

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

23 MAR 21 P 4 :45

SENATE
S. B. No. 2032

RECEIVED BY: _____



Introduced by SENATOR SONNY ANGARA

AN ACT
INSTITUTIONALIZING THE ASSISTANCE TO INDIVIDUALS IN CRISIS
SITUATION PROGRAM OF THE DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT, PROVIDING PENALTIES FOR THE VIOLATION OF CERTAIN
UNLAWFUL ACTS, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The Philippines is a developing country that must find both long-term and short-term solutions to its various development issues. In 2018, 17.6 million Filipinos were estimated to be living in poverty. There are 3.4 million Filipinos feeling hunger between the months of April and June, which equates to a hunger rate of 13.6%. According to 2018 data on wages, P313,000 a year or, estimated at P26,000 a month is the wretched family income. Much worse, those families under the lowest income decile have it in an estimate of P9,416 per month or P113,000 annually.

These figures entail that meeting the demands of a difficult situation such as a personal emergency e.g., death or illness of a family member cannot be afforded by an ordinary Filipino worker due to financial constraints. As a result of spending beyond their means just to deal with these issues, they are being pushed further into poverty.

Hence, there are many Filipinos living in vulnerable conditions throughout the archipelago who require immediate assistance when faced with urgent family issues, medical emergencies, or natural disasters. Due to financial incapability and support, these people are unable to go to funeral parlors, hospitals or go back home to their provinces to avail of basic social services.

Due to the pandemic, the plight of people dealing with crisis situations had worsened. Total expenses clustered around P51,000 to P200,000, while most spending was between P101,000 to P150,000, as indicated in the 2021 study of hospitalization expenditures of COVID-19 patients in the UP Philippine General Hospital. On top of fares, relatives who need to go back to their provinces are burdened because of minimum public health requirements such as COVID-19 testing. The poor are also at risk of being infected with the virus due to their living conditions, which would then mean that there would be additional costs for the medicines, treatment, or worse, funeral expenses. Moreover, the online learning set-up has caused an additional financial burden given that it requires electronic gadgets and mobile data.

Fortunately, the Department of Social Welfare and Development implemented the Assistance to Individuals in Crisis Situation Program as a helping hand to the marginalized sector facing such difficult circumstances, even before the emergence of the pandemic. Thereupon, this bill seeks to institutionalize the said program in order to introduce a permanent national program that is financially and administratively capable of responding to the needs of Filipinos when dealing with an extreme circumstance.

In view of the foregoing, the passage of this bill is earnestly sought.



SONNY ANGARA

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

23 MAR 21 P 4 :45

RECEIVED BY: _____



SENATE
S. B. No. 2032

Introduced by SENATOR SONNY ANGARA

AN ACT
INSTITUTIONALIZING THE ASSISTANCE TO INDIVIDUALS IN CRISIS SITUATION
PROGRAM OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT,
PROVIDING PENALTIES FOR THE VIOLATION OF CERTAIN UNLAWFUL ACTS, AND
APPROPRIATING FUNDS THEREFOR

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 “Assistance to Individuals
2 in Crisis Situation (AICS) Act.”

3 **SEC. 2. Declaration of Policy.** – It is the policy of the State to promote a just and
4 dynamic social order alleviating the plight of the poor through policies that provide adequate
5 social services and raise the standard of living for the improved quality of life for all. Towards
6 this end, the State shall provide assistance through projects, programs and services geared
7 towards alleviating poverty and improving the quality of life of every Filipino, especially the
8 marginalized sector, and disadvantaged individuals and families.

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

10 a. *Assistive Devices and Technologies* refer to those whose primary purpose is to
11 increase, maintain, or improve the functional capabilities of persons with disabilities
12 and to enhance overall well-being and help prevent impairments and secondary health
13 conditions. These include wheelchairs, prostheses, hearing aids, visual aids, and

1 specialized computer software and hardware, or any advancement in technologies
2 that increase mobility, hearing, vision, or communication capacities;

3 b. *Funeral assistance* refers to assistance to help defray funeral and related expenses,
4 such as transfer of cadaver, burial site, and other related expenses incurred by the
5 family of the deceased, with consideration to context, cultural, and religious
6 backgrounds;

7 c. *Case Management* refers to a process of assessing, planning, managing, coordinating
8 and advocating for services and other interventions used by the Department of Social
9 Welfare and Development (DSWD) to enable the qualified beneficiaries to improve
10 their functioning by dealing with their difficulties in addressing their needs;

11 d. *Crisis situation* refers to a condition of an individual in a stressful situation that impairs
12 psychosocial functioning or participation in socio - economic activities, including access
13 to education, work, and health care, that requires series of interventions to prevent
14 further exposure to vulnerabilities, exploitation or abuse;

15 e. *Disability support assistance* refers to the monetary support to cover the purchase of
16 assistive products, technologies, provision of sign language interpreter, personal
17 assistant, maintenance medicines and hygiene needs, life support equipment, and
18 other needs of persons with disabilities;

19 f. *Educational assistance* refers to financial assistance extended to all students to help
20 defray school expenses and/or cost of sending students/children to school such as
21 school fees augmentation, supplies, projects, allowance and other related expenses
22 and to eradicate barriers to quality education, including those barriers faced by
23 persons on account of their disabilities;

- 1 g. *Financial assistance* refers to monetary support in the form of outright cash, electronic
2 fund transfer, guarantee letter, coupon, check or voucher that has monetary value,
3 including funeral assistance, transportation assistance, medical assistance,
4 educational assistance, training assistance, food assistance, assistance for other
5 support services, and all other types of cash assistance that may be provided under
6 the Program;
- 7 h. *Food assistance* refers to assistance to those in need due to human induced and
8 natural calamities and those experiencing other forms of crisis or displacement,
9 eviction, demolitions or requiring interventions for sector-specific support which
10 include hot meals, food or meal allowance, or the cash equivalent of the required hot
11 meals and/or food packs;
- 12 i. *Guarantee letter* refers to a document duly approved and issued by the DSWD, which
13 ensures the payment of the amount appearing on the document, that the beneficiary
14 presents to any public or government owned or controlled hospitals or other
15 entities and to any similar private entity that is willing to provide services;
- 16 j. *Material and other in-kind assistance* refers to an assistance given to individuals in
17 crisis by providing them food and non-food items, non-financial, and the likes, and
18 may also include other professional assistance available in the DSWD, such as psycho-
19 social support and legal consultation;
- 20 k. *Medical assistance* refers to out-of-pocket expense in the form of coupon, stub,
21 guarantee letter, promissory note or voucher that has monetary value, given directly
22 to recipients or beneficiaries to be used to pay for hospitalization expenses, other
23 medical treatments or procedures which include birthing procedure, as well as

1 professional fees and consultation fees, for the purchase of drugs, medicines, goods
2 or other services prescribed by the physician of a health facility for in- and out-
3 patients;

4 l. *Persons with disabilities* refer to those who have long-term physical, mental,
5 intellectual or sensory impairments that hinder their full and effective participation in
6 society on an equal basis with others, including cancer patients and persons living
7 with cancer and cancer survivors under Republic Act No. 11215, otherwise known as
8 “National Integrated Cancer Control Act” and persons with rare disease under Republic
9 Act No. 10747, otherwise known as “Rare Diseases Act of the Philippines”;

10 m. *Target Beneficiaries* refer to individuals or families who are indigent, financially
11 incapacitated, stateless persons, repatriates, deportees, transients, vulnerable,
12 disadvantaged, or internally displaced persons or in crisis situations based on the
13 assessment of the social workers of the DSWD; and

14 n. *Transportation assistance* refers to the monetary support to cover the actual cost
15 incurred on land, sea, and air travel, including travel insurance and such other related
16 expenses as facilitated by the social workers of the DSWD.

17 ***SEC. 4. Assistance to Individuals in Crisis Situation (AICS).*** – To effectively respond
18 to the needs of the crisis, each qualified target beneficiary shall receive financial, medical,
19 transportation, food, material assistance, and other assistance, to include disability support
20 services including other professional assistance available in the DSWD, such as psychosocial
21 support or intervention for dysfunctional families and their children who need trauma care and
22 management, and legal consultation, based on the assessment of the social workers of the
23 DSWD.

