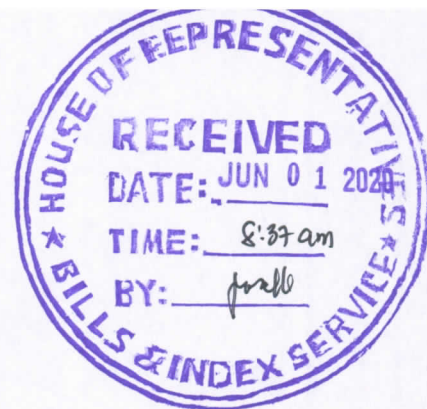


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6884



Introduced by **HON. EDGAR M. CHATTO**
First District, Bohol

EXPLANATORY NOTE

"The integration of mental health care as part of basic health services underscores that there is no health without mental health."¹
- World Health Organization

The World Health Organization (WHO) Mental Health Action Plan 2013–2020 draws on the principle of universal health coverage. Regardless of age, sex, socioeconomic status, race, ethnicity or sexual orientation, and following the principle of equity, persons with mental disorders should be able to access essential health and social services without the risk of impoverishing themselves. This will enable them to achieve recovery and the highest attainable standard of health.²

The passage of Republic Act No. 11036 or the "Mental Health Act" is a step towards the right direction in providing a legal framework for the delivery of comprehensive mental healthcare in the country.

A gap, however, is observed with respect to access to mental health services. In one study, it notes that, "economic restrictions preventing people from accessing mental healthcare should be considered to enable the population to equitably access appropriate care when required".³

This conclusion is supported by data. For example, the National Statistics Office identified that mental illness is the third most prevalent form of morbidity, however the finding that only 88 cases of mental health problems were reported for every 100 000 of the population (DOH, 2005) is likely an underestimate of the true extent of these issues.⁴

In the workplace, surveys from the Department of Health showed that almost one out of every one hundred households had a member with a mental disorder, and that almost one-in-three employees from Metro Manila government agencies had experienced a mental health problem or breakdown at least once in their lifetime,

¹ <https://www.who.int/philippines/news/detail/22-06-2018-who-congratulates-the-philippines-on-its-new-mental-health-act>

² <https://www.who.int/philippines/news/detail/22-06-2018-who-congratulates-the-philippines-on-its-new-mental-health-act>

³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6646843/>

⁴ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6646843/>

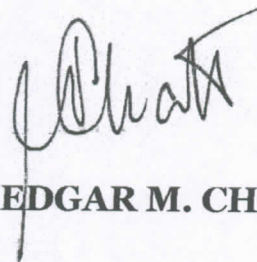
including specific phobias, alcohol abuse and depression. Chronic overworking likewise leads to threatening levels of stress.

The proposed amendment, thus, ensures that the employees and workers receive adequate compensation benefits and/or any special financial assistance, under existing laws, should the worker sustain temporary or permanent mental disability while in the performance of duty or by reason of his or her office or position.

The Department of Labor and Employment (DOLE) issued, on February 11, 2020, Department Order No. 208 providing guidelines to employers and workers for the effective implementation of the Mental Health Act. The directive covers employers in the formal sector, including those that deploy overseas Filipino workers (OFWs).

With this directive from DOLE together with the proposed amendment, our workers will be assured of proper mental health intervention and compensation arising from work-related issues affecting mental health.

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

A handwritten signature in black ink, appearing to read 'Edgar M. Chatto', is positioned above the printed name. The signature is stylized with a large initial 'E' and a long horizontal stroke.

REP. EDGAR M. CHATTO

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HOUSE BILL NO. 6884

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First District, Bohol

AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 11036,
OTHERWISE KNOWN AS THE "MENTAL HEALTH ACT"

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

SECTION 1. Section 5 of Republic Act No. 11036 otherwise known as the "Mental Health Act", is hereby amended as follows:

"Section 5. Rights of Service Users. – Service users shall enjoy, on an equal and nondiscriminatory basis, all rights guaranteed by the Constitution as well as those recognized under the United Nations Universal Declaration on Human Rights and the Convention on the Rights of Persons with Disabilities. And all other relevant international and regional human rights conventions and declarations, including the right to:

xxx

"U. IMMEDIATELY RECEIVE COMPENSATION BENEFITS AND/OR ANY SPECIAL FINANCIAL ASSISTANCE THAT THE SERVICE USER IS ENTITLED TO UNDER EXISTING LAWS SHOULD THE SERVICE USER SUSTAIN TEMPORARY OR PERMANENT MENTAL DISABILITY WHILE IN THE PERFORMANCE OF DUTY OR BY REASON OF HIS OR HER OFFICE OR POSITION."

SEC. 2. Repealing Clause. – All laws, presidential decrees, executive orders and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. Separability Clause. – If any portion or provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

SEC. 4. Effectivity Clause. – This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved.