

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

'22 JUL 18 P 6 :21

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SENATE
S.B. No. 752

Introduced by **SENATOR RAFFY T. TULFO**

**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 spectrum disorder (ASD) is a developmental disability caused by differences in the brain. Some people with ASD have a known difference, such as a genetic condition while other causes are not yet known. People with ASD may behave, communicate, interact, and learn in ways that are different from most other people. There is often nothing about how they look that sets them apart from other people. Autism is viewed as a spectrum or a continuum of disorders, with varying degrees of severity and levels of functioning. The abilities of people with ASD can vary significantly- some people with ASD may have advanced conversation skills whereas others may be nonverbal. Some people with ASD need a lot of help in their daily lives while others can work and live independently with little to no support. Republic Act

7277 or the Magna Carta for Disabled Persons has provided for the blueprint for the government's mandate to recognize and protect the rights of persons with disabilities, including persons with autism. In addition, persons with disability have enjoyed certain benefits under Republic Act 10754 ("An Act Expanding the Benefits and Privileges of Persons with Disability (PWD) in recent years.

Nonetheless, these initiatives are not sufficient, especially in addressing the needs of Filipinos diagnosed with autism.

It is imperative to cater to their profound and peculiar needs due to the breadth of the spectrum. Government still lacks adequate policies and programs to increase awareness and proper understanding of autism, to develop a clear and consistent pathway to diagnosis, provide access to education, employment, services and support to live independently within the community, minimize or completely eradicate discrimination and to enable the private sector to extend relevant services.

It is high time that the government adopts a comprehensive and integrated plan for autism. One that will enable and equip parents, teachers, medical professionals, volunteers, and the Filipino community as a whole, with sufficient training and knowledge to address the needs of persons with autism and ultimately develop responsiveness and compassion towards them.

In view of the above-mentioned considerations, the immediate passage of this proposed measure is earnestly sought.

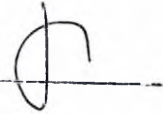


Raffy T. Tulfo
Senator

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PURPOSES**

*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
2 Cooperation, Accountability, Research, Education and Support (CARES) Act
3 of 2022".
4

5 *Sec. 2. Declaration of Policy.* — The State hereby affirms its role in
6 protecting and upholding the rights of all disabled persons, by giving full
7 support to the improvement of their well-being and their integration into
8 mainstream society. To this end, the State recognizes the need to legislate

1 for the distinctive needs of persons with autism (PWAs) and commits itself
2 to institutionalizing adequate policies and programs that shall increase awareness
3 and proper understanding of autism, to develop a clear and consistent pathway to
4 early detection and diagnosis, provide access to quality education and employment
5 opportunities such that PWAs may live independently within the community, to
6 minimize or completely eradicate discrimination and to enable the private sector to
7 extend relevant services that will complement the government's programs.

8
9 *Sec.3. Definition of Terms.* - As used in this Act, the following terms shall mean:

10
11 a) "Autism" or Autism Spectrum Disorder refers to a neurological condition
12 characterized by challenges with social skills, repetitive behaviors, communication, as
13 well as by unique strengths, as defined in the latest version of the Diagnostic and
14 Statistical Manual of Mental Disorders.

15 b) "Diagnosis" refers to necessary assessments, including but not limited to
16 neuro-psychological evaluations, genetic testing MRIs, hearing tests, psychometric
17 tests to diagnose or discount autism and/or developmental disabilities individuals.

18 c)"Intervention" refers to interceding action undertaken to help improve the
19 autism prognosis. Intervention in autism may take the form of medical,
20 pharmacologic, therapeutic, educational, and non-traditional habilitative care.

21 d)"Epidemiology" refers to the study and analysis of the distribution and
22 determinants of health conditions, like autism in define populations.

23
24 *Sec. 4. Treatment as Persons with Disability* – In accordance with Republic Act
25 No. 7277, as amended, all PWAs shall be treated as Persons with Disability. They shall
26 likewise be entitled to all the rights, privileges, and benefits provided for persons with
27 disabilities under Republic Act 10754 and other related laws.

28
29 *Sec. 5. Inter-Agency Cooperation, Accountability and Research* – The
30 Department of Health (DOH), in coordination with the Department of Social Welfare
31 and Development (DSWD), Department of Education (DepEd), the Philippine Council

1 for Mental Health (PCMH), other academic institutions and non-governmental
2 organizations, is hereby mandated to establish and evaluate activities to:

3
4 Inform and educate on such disabilities to increase awareness relating to causes, early
5 detection, management, treatment as well as developmental milestones; Promote
6 research into the development and validation of reliable screening tools for such
7 disabilities; Develop a curriculum for continuing education to assist individuals in
8 recognizing the need for, and using, valid and reliable screening tools; Promote early
9 screening of children and individuals at higher risk for such disabilities; Promote
10 research to determine evidence-based practices for interventions, develop guidelines
11 for those interventions and disseminate information related to such research and
12 guidelines; Encourage public participation in decisions relating to such disabilities.

13
14 *Sec. 6. Continuing Education and Training on Autism for Public Service*
15 *Providers.* – All officers and staff in charge of providing services to the public, including
16 but not limited to the Department of Health (DOH), Department of Social Welfare and
17 Development (DSWD), Department of Education (DepEd), Department of Labor and
18 Employment (DOLE), Department of Justice (DOJ), Department of Transportation
19 (DOTr), Department of Interior and Local Government (DILG), the Department of
20 National Defense (DND), Department of Science and Technology (DOS T),
21 Commission on Higher Education (CHED), Technical Education and Skills Development
22 Authority (TESDA), National Council on Disability Affairs (NCDA), Persons with
23 Disabilities Affairs Offices (PDAOs) at the Local Government Units (LGUs), Public
24 Safety Units (military, police, firemen and other first responders), shall undergo
25 mandatory continuing education to empower service providers to become more
26 responsive, sensitive, and compassionate in the delivery of services to PWAs and their
27 families.

28
29 *Sec. 7. Epidemiological Surveillance Programs.* – The Department of Health, in
30 coordination with different academic institutions and non-governmental organizations
31 is hereby mandated to conduct an epidemiological survey to determine the prevalence

1 of autism in the country annually to provide data to government agencies and the
2 private sector, to make necessary services available to PWAs and their families.

3
4 *Sec. 8. Evidence-based Research.* – The DOH, the Philippine Council for Health
5 Research and Development (PCHRD), and the National Institute of Health (NIH) are
6 mandated, in coordination with local and international mental health institutions, to
7 promote, create, develop, and adopt research and strategic plans that will continue to
8 determine and establish evidence-based practices for interventions in the treatment,
9 care and integration into society of PWAs.

10
11 *Sec. 9. Early Detection and Intervention of Autism.* – The DOH, in coordination
12 with the DepEd, is hereby mandated to establish a program for early screening and
13 detection of autism, to provide the appropriate services to children and toddlers with
14 developmental delays associated with autism, and to ensure the central PWD registry
15 are updated accordingly.

16
17 *Sec. 10. Protection Against Discrimination in Schools, Colleges, Universities and*
18 *Training Institutions.* – The DepEd, CHED and TESDA shall formulate or update policies
19 and protocols to ensure that all educational institutions shall be inclusive to learners
20 with autism, in matters including, but not limited to, acceptance to academic or
21 training programs, instructional supports, and behavior management.

22
23 *Sec. 11. Provision for Equal Opportunities for Employment* - The DOLE and the
24 Civil Service Commission (CSC) shall formulate policies and programs to ensure that
25 PWAs are provided equal opportunities for gainful employment and apprenticeship
26 opportunities in the private and public sector.

27
28 *Sec. 12. Mandatory Insurance Coverage and Prohibition Against Discrimination*
29 *thereof.* – All persons with autism shall be covered by the National Health Insurance
30 Program of the Philippine Health Insurance Corporation (PHIC). Funds necessary to
31 ensure the enrolment of PWAs, who are currently covered under any existing category,
32 shall be sourced from the National Health Insurance Fund of PHIC, earmarked from

1 the proceeds of sin tax collections, as provided for in Republic Act No. 10351. It shall
2 likewise include the cost of early screening and detection programs, as one of the
3 available benefits of its members. The Department of Finance (DOH) shall likewise
4 issue guidelines to ensure that all insurance providers shall provide PWAs access to
5 life insurance instruments and shall include allied medical procedures (like
6 occupational and speech therapies) in health insurance benefits of policy holders.

7

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

13

14 *Sec. 14. Access to Transportation.* - The DOTr shall formulate the necessary
15 policies and protocols to ensure PWAs with behavioral and communication challenges
16 and their families are given reasonable accommodation in accessing all forms of
17 transportation by service providers over land, sea and air.

18

19 *Sec. 15. Reasonable Accommodation in Legal Proceedings.* - The DOJ shall
20 formulate the necessary policies and protocols to ensure criminal justice agencies and
21 professionals shall provide the necessary accommodations and protections to PWAs in
22 behavioral and communication challenges, who may be the accused of victims of or
23 witnesses to crimes.

24

25 *Sec. 16. The Autism CARES Plan* - The Philippine Council for Mental Health
26 (PCMH), a multi-sector body established by the Mental Health Act, in coordination with
27 other government agencies and stakeholders, shall develop, regularly update and
28 monitor the implementation of the Autism Cares Plan (ACP), a holistic medium-term
29 plan that shall embody the provisions of this Act, in order to respond to the needs of
30 PWAs and their families for the guidance of the stakeholders in public and private
31 sector. The PCMH shall likewise coordinate the development and implementation of

1 necessary policies and programs to operationalize the ACP and to ensure the needs of
2 PWAs are served.

3
4 *Sec. 17. Appropriation.* - The amount necessary to carry out the provisions of
5 this Act shall be included and incorporated in the annual general appropriations of the
6 DOH

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

10
11 *Sec. 19. Repealing Clause.* - All laws, executive orders, presidential decrees,
12 presidential proclamations, letter of instruction, rules and regulations or parts thereof
13 inconsistent with the provisions of this Act are hereby repealed or modified
14 accordingly.

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

18
Approved.