

'22 JUL 11 P 6:18

**SENATE**

S. No. 272

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Introduced by Senator Manuel "Lito" M. Lapid

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**AN ACT  
INSTITUTING A NATIONAL COMPREHENSIVE PROGRAM ON  
AUTISM SPECTRUM DISORDER AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Autism Spectrum Disorder (ASD) is a state of mental health that severely hinders the way information is gathered and processed by the brain, causing problems in communication, learning, and social behavior. Onset of the disorder typically occurs during a child's first three years. ASD has been observed in roughly 15 to 20 of every 10,000 births. The symptoms of ASD generally appear during the first three years of childhood and continue throughout life, often taking devastating emotional and financial tolls on the family of the autistic child.

There are three (3) distinctive behaviors that characterize ASD: difficulties in social interaction, problems with verbal and nonverbal communication, and repetitive behaviors or narrow, obsessive interests. These behaviors can range in intensity from mild to disabling. Parents are usually the first to notice symptoms of ASD in their child because as early as infancy, a baby with ASD may be unresponsive to people or may focus too intently on one item to the exclusion of others for long periods of time.

Current research links ASD to both biological and neurological bases. In some families there appear to be a pattern of ASD or related disabilities throughout generations thereby suggesting a genetic basis to the disorder.

Generally, experts estimate that 3 to 6 children out of every 1,000 will have ASD. In the Philippines, it is estimated that 1 out of every 500 Filipinos are autistic or approximately 176,000 Filipinos out of an 88 million total population. For reasons that are still unclear, about 20 to 30 percent of children with ASD develop epilepsy during adulthood. Recent studies further strongly suggest that some people have a genetic predisposition to ASD. In families with one autistic child, the risk of having a second child with the disorder is approximately 5 percent, or one in 20.

ASD is a developmental disability that has yet to be fully known and understood in the Philippines. And because of the lack of educational and financial support, it is only the upper and middle class families who can afford to send their autistic children to special schools. Undeniably, addressing the needs of more than 176,000 autistic individuals in our country would require a comprehensive legislative framework and integrated operational plan for ASD. Currently, there is no national data tracking system that caters to the state of ASD in the country. A registry for ASD is needed to improve current knowledge and understanding of ASD; to conduct thorough and complete epidemiologic surveys of the issue; to enable analysis of this problem; and to plan for and provide services to children with ASD as well as to their families.

Furthermore, there is a shortage of trained and highly skilled teachers and health providers to handle and cater to the special needs of children and adults with ASD.

These considerations reflect the urgent need to conduct a comprehensive training program for health providers all over the country in order to help these persons suffering from the disorder cope with their condition and participate as productive members of society.

This proposed measure seeks to increase public awareness about this psychological disorder and to provide enhanced government support for ASD research and treatment.

This bill sketches the roadmap for our government's program on ASD. As such, the passage of this significant piece of legislation reflects the commitment of the State

to support the cause to prevent and address the needs of those members of our population suffering from ASD. This piece of legislation will recognize the daily plight of thousands of families struggling with ASD, and once and for all recognize ASD as a health issue in the country.

The well-being of our children is of paramount importance that is why we need to open our eyes to the realities of the problems faced by persons suffering from ASD.

In view of this, early passage of this bill is sought.



**MANUEL "LITO" M. LAPID**  
*Senator*

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1 **AN ACT**  
2 **INSTITUTING A NATIONAL COMPREHENSIVE PROGRAM ON**  
3 **AUTISM SPECTRUM DISORDER AND FOR OTHER PURPOSES**

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

4 Section 1. *Short Title.* – This Act shall be known as the "Comprehensive Autism  
5 Intervention Act".

6 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to  
7 protect and promote the right to health of the people, including the rights of person  
8 with Autism Spectrum Disorder (ASD) to full, healthy and holistic development. As  
9 such, the State shall promote an environment conducive to the development of  
10 persons with ASD to become, to the best of their potentials, independent, self-reliant  
11 and productive members of society.

12 Towards this end, the State commits itself to the establishment of institutional  
13 and social mechanisms to support children and adult persons with ASD and their  
14 families.

15 In this light, the State shall institutionalize a holistic program for persons with  
16 ASD in the country that will be sensitive to their needs for purposes of empowering  
17 and providing them quality of life.

1           Sec. 3. *Scope.* – For purposes of this Act, except as otherwise expressly  
2 indicated herein, the term Autism Spectrum Disorder (ASD) shall be understood to  
3 mean a state of mental health that severely hinders the way information is gathered  
4 and processed by the brain thereby causing problems in communication, learning, and  
5 social behavior, subject to further description as may be determined by scientists.

6           Sec. 4. *Epidemiological Surveillance Programs.* –The National Institute of Health  
7 (NIH) is hereby mandated to conduct an annual epidemiological survey to determine  
8 the extent and total incidence and prevalence of persons with ASD in the country in  
9 order for the government to provide the necessary and appropriate interventions to  
10 address the needs faced by persons with ASD.

11           The NIH is mandated to coordinate with the Department of Health (DOH) in  
12 the conduct of epidemiological research on the issues concerning ASD. The NIH is  
13 mandated to strengthen its research focus on ASD; to renew its investment into basic  
14 and clinical research; to expand its research into the link between environmental  
15 factors and ASD; and to continue investigations into causation, diagnosis, early  
16 detection, and treatment of ASD spectrum disorders. Such factors that will be studied  
17 shall include, among others, infection and immune function, hormonal and  
18 reproductive factors, genetic factors, gastro-intestinal factors, and socio-demographic  
19 factors.

20           Sec. 5. *Prevention of Conflict of Interest in the Research Process.* – Within six  
21 (6) months from the date of effectivity of this Act, the DOH shall issue the necessary  
22 standards, guidelines, and regulations in order to ensure that there is no conflict of  
23 interest, whatsoever, between the research agenda of the researchers and the drug  
24 manufacturers or government agencies promoting the widespread use of a particular  
25 vaccine or medicine for the treatment and rehabilitation of persons with ASD.

26           The DOH shall ensure the timely publication and dissemination of information  
27 of these guidelines and regulations in order to ensure that the various health providers  
28 and stakeholders all over the country are adequately informed.

1            *Sec. 6. Creation of an Inter-Agency ASD Coordinating Committee.* – There is  
2 hereby established and institutionalized an Inter-Agency ASD Coordinating Committee  
3 (IACC) which shall serve as an inter-agency and multi-sectoral mechanism tasked to  
4 promote the implementation of the National ASD Program of the government.

5            The objectives of the Interagency ASD Coordinating Committee shall endeavor  
6 to:

- 7            a. promote public awareness, education, and information on issues concerning  
8            ASD;
- 9            b. establish sustainable networks of support groups for families of autistic  
10           children and adults;
- 11           c. provide referral services to patients with ASD and identify the appropriate  
12           educational and medical expertise and facilities suited to the needs of the  
13           autistic person;
- 14           d. combat the spectrum of disorders related to ASD through screening,  
15           education, early intervention, prompt referrals for treatment and services;
- 16           e. undertake research and/or collaborate with other entities on research  
17           activities regarding ASD in the Philippines;
- 18           f. coordinate with schools in formulating individualized programs for autistic  
19           school children and young students;
- 20           g. receive donations and grants from international donor institutions,  
21           foundations, and multilateral and bilateral foreign donor agencies involved  
22           in the prevention, cure and rehabilitation of persons with ASD;
- 23           h. promote the advocacy against bias and stereo-typing against autistics  
24           thereby eliminating discrimination and/or misconceptions of the notion of  
25           being autistic with the end in view of opening the doors of productive  
26           economic opportunities to persons with ASD;
- 27           i. provide the avenue for exchange of information, exchange programs and  
28           sharing of best practices on issues relating to the early detection,  
29           prevention, cure, treatment, and rehabilitation of persons diagnosed with  
30           ASD;

- 1 j. network with other organizations, institutions and professionals working for  
2 the promotion of legislation and public programs for the persons diagnosed  
3 with ASD; and
- 4 k. assist in the creation of appropriate programs for individuals diagnosed with  
5 ASD.

6 The IACC shall accomplish such objectives and fulfill its mandate towards the  
7 end goal of setting up a nationwide network of centers for ASD in key cities and  
8 regional centers in the country.

9 *Sec. 7. Composition of the Inter-Agency ASD Coordinating Committee (IACC).*

10 – The Inter-Agency ASD Coordinating Committee shall be headed by the Secretary of  
11 Department of Health (DOH), acting as the Chairperson. The IACC shall be composed  
12 on the following members:

- 13 a. The Secretary of the Department of Social Welfare and Development  
14 (DSWD);
- 15 b. The Secretary of the Department of Education (DepEd);
- 16 c. The Chairperson of the Council for the Welfare of Children (CWC);
- 17 d. The Head of the National Institute of Health (NIH);
- 18 e. The Head of the Philippine Information Agency (PIA);
- 19 f. One (1) representative from the duly accredited drug and vaccine  
20 manufacturers and distributors;
- 21 g. One (1) representative from the duly accredited association of caregivers in  
22 the Philippines;
- 23 h. One (1) representative from the duly accredited association of nurses in the  
24 Philippines;
- 25 i. One (1) representative from the duly accredited association of medical  
26 doctors in the Philippines; and
- 27 j. One (1) representative from the non-governmental organizations (NGOs)  
28 involved in the advocacy for the prevention, cure and rehabilitation of  
29 persons with ASD.

1           The five (5) members of the Inter-Agency ASD Coordinating Committee coming  
2 from the representatives of the drug and vaccine manufacturers and distributors;  
3 caregivers; nurses; medical doctors and non-government organizations shall be  
4 appointed by the President of the Philippines, from a list of three (3) nominees from  
5 each sector, who shall serve for a term of three (3) years, and renewable for another  
6 term: *Provided*, That the person appointed shall be of good moral character, of  
7 unquestionable integrity, and with expertise and experience of a least six (6) years in  
8 field of ASD, mental health and other related fields: *Provided*, further, That in the  
9 event of a vacancy, the successor appointed to fill the same shall serve only the  
10 unexpired portion of the term of the member he/she succeeds to.

11           The members of the IACC from the government agencies and institutions may  
12 designate their permanent representatives who shall have a rank not lower than an  
13 assistant secretary or its equivalent to attend meetings.

14           All members of the IACC shall receive emoluments as may be determined by  
15 the Committee, in accordance with existing budget and accounting rules and  
16 regulations.

17           *Sec. 8. Meetings.* – The IACC shall meet at least once a month upon a three-  
18 day notice signed by the two (2) Chairpersons or as often as necessary upon the  
19 written request signed by two-thirds (2/3) of its members.

20           The presence of a majority of the members of the IACC shall constitute a  
21 quorum in order for it to conduct its business.

22           *Sec. 9. Programs and Services of the Inter-Agency ASD Coordinating*  
23 *Committee (IACC).* – The programs and services that will be provided by the Inter-  
24 Agency ASD Coordinating Committee shall include, among others, the following:

- 25           a. Orientation and Counseling Services for families of newly diagnosed children  
26           with ASD;
- 27           b. Establishment of Family Support Networks and Sibling Program for families  
28           of persons with ASD to seek psycho-social support for the various problems  
29           faced by families with persons with ASD;

- 1 c. Establishment of National and Regional Referral Services wherein the IACC
- 2 will update a list of professionals and child care institutions concerned with
- 3 the care and development of persons with ASD;
- 4 d. Publication of reading materials, manuals and easily readable instruction
- 5 materials for ASD early detection, prevention, rehabilitation and care;
- 6 e. The conduct of continuing education, information and training programs
- 7 and lectures on the proper handling of persons with ASD;
- 8 f. The establishment of a databank and information and monitoring system
- 9 (IMS) on the demographic, socio-economic and incidence and prevalence
- 10 of persons with ASD in the country;
- 11 g. The publication of a newsletter on current developments, resources and
- 12 research on ASD; and
- 13 h. The conduct of continuing education/training of families, teachers,
- 14 therapists and caregivers of persons with ASD through seminars,
- 15 conventions and other forms of tri-media educational tools.

16 Sec. 10. *Early Identification and Intervention for children with ASD.* — The

17 Inter-Agency ASD Coordinating Committee (IACC) is hereby mandated to establish a

18 program for early identification, screening, and detection of ASD, and to provide the

19 appropriate services to children and toddlers with developmental delays associated

20 with ASD.

21 The IACC is tasked to monitor and update the list of children diagnosed with

22 ASD in the country in its central registry so that such persons may be referred to

23 programs of the government, should the same become available.

24 Sec. 11. *ASD Early Detection and Screening Fees.* — The Philippine Health

25 Insurance Corporation (PHIC) shall include the cost of early detection and screening

26 programs as one of the available benefits of its members.

27 The early detection and screening test fees shall be applied to, among others,

28 testing costs, education, follow-up, and readable overhead expenses. These early

29 detection and screening tests are designed to identify children who should receive

1 more intensive diagnosis or assessment in order to improve child health and well-  
2 being, especially for children suspected as suffering from ASD.

3       Sec. 12. *Creation of a National Website for Persons with ASD.* — The IACC is  
4 hereby mandated to establish a national website on the National Program for ASD in  
5 the Philippines. The website shall highlight the various programs, interventions,  
6 services and advocacy channels being provided by the government on the issue  
7 concerning ASD so that parents and relatives of persons with ASD can avail of the  
8 information and services being provided by the State.

9       This website shall contain all the information on the variety of medical,  
10 psychological, psycho-social and research interventions available in the Philippines on  
11 the issues concerning ASD.

12       The website shall also include information on the various DOH accredited health  
13 service providers who can provide therapy and treatment to persons with ASD in the  
14 country.

15       The website is envisioned to be an avenue where people can express their  
16 views regarding ASD and network in order to address the various needs and concerns  
17 of persons with ASD for the benefit of all the parents and relatives of persons with  
18 ASD in the country.

19       It will also be an avenue to clear misconceptions and incorrect information on  
20 the mental state of being of persons with ASD.

21       Sec. 13. *Continuing Education and Training of Health Personnel and Service*  
22 *Providers on ASD.* — All DOH, DSWD, CWC officers and their staff in charge with  
23 providing various developmental and welfare services to persons with ASD are  
24 mandated to undergo a mandatory continuing education and training program to  
25 sensitize and empower service providers to become effective frontliners in the delivery  
26 of health service delivery to the persons with ASD, who are the beneficiaries of this  
27 Act.

1           Sec. 14. *Protection against Forcible Use of Cures and Vaccines.* — The DOH  
2 shall formulate the necessary guidelines, standards and procedures against the  
3 forcible use of cures, vaccines, and therapies to persons diagnosed with ASD in order  
4 to uphold the right of every individual to give informed consent to medical treatment  
5 administered to them as well as to protect their right to determine for themselves the  
6 medical treatment to which they shall be subjected.

7           The DOH shall promulgate guidelines and standards to ensure that the  
8 interventions and programs being provided by the government for persons diagnosed  
9 with ASD do not violate their basic human rights, particularly as regards their right to  
10 determine their own decisions.

11           Sec. 15. *Protection against Discrimination in Schools.* — The Department of  
12 Education (DepEd), in coordination with the Department of Health (DOH), Department  
13 of Social Welfare and Development (DSWD), Council for the Welfare of Children  
14 (CWC) and the National Institute for Health (NIH), shall formulate the necessary  
15 implementing rules and regulations to ensure that all educational institutions shall be  
16 free from policies and regulations discriminatory to school children and young students  
17 suffering from ASD.

18           Towards this end, the DepEd shall conduct an annual education, information,  
19 and training program for school administrators, faculty, and staff to empower them to  
20 effectively handle school children and young students suffering from ASD.

21           SEC. 16. *Non-Discrimination of Adults Suffering from ASD.* — Within six (6)  
22 months from the date of effectivity of this Act, the Inter-Agency ASD Coordinating  
23 Committee (IACC) shall formulate the necessary guidelines, standards, and  
24 regulations in order to ensure that adults with ASD are not discriminated against due  
25 to their condition.

26           The IACC shall ensure the timely publication and dissemination of information  
27 of these guidelines and regulations in order to ensure that the various stakeholders  
28 all over the country in the early detection, prevention, rehabilitation, and care of  
29 persons with ASD are adequately informed.

1           Sec. 17. *Confidentiality of Medical Information for Persons with ASD.* — To  
2 ensure that the early detection, screening tests, vaccination, medical treatment, and  
3 rehabilitation of persons suffering from ASD are implemented, the Department of  
4 Health (DOH), in consultation with the Department of Justice (DOJ), shall formulate  
5 the pertinent implementing rules and regulations to ensure the confidentiality of the  
6 medical records of persons suffering from ASD in order to protect the unwarranted  
7 intrusion into the privacy of the person, particularly in relation to the medical condition  
8 of the patient.

9           Sec. 18. *Appropriation.* — The amount necessary to carry out the provisions of  
10 this Act shall be included and incorporated in the annual general appropriations of the  
11 Department of Health (DOH), the Department of Social Welfare and Development  
12 (DSWD), National Institute of Health (NIH), and the Council for the Welfare of Children  
13 (CWC).

14           Sec. 19. *Implementing Rules and Regulations (IRR).* - Within six (6) months  
15 from the date of effectivity of this Act, the DOH, in coordination with the DWSD, CWC,  
16 NIH, and PIA, shall promulgate necessary implementing rules and regulations to  
17 implement the provisions of this Act.

18           Sec. 20. *Repealing Clause.* — All laws, decrees, executive orders, rules and  
19 regulations, or parts thereof not consistent with the provisions of this Act are hereby  
20 repealed or modified accordingly.

21           Sec. 21. *Separability Clause.* — If any provision or part of this Act, or the  
22 application thereof to any person or circumstance, is held unconstitutional or invalid,  
23 other provisions of this Act which are not affected hereby shall continue to be in full  
24 force and effect.

25           Sec. 22. *Effectivity Clause.* — This Act shall take effect fifteen (15) days from  
26 the date of its complete publication in the Official Gazette or in at least two (2)  
27 newspapers of general circulation.

28           *Approved,*