1 For purposes of this Act, the provision of medical assistance by the Department of Health
2 (DOH) and its health facilities shall be harmonized with that being provided by the DSWD and
3 other agencies. Towards this end, Republic Act No. 11463, also known as the Malasakit Centers
4 Act, shall have suppletory effect for purposes of streamlining the grant of medical and financial
5 assistance to eligible beneficiaries at the Malasakit Centers, and to prevent duplication in
6 providing medical assistance to beneficiaries in crisis situation.

7 ***SEC. 5. Type and Amount of Assistance.*** – The following are the types of assistance
8 that the target beneficiaries may receive under the Program based on the assessment and
9 recommendation of the social workers, authorized personnel, or any other personnel
10 authorized by the DSWD, duly approved by their authorized officials:

- 11 a. *Financial assistance* – a service provided in a form of cash, guarantee letter, and other
12 modes of delivery of service issued to qualified clients to cover medical, funeral,
13 transportation, educational, food, and cash relief assistance;
- 14 b. *Material assistance* – a service providing food and non-food items to clients who need
15 immediate material support, such as food packs or vouchers, hygiene or sleeping kits
16 and assistive devices and technologies, subject to its availability;
- 17 c. *Psychosocial support service* – a service provided by trained or professional
18 psychosocial support workers to help meet the psychological, emotional, and social
19 needs of beneficiaries and their families. It is a set of interventions that intends to
20 positively improve a person’s behavior to reduce the impact of stress brought about
21 by a crisis through behavioral modification interventions;
- 22 d. *Referral Service* – a service provided when the requested support is not within the
23 range of services of the Program through coordination and/or endorsement of the
24 beneficiary’s case within the DSWD’s available programs, projects and services and to

1 other agencies such as to the Department of Education (DepEd), Commission on
2 Higher Education (CHED), Technical Education and Skills Development Authority
3 (TESDA), Department of Health (DOH), Public Attorney's Office (PAO), Philippine
4 Charity Sweepstakes Office (PCSO), Philippine Amusement and Gaming Corporation
5 (PAGCOR), local government units (LGUs) and other government agencies, civil
6 service organizations, and international/non-government organizations; and

7 e. Such other services that the DSWD may deem appropriate.

8 In order to fully meet the medical needs of individuals in crisis situations, particularly
9 persons with disabilities or people with special needs. The DOH may provide the initial costing
10 per type of disability for the effective assessment of social workers of the DSWD. Appropriate
11 documentation as provided for in the DSWD AICS Guidelines shall support all disbursements
12 of funds. The DSWD may provide additional assistance or discontinue existing ones as it may
13 deem appropriate. A social case study report is required of those whose assistance is higher
14 than ten thousand pesos (P10,000.00).

15 **SEC. 6. Modes of Delivery of Services.** – The DSWD shall adopt different modes
16 in order to deliver efficiently, expeditiously and effectively the financial or material assistance,
17 psychosocial support, and referral service to the clients and communities needing assistance
18 from the government such as the following:

- 19 a. Service delivery within the Central or Field Offices;
- 20 b. Setting up of an off-site or satellite venues; and
- 21 c. Extension office of the DSWD for the Program.

22 Provided, That the DSWD shall procure and/or construct a secure office system,
23 information and communication technology equipment, and all necessary capital outlay
24 expenditures such as vehicles, and vaults, among others, needed to efficiently and effectively

1 implement the Program: Provided further, That the DSWD may also establish an automated
2 system for processing and releasing the requested assistance. For this purpose, the
3 appropriations needed for the payment of the necessary cash-out fees or other service fees
4 charged by partner financial institutions shall form part of the DSWD annual budget under the
5 General Appropriations Act.

6 **SEC. 7. Integrated Program Delivery System.** – To improve the delivery of
7 service to the eligible beneficiaries under the Program, there shall be an established Integrated
8 Program Delivery System.

9 In keeping with the principle of equitable access, and ensuring that access to the AICS
10 is maximized, a mechanism for real-time data sharing between the DSWD and the LGUs shall
11 be institutionalized, subject to the statutory limitations under the Data Privacy Act of 2012.
12 Under this mechanism, concerned agencies such as the Philippine Statistics Authority (PSA),
13 DOH-Malasakit Centers, and LGUs may share information from a centralized database in order
14 to identify the assistance given to the Program’s eligible beneficiary, for purposes of assistance
15 augmentation and to prevent a possible abuse of the assistance given to those in crisis
16 situations.

17 **SEC. 8. Crisis Intervention Office/Division/Unit (CIO/D/U).** – To ensure
18 effective and efficient delivery of services to the clients, there shall exist a Crisis Intervention
19 Office (CIO) at the Central Office, and Crisis Intervention Divisions (CID) at the field offices,
20 and Crisis Intervention Units (CIU) at the Social Welfare and Development satellite offices of
21 the DSWD that will ensure that the Program, as enterprise information system, provided
22 herein, is properly implemented, monitored, and evaluated nationwide. The office shall
23 monitor and evaluate the implementation of AICS Program and prepare the monitoring and
24 evaluation report for submission to the Secretary of the DSWD. The monitoring and evaluation

1 report must be available and accessible to any stakeholder at the national, regional, and local
2 levels.

3 **SEC. 9. Personnel Complement.** – The CIO/D/U that implements the Program shall
4 be adequately operated by licensed social workers and other social welfare and development
5 workers. The CIO Director at the Central Office and the Regional Offices shall assign/hire
6 qualified personnel necessary for the effective implementation of the Program in accordance
7 with the civil service laws, rules and regulations.

8 The minimum personnel complement of CID and CIU are as follows:

- 9 a. Every Crisis Intervention Divisions (CID) at the field offices shall be headed by
10 a Social Welfare Officer (SWO) with salary grade 18 and assisted by one (1)
11 SWO II with salary grade 15, two (2) Social Welfare Assistant (SWA) with salary
12 grade 8, and four (4) Social Welfare Aide (SWA) with salary grade 4; and
13 b. Every Social Welfare and Development satellite offices of the DSWD shall be
14 headed by SWO II with salary grade 15 and assisted by two (2) SWO I with
15 salary grade 11, one (1) SWA with salary grade 8, and two (2) SWA with salary
16 grade 4.

17 For this purpose, appropriate organizational structure shall be developed and
18 established at the level of the DSWD Central and Field Offices, and Social Welfare and
19 Development Satellite Offices.

20 Further, the DSWD is hereby authorized to create the required plantilla and
21 staffing pattern necessary for the implementation of this Act in coordination with
22 the Department of Budget and Management (DBM) and the Civil Service Commission
23 (CSC). The DSWD shall include in their budgetary submission to the DBM the
24 required budget for personnel services (PS) and miscellaneous and other operating

1 expenses (MOOE). All eligible social workers are given priority in hiring. Such
2 budgetary requirements shall be included in the General Appropriations Act (GAA).

3 **SEC. 10. Program Monitoring and Evaluation.** – The DSWD shall conduct
4 monitoring and evaluation to assess the responsiveness of the Program through the use of
5 applicable indicators, frameworks, models, and tools, including a client/stakeholder’s feedback
6 mechanism, among others, and the establishment of standard reporting templates and
7 procedures in consonance to applicable laws, rules, and regulations.

8 **SEC. 11. Program Transparency and Reporting.** – The DSWD shall annually
9 publish a full report of the Program covering the implementation of the previous fiscal year
10 and/or timely post and update periodically on the DSWD website a report of financial
11 disclosures and information about beneficiaries based on geographical area and sectoral
12 category subject to the provisions of Republic Act No. 10173, or the “Data Privacy Act of
13 2012.”

14 **SEC. 12. Unlawful Acts.** – The following acts are declared unlawful:

15 a. It shall be unlawful for the officials or employees of LGUs, their agents,
16 representatives or relatives within the fourth civil degree of consanguinity or
17 affinity to interfere, in any manner, in the implementation or delivery of AICS
18 services or funds to qualified beneficiaries;

19 b. Likewise, it shall be unlawful for any individual or organization to commit the
20 following acts:

21 i. Defraud the government by issuing or presenting falsified or misleading
22 documents, or using false pretenses or other fraudulent acts to acquire
23 the assistance provided under this Act;

1 ii. Coerce, invite, encourage or assist persons to seek assistance from the
2 DSWD for purposes of acquiring from the beneficiary a portion of the
3 assistance, before or after the receipt of assistance;

4 iii. Mislead an individual or group to join, pay or cooperate with a group
5 falsely representing connection or affiliation with DSWD or falsely
6 promising priority in the processing of assistance.

7 **SEC. 13. Penalties. –**

8 a. Any of the specified person who committed the unlawful act under Section 13
9 (a) of this Act shall be punished by imprisonment of six (6) months. If the
10 offender is an official or employee of a LGU, the official or employee shall also
11 be held administratively liable;

12 b. Any person, group or organization who commit the unlawful acts under Section
13 13 (b) of this Act shall be punished by:

14 (i) For the First Offense – one (1) year suspension from availing any assistance
15 from the DSWD; and

16 (ii) For the Second Offense – imprisonment of not less than one (1) year but
17 not more than six (6) years.

18 If the offender is an organization, the president, manager, or any officer of the
19 organization who participated in the commission of the acts enumerated above or
20 benefited therefrom, or both, shall be held liable and shall be punished by
21 imprisonment of not less than six (6) years but not more than ten (10) years. This is
22 without prejudice to any action against the organization or corporation before
23 appropriate government agency.

1 Conspiracy to commit the foregoing unlawful acts shall be penalized by the same
2 penalty prescribed under this Section.

3 In all circumstances, the government shall be authorized to prosecute or to file
4 cases on behalf of the private individual defrauded and damaged by the
5 aforementioned acts.

6 Any person who was coerced, invited, encouraged or misled while committing the
7 crimes above, or any person who has witnessed or has knowledge or information on
8 the commission of the crime and has testified or is testifying or about to testify before
9 any judicial or quasi-judicial body, or before any investigating authority, may be
10 admitted into the witness protection program: Provided, That to become a state
11 witness for this crime, he/she shall not be the most guilty.

12 A public official or personnel who commits, abets, or aids in the commission of any
13 of the Unlawful Acts provided herein shall be liable under the Revised Penal Code and
14 Other existing penal laws. Administrative sanctions shall be imposed without prejudice
15 to prosecution in the proper courts.

16 **SEC. 14. Cash Equivalents.** – It shall be mandatory for any public or private entity
17 that provides services under this Program to accept the guarantee letter, coupon, check or
18 voucher issued by the DSWD as full or partial payment of the obligation of the qualified
19 beneficiary. The DSWD must, within three (3) months from the date of acceptance, pay the
20 public or private entity of the amount appearing on the guarantee letter, coupon, or voucher.

21 **SEC. 15. Joint Congressional Oversight Committee.** – A congressional oversight
22 committee is constituted to monitor, set the overall framework, and review the implementation
23 of this Act. The committee shall determine the inherent weaknesses in the law and
24 recommend necessary remedial legislation or executive measures.

1 The oversight committee is composed of five (5) Senators and five (5) Representatives
2 to be appointed by the Senate President and the Speaker of the House of Representatives,
3 respectively, and co-chaired by the Chairpersons of the Committee on Social Justice, Welfare
4 and Rural Development of the Senate and the Committee on Social Services of the House of
5 Representatives.

6 For purposes of determining remedial legislation, the oversight committee shall, within
7 two (2) years after the effectivity of this Act, conduct a review which shall include a systematic
8 evaluation of the impact of this Act, accomplishments of the program, and the performance
9 of the implementing agencies.

10 **SEC. 16. Implementing Rules and Regulations.** – Within six (6) months from the
11 effectivity of this Act, the Secretary of the DSWD in consultation with the Secretary of the DOH
12 and the Commission on Audit (COA), shall promulgate the necessary rules and regulations to
13 carry out the provisions of this Act.

14 **SEC. 17. Appropriations.** – The amount necessary for the initial implementation of
15 this Act shall be charged against the current year’s appropriations of DSWD. Thereafter, such
16 sum as may be necessary for the continued implementation of this Act shall be included in the
17 annual General Appropriations Act, including the payment for the necessary service fees,
18 financial charges, or administrative cost, and capital outlay for the establishment of the
19 necessary offices for the delivery of assistance.

20 **SEC. 18. Separability Clause.** – If any provision or part of this Act is held invalid or
21 unconstitutional, the remaining parts or provisions not affected shall remain in full force and
22 effect.

23 **SEC. 19. Repealing Clause.** – All laws, presidential decrees or issuances, executive
24 orders, letter of instructions, administrative orders, rules, and regulations or parts thereof

1 contrary to or inconsistent with the provisions of this Act are amended, repealed, or modified
2 accordingly.

3 **SEC. 20. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
4 in the Official Gazette or in a national newspaper of general circulation.

Approved,