

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 JAN 23 P 3:39

SENATE
S. No. 1731

RECEIVED BY:

Introduced by Senator MARK A. VILLAR

AN ACT
INSTITUTING A COMPREHENSIVE NATIONAL CARE PLAN TO ENCOURAGE
COOPERATION, ACCOUNTABILITY AND RESEARCH FOR THE EDUCATION
AND SUPPORT OF PERSONS WITH AUTISM AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Autism or autism spectrum disorder (ASD) is a term used to describe a wide variety of disorders marked by difficulties with social skills, repetitive activities, speech, and nonverbal communication. It is also categorized as a lifelong mental challenge.

It is estimated by the World Health Organization that about one in 100 children worldwide has autism. This estimate represents only an average figure and may still vary substantially on other studies.¹ In the Philippines, it was estimated by the experts and advocates that there are close to 1,000,000 people with autism. However, the Autism Society of the Philippines estimates that only 10% of Filipinos with autism are diagnosed and only 5% are receiving appropriate interventions.²

To help people with ASD, the government must ensure that there are available mechanisms which can diagnose the condition, enable access to hospitals for therapies, and educate the public about the realities of those living with autism.

Thus, this bill seeks to increase public awareness about this disorder and to provide government support for ASD research and treatment. This bill likewise mandates Department of Education, Commission on Higher Education and Technical

¹Autism. (2022, March 30). Autism. Retrieved January 5, 2023, from <https://www.who.int/news-room/fact-sheets/detail/autism-spectrumtext=It%20is%20estimated%20that%20worldwide,prevalence%20varies%20substantially%20across%20studies..>

² Magno Veluz, M et al. Primer on Autism in the Philippines, Autism Society of the Philippines

Education and Skills Development Authority formulate or update policies and protocols in ensuring that all educational institutions shall be inclusive to learners with autism, such as, acceptance to academic or training programs, instructional supports, and behavior management. The Department of Labor and Employment and the Civil Service Commission shall also formulate policies to ensure that people with ASD are provided for equal opportunities for gainful employment and apprenticeship in the private and public sector. This bill also provides that all persons with autism shall be covered by the National Health Insurance Program of the Philippine Health Insurance Corporation.

Thus, the approval of this bill is earnestly sought.



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

1 Section 1. *Short Title.* — This Act shall be known as the “Autism Cooperation,
2 *Accountability, Research, Education and Support (CARES) Act of 2023*”.

3 Sec. 2. *Declaration of Policy.* — The State hereby affirms its role in protecting
4 and upholding the rights of all disabled persons, by giving full support to the
5 improvement of their well-being and their integration into mainstream society. To this
6 end, the State recognizes the need to legislate for the distinctive needs of persons
7 with autism (PWAs) and commits itself to institutionalizing adequate policies and
8 programs that shall increase awareness and proper understanding of autism, to
9 develop a clear and consistent pathway to early detection and diagnosis, provide
10 access to quality education and employment opportunities such that PWAs may live
11 independently within the community, to minimize or completely eradicate
12 discrimination and to enable the private sector to extend relevant services that will
13 complement the government’s programs.

14 Sec. 3. *Definition of Terms.* — As used in this Act, the following terms shall
15 mean:

16 a.) *Autism* — refers to a neurological condition characterized by challenges with
17 social skills, repetitive behaviors, communication, as well as by unique

1 strengths, as defined in the latest version of the Diagnostic and Statistical
2 Manual of Mental Disorders;

3 b.) *Diagnosis* — refers to necessary assessments, including but not limited to
4 neuro-psychological evaluations, genetic testing, MRIs, hearing tests,
5 psychometric tests to diagnose or discount autism and/or developmental
6 disabilities in individuals.

7 c.) *Intervention* — refers to interceding action undertaken to help improve the
8 autism prognosis. Intervention in autism may take the form of medical,
9 pharmacologic, therapeutic, educational, and non-traditional habilitative
10 care;

11 d.) *Epidemiology* — refers to study and analysis of the distribution and
12 determinants of health conditions, like autism, in defined populations.

13 *Sec. 4. Treatment as Persons with Disability.* — All PWAs shall be treated as
14 persons with disability, as defined under Republic Act No. 7277, as amended. They
15 shall be entitled to all the rights, privileges, and benefits provided for persons with
16 disabilities under Republic Act No. 10754 and other related laws.

17 *Sec. 5. Inter-Agency Cooperation, Accountability and Research.* — The
18 Department of Health (DOH), in coordination with Department of Social Welfare and
19 Development (DSWD), Department of Education (DepEd), the Philippine Council for
20 Mental Health (PCMH), other academic institutions and non-governmental
21 organization, is hereby mandated to establish and evaluate the following activities:

22 a.) Inform and educate on such disabilities to increase awareness relating to
23 causes, early detection, management, treatment as well as development
24 milestones;

25 b.) Promote research into the development and validation of reliable screening
26 tools for such disabilities;

27 c.) Develop a curriculum for continuing education to assist individuals in
28 recognizing the need for, and using, valid and reliable screening tools;

29 d.) Promote early screening of children and individuals at higher risk for such
30 disabilities;

- 1 e.) Promote research to determine evidence-based practices for interventions,
2 develop guidelines for those interventions and disseminate information
3 related to such research and guidelines; and
4 f.) Encourage public participation in decisions relating to such disabilities.

5 *Sec. 6. Continuing Education and Training on Autism for Public Providers.* — All
6 officers and staff in charge of providing services to the public, including but not limited
7 to the Department of Health (DOH), Department of Social Welfare and Development
8 (DSWD), Department of Education (DepEd), Department of Labor and Employment
9 (DOLE), Department of Justice (DOJ), Department of Transportation (DOTr),
10 Department of Interior and Local Government (DILG), the Department of National
11 Defense (DND), Department of Science and Technology (DOST), Commission on
12 Higher Education (CHED), Technical Education and Skills Development Authority
13 (TESDA), National Council on Disability Affairs (NCDA), Persons with Disabilities Affairs
14 Offices (PDAOs) at the Local Government Units (LGUs), Public Safety Units (military,
15 police, firemen and other first responders), shall undergo education and training to
16 empower service providers to become more responsive, sensitive, and compassionate
17 in the delivery of services to PWAs and their families.

18 *Sec. 7. Epidemiological Surveillance.* — The Department of Health, in
19 coordination with different academic institutions and non-governmental organization
20 is hereby mandated to annually conduct an epidemiological survey to determine the
21 prevalence of autism in the country to provide data to government agencies and the
22 private sector, and to make necessary services available to PWAs and their families.

23 *Sec. 8. Evidence-based Research.* — The DOH, the Philippine Council for Health
24 Research and Development (PCHRD), and the National Institute of Health (NIH) are
25 mandated, in coordination with local and international mental health institutions, to
26 promote, create, develop, and adopt research and strategic plans that will continue to
27 determine and establish evidence-based practices for interventions in the treatment,
28 care and integration into society of PWAs.

29 *Sec. 9. Early Detection and Intervention of Autism.* — The DOH, in coordination
30 with the DepEd, is hereby mandated to establish a program for early screening and

1 detection of autism, to provide the appropriate services to children and toddlers with
2 developmental delays associated with autism, and to ensure the central PWD registry
3 is updated accordingly.

4 *Sec. 10. Protection Against Discrimination in Schools, Colleges, Universities and*
5 *Training Institutions.* — The DepEd, CHED and TESDA shall formulate or update
6 policies and protocols to ensure that all educational institutions shall be inclusive to
7 learners with autism, in matters including, but not limited to, acceptance to academic
8 or training programs, instructional support, and behavior management.

9 *Sec. 11. Provision for Equal Opportunities for Employment.* — The DOLE and
10 the Civil Service Commission (CSC) shall formulate policies and programs to ensure
11 that PWAs are provided equal opportunities for gainful employment and
12 apprenticeship opportunities in the private and public sector.

13 *Sec. 12. Mandatory Insurance Coverage and Prohibition Against Discrimination*
14 *thereof.* — All persons with autism shall be covered by the National Health Insurance
15 Program of the Philippine Health Insurance Corporation (PHIC). Funds necessary to
16 ensure the enrolment of PWAs, who are currently covered under any existing category,
17 shall be sourced from the National Health Insurance Fund of PHIC, earmarked from
18 the proceeds of sin tax collections, as provided for in Republic Act No. 10351. It shall
19 likewise include the cost of early screening and detection programs, as one of the
20 available benefits of its members. The Department of Finance (DOF) shall likewise
21 issue guidelines to ensure that all insurance providers shall provide PWAs access to
22 life insurance instruments and shall include allied medical procedures (like
23 occupational and speech therapies) in health insurance benefits of policy holders.

24 *Sec. 13. Protection in cases of Disaster and Emergencies.* — The DILG, DSWD
25 and the DND shall formulate the necessary policies and protocols to ensure that the
26 military, public safety professionals, local government units, and first responders shall
27 provide the necessary life-saving support to PWAs with behavioral and communication
28 challenges, in times of disasters, calamities and other emergencies.

29 *Sec. 14. Access to Transportation.* — The DOTr shall formulate the necessary
30 policies and protocols to ensure PWAs with behavioral and communication challenges

1 and their families are given reasonable accommodation in accessing all forms of
2 transportation by service providers over land, sea and air.

3 Sec. 15. *Reasonable Accommodation in Legal Proceedings.* — The DOJ shall
4 formulate the necessary policies and protocols to ensure criminal justice agencies and
5 professionals shall provide the necessary accommodation and protection to PWAs in
6 behavioral and communication challenges, who may be accused of, victims of, or
7 witnesses to crimes.

8 Sec. 16. *The Autism CARES Plan.* — The Philippine Council for Mental Health
9 (PCMH), a multi-sector body established by the Mental Health Act, in coordination with
10 other government agencies and stakeholders, shall develop, regularly update and
11 monitor the implementation of the Autism Cares Plan (ACP), a holistic medium-term
12 plan that shall embody the provisions of this Act, in order to respond to the needs of
13 PWAs and their families for the guidance of the stakeholders in public and private
14 sector. The PCMH shall likewise coordinate the development and implementation of
15 necessary policies and programs to operationalize the ACP and to ensure the needs of
16 PWAs are served.

17 Sec. 17. *Appropriation.* — The amount necessary to carry out the provisions of
18 this Act shall be included and incorporated in the annual general appropriations of the
19 DOH.

20 Sec. 18. *Separability Clause.* — If any provision of this Act is declared invalid or
21 unconstitutional, the provisions not affected thereby shall continue to be in full force
22 and effect.

23 Sec. 19. *Repealing Clause.* — All laws, executive orders, presidential decrees,
24 presidential proclamations, letter of instruction, rules and regulations or parts thereof
25 inconsistent with the provisions of this Act are hereby repealed or modified
26 accordingly.

27 Sec. 20. *Effectivity.* — This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in a newspaper of general circulation.

29 *Approved,*