeding One hundred thousand pesos (Php 100,000.00); and

b. Any person, natural or juridical, violating any provision of this Act and its Implementing Rules and Regulations, except violations pertaining to Subsection (a) of this Section, shall be penalized with a fine of not less than Fifty thousand pesos (Php 50,000.00) but not exceeding One hundred thousand pesos (Php 100,000.00). If the violator is a corporation, organization or any similar juridical entity, the officials directly involved and responsible shall be liable therefor.

SEC. 11. *Monitoring.* – The DSWD, in collaboration with representatives of the Organizations of Persons with Disabilities, is hereby tasked to convene an Inter-Agency Committee to make an annual assessment of the implementation of this Act.

SEC. 12. *Appropriations.* – The amount necessary for the implementation of this Act shall be included in the annual General Appropriations of the DSWD in the year following its enactment into law and thereafter. The allocated budget shall gradually increase in fulfillment of the progressive realization principle.

SEC. 13. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Social Welfare and Development (DSWD), in consultation with the relevant government agencies, local government units (LGUs), the private sector, and other concerned stakeholders, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Unjustified or willful failure or refusal of the concerned government agencies to promulgate the implementing rules and regulations (IRR) within the specified period shall subject the heads of these government agencies to administrative penalties under applicable civil service laws.

Should the IRR contain provisions that are contrary to this Act, the heads of the government agencies responsible for such provision, when done in bad faith or with gross negligence, shall be held administratively liable.

SEC. 14. *Report to Congress.* – The DSWD shall annually submit a report to Congress on the status of the implementation of this Act for the purpose of review and recommendation of additional measures necessary for the attainment of the objectives of this Act.

SEC. 15. *Suppletory Clause.* – The provisions of RA No. 7277, otherwise known as the “Magna Carta for Disabled Persons”, as amended by RA No. 9442 and RA No. 10754, have suppletory effect to the provisions of this Act.

SEC. 16. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 17. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 18. *Effectivity.* – This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,