

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

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3171**

HOUSE OF REPRESENTATIVES

RECEIVED

DATE: **22 AUG 2016**

TIME: *4:17 PM*

BY: *pel*

REGISTRATION UNIT
BILLS AND INDEX SERVICE

Introduced by Rep. Christopher V.P. de Venecia

EXPLANATORY NOTE

This bill is written on the premise that drug-related issues should be addressed using a holistic approach. The process of eradicating the drug problem starts with prevention and ends with finding permanent solutions to move rehabilitated individuals away from the influence of drugs and chances of relapse. Instead of penalizing them, actions and measures should be taken to lead drug users and rehabilitated individuals towards a healthier life and a full recovery.

Drug relapse is a real problem amongst rehabilitated individuals. In the 2014 Statistics presented by the Dangerous Drugs Board, eighteen per cent (18%) or 772 out of 4,392 admissions in rehabilitation facilities are relapsed cases. Thus, there is a need to strengthen social reintegration measures for full and successful recovery of rehabilitated individuals. Social reintegration is not simply returning back to his/her family nor re-entering the community. It involves the interplay of several factors: acceptance as a rehabilitated individual by the people in his/her immediate community, a viable environment and nurturing institutions.

In this proposed measure, we are providing an avenue for the intervention of several government agencies to harness the potential of rehabilitated individuals by being self-sufficient and productive members of the community. Likewise, this bill emphasizes that effective monitoring of rehabilitated individuals is key to achieving a drug-free society and successful recovery. A monitoring team shall be formed to conduct regular evaluation to detect problems relative to the full recovery of rehabilitated individuals. Finally, taking note of the stigma of drug abuse, the bill also incorporates non-discriminatory policies to protect rehabilitated individuals from economic societal exclusion.

In view of the foregoing, this bill seeks to provide social reintegration and monitoring of rehabilitated individuals.



REP. CHRISTOPHER V.P. DE VENECIA
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AN ACT
PROVIDING FOR THE SOCIAL REINTEGRATION AND MONITORING OF
REHABILITATED INDIVIDUALS, AND APPROPRIATING FUNDS THEREFOR

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

SEC. 1. Declaration of Policy. — Pursuant to Article II, Section 16 of the 1987 Constitution, the State “shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.” In view thereof, the State shall create an enabling environment that develops the potential of its people and fosters a society that is free from any forms of discrimination. Furthermore, the State shall nurture the growth of its people and build mechanisms that are oriented towards making them productive members of the country. Educational, vocational and artistic training programs must be available since drug use often begins during youth and disrupts formal education, consequently depriving drug users of the skills necessary to obtain jobs.

SEC. 2. Definition of Terms. — As used in this Act:

a.) *Dangerous Drugs* include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the attached annex which is an integral part of Republic Act No. 9165 (RA 9165), otherwise known as the “Comprehensive Dangerous Drugs Act of 2002”.

b.) *Drug Addiction* refers to a chronic brain disease characterized by compulsive drug seeking despite harmful consequences. Intake of dangerous drugs, as defined in the previous subsection, alters the normal functioning of the brain leading to adverse change of behaviour, vulnerability and drug dependency.

c.) *Discrimination* refers to any gesture, expression, word, or activity by any person or entity that is directed to the exclusion or distinction of an individual. This shall also include a person’s rejection, refusal, and deprivation of access to services by any institution or entity.

d.) *Rehabilitated Individuals* refer to any person who has completed rehabilitation treatment, assessