

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



'22 NOV 14 P1 56

SENATE

RECEIVED BY

S. No. 1508

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
STRENGTHENING THE MENTAL HEALTH SERVICES OF STATE UNIVERSITIES
AND COLLEGES AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The 1987 Philippine Constitution, Article II, Section 15 declares that "The State shall protect and promote the right to health of the people and instill health consciousness among them."

According to the report on Adolescent Mental Health¹ by the World Health Organization (WHO) the following are cited as key facts: Globally, one in seven 10-19-year-olds experiences a mental disorder, accounting for 13% of the global burden of disease in this age group; Depression, anxiety and behavioral disorders are among the leading causes of illness and disability among adolescents; Suicide is the fourth leading cause of death among 15-29 year olds; the consequence of failing to address adolescent mental health conditions extend to adulthood, impairing both physical and mental health and limiting opportunities to lead fulfilling lives as adults.

Therefore, there is a need to establish Mental Health Offices (MHOs) in all our SUCs, and to strengthen our already existing campus MHOs to ensure easy access to mental health care for the well-being not only of our vulnerable youth population, but

¹ <https://www.who.int/news-room/fact-sheets/detail/adolescent-mental-health>

of the faculty, teaching and non-teaching staff and other personnel in the campuses of our SUCs all throughout the country.

Towards this end, it shall therefore be a policy of the State to uphold the basic right of every Filipino to sound mental health and wellness and ensure access to appropriate support, therapy, and treatment as needed down at the level of our campuses, as early intervention strategy.

In this light, the immediate passage of this bill is highly recommended.



JINGGOY EJERCITO ESTRADA
Senator

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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 "*State Universities and*
2 *Colleges (SUCs) Mental Health Service Act.*"

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 uphold the basic right of every Filipino to sound mental health and ensure access to
5 appropriate interventions, therapy, and treatment as needed. Pursuant to this
6 mandate, the State shall institute policies to promote the mental health and wellness
7 of students, faculty, teaching and non-teaching staff, and other personnel in the
8 campuses of SUCs through, among others, the establishment of a Mental Health Office
9 in all SUCs, and the hiring, deployment and training of additional SUCs-based mental
10 health service personnel.

11 All SUCs shall ensure that proper and adequate mental health services are
12 provided to their students, faculty, non-teaching staff and other personnel. In this
13 regard, all SUCs, through their Mental Health Offices, shall design programs and
14 provide service that shall assist students in resolving emotional, behavioral and
15 psychological issues that are barriers to learning and enhance the preparedness of the
16 faculty, teaching, non-teaching staff, and other personnel to foster an enabling
17 environment for students to acquire knowledge and to develop intellectually.

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

- 2 a) *Guidance counsellor* – refers to an individual who possesses a license or
3 certification granted by the Professional Regulation Commission (PRC) and
4 holds at the minimum a Master’s Degree in Guidance and Counseling, Guidance,
5 or Counseling without prejudice to those registered under the grandfather’s
6 clause of Republic Act No. 9258, otherwise known as the “Guidance and
7 Counseling Act of 2004,” and is competent to perform guidance and
8 counselling, career guidance and implement mental health programs;
- 9 b) *Mental health* – refers to a state of well-being in which the individual realizes
10 one’s own abilities and potentials, copes adequately with the normal stresses
11 of life, displays resilience in the face of extreme life events, works productively
12 and fruitfully, and is able to make a positive contribution to the community;
- 13 c) *Mental health professional* – refers to a medical doctor, nurse, guidance
14 counselor, psychologist or any other appropriately-trained and qualified person
15 with specific skills relevant to, and necessary for, the provision of mental health
16 services;
- 17 d) *Mental health services* – refers to the psychological, psychiatric or neurologic
18 activities and programs along the whole range of the mental health support
19 services including promotion, prevention, treatment, and aftercare, which are
20 provided by mental health facilities and mental health professionals;
- 21 e) *Psychologist* – refers to a natural person who has professional training and
22 clinical skills in psychotherapeutic intervention and assessment for mental
23 health problems and possesses a license or certification granted by the PRC
24 and holds at the minimum a Master’s degree in Psychology without prejudice
25 to those granted licenses under the grandfather’s clause of Republic Act No.
26 10029, otherwise known as the “Psychology Act of 2009”;
- 27 f) *SUCs-based mental health service personnel* – refers to any mental health
28 professional who is hired or deployed by, or has a contract with a SUC to render
29 mental health services in each campus of the SUC.

30 *Sec. 4. Establishment of Mental Health Offices (MHO) in All SUCs Campuses. –*

31 The Commission on Higher Education (CHED) shall, subject to the rules and
32 regulations of the Civil Service Commission (CSC) and the Department of Budget and

1 Management (DBM) and the policies, standards, and guidelines of the CHED, require
2 all SUCs to establish a Mental Health Office (MHO) in all their campuses.

3 The MHO shall set up campus hotlines with dedicated and trained guidance
4 counselors to provide assistance to the whole SUC Community, especially the students.
5 Special attention shall be given to those identified to have mental health problems or
6 conditions, especially those at risk of committing suicide.

7 The CHED and the SUCs, through their MHOs, shall initiate and sustain a
8 heightened campaign to raise the collective consciousness about mental health. The
9 awareness campaign shall give special emphasis to the issues of suicide prevention,
10 stress handling, mental health and nutrition, and guidance and counselling. The
11 campaign shall ensure that the whole SUC community, especially the students, is
12 aware of in-campus mental health services.

13 The SUCs, through the MHOs, shall develop and provide for sufficient allocation
14 for mental health programs and projects designed to maintain and address the mental
15 health and well-being of the faculty, students, and personnel of the SUCs.

16 Each MHO shall be staffed by trained mental health professionals who shall
17 serve as the mental health service personnel of the SUCs.

18 The SUCs-based mental health service personnel of the MHOs, including those
19 who shall be hired upon the effectivity of this Act, shall create a mechanism for timely
20 crisis intervention and suicide prevention and the appropriate response strategies for
21 the whole SUCs community, especially the students.

22 The CHED shall, in coordination with the SUCs, establish mechanisms to
23 maximize existing services offered by other executive departments such as the
24 attached agencies to the Department of Health (DOH) dealing with mental health and
25 the Department of Social Welfare and Development (DSWD).

26 *Sec. 5. Hiring, Training and Deployment of Mental Health Professionals. –*
27 Subject to the guidelines set by the CHED, Civil Service Commission (CSC),
28 Department of Budget and Management (DBM), and the SUCs, the SUCs shall hire,
29 train and deploy mental health professionals, including a psychologist, to the MHO to
30 ensure that each SUC shall have mental health professionals or mental health service
31 providers within five (5) years from the effectivity of this Act.

1 The SUCs shall, in coordination with the CHED, prepare the appropriate plantilla
2 positions for the additional SUC-based mental health service personnel to be hired
3 under this Act subject to the existing organizational, staffing, position classification
4 and compensation policies, rules and regulations to be submitted to the DBM for
5 evaluation and approval.

6 Notwithstanding the provisions of Republic Act No. 9258, otherwise known as
7 the "Guidance and Counseling Act of 2004," the SUCs may hire, as may be necessary,
8 graduates with relevant background in psychology or similar fields, who do not yet
9 qualify as mental health professionals to provide SUCs-based mental health services:
10 Provided, That they undergo sufficient capacity building as determined by the CHED
11 and are supervised by qualified mental health professionals in their provision of mental
12 health services: Provided further, That they meet the relevant qualifications and are
13 licensed as mental health professionals within three (3) years from their date of hiring.

14 The CHED and the SUCs, through the MHOs, shall formulate a scheme for the
15 continuous training of mental health service personnel, taking into consideration the
16 latest information, studies and know-how on mental health and mental health services,
17 in accordance with the provisions of Republic Act No. 10912, otherwise known as the
18 "Continuing Professional Development Act of 2016."

19 *Sec. 6. Professional and Career Development of Mental Health Professionals. –*
20 The CHED shall, in coordination with the DBM, CSC, DOH and the PRC.

- 21 a) Prepare a uniform career and personnel development plan that shall include
22 provisions on personal wellness, merit promotion, performance evaluation, in-
23 service training, graduate scholarships, research grants, and incentive award
24 system;
- 25 b) Match the salary grades of mental health professionals with related plantilla
26 items under the provisions of Republic Act No. 6758, otherwise known as the
27 "Position Classification and Compensation Act of 1989," as amended;
- 28 c) Align the qualifications and standards for the qualification outcomes of Mental
29 Health Professionals to the provisions of Republic Act No. 10968, otherwise
30 known as the "Philippine Qualifications Framework Act";

- 1 d) Revisit the organizational structure of the SUCs to provide competent and
2 professional personnel who shall provide supervision and technical assistance
3 to the guidance counselors;
- 4 e) Review, revise, and develop the duties and responsibilities of mental health
5 professionals in accordance with laws governing their professions;
- 6 f) Prepare a performance evaluation plan that considers the improvement of the
7 efficiency and organizational effectiveness of each counsellor: Provided, That
8 each employee shall be informed regularly by the immediate supervisor of one's
9 performance evaluation; and,
- 10 g) Provide periodic training, retooling and skills upgrading to mental health
11 professionals.

12 *Sec. 7. Salary Grade.* – The career and salary scales of mental health
13 professionals in SUCs shall provide for a gradual progression from a minimum to a
14 maximum salary by means of regular increments, to be given regularly based on merit
15 and competencies.

16 The entry level of mental health professionals shall not be lower than Salary
17 Grade 16. Psychometricians shall have, as entry level, Salary Grade 11.

18 *Sec. 8. Contract with SUCs-based Mental Health Personnel.* – In case of scarcity
19 of available mental health service personnel for full time employment in the MHO of
20 the SUCs, the SUCs may enter into agreements for their hiring on a contractual or
21 part-time basis in the campuses of the SUCs.

22 *Sec. 9. Benefits.* – The Mental Health Professionals in the MHOs shall enjoy the
23 rights, privileges, and other benefits provided in Republic Act No. 7305, otherwise
24 known as the Magna Carta of Public Health Workers," Republic Act No. 11036,
25 otherwise known as the "Mental Health Act" and other pertinent laws.

26 *Sec. 10. Appropriations.* – The amount necessary to carry out the provisions of
27 this Act shall be included in the Annual General Appropriations Act.

28 *Sec. 11. Implementing Rules and Regulations.* – Within sixty (60) days after
29 the effectivity of this Act, the CHED shall, in coordination with the DOH, the Philippine
30 Association of State Universities and Colleges, and other concerned stakeholders, issue
31 the rules and regulations necessary for the hiring, training, and deployment of the

1 SUCs-based guidance counselors, psychologists and other mental health service
2 personnel, and for the implementation of this Act.

3 Sec 12. *Suppletory Application.* – The applicable provisions of Republic Act No.
4 11036, otherwise known as the “Mental Health Act,” insofar as they are not
5 inconsistent with the provisions of this Act, shall apply as suppletory.

6 Sec. 13. *Separability Clause.* – If any provision or part hereof is held invalid or
7 unconstitutional, the remainder of the law or the provision or part not otherwise
8 affected shall remain valid and subsisting.

9 Sec. 14. *Repealing Clause.* – Any law, presidential decree or issuance, executive
10 order, letter of instruction, administrative order, rule, or regulation contrary to or
11 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
12 accordingly.

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

Approved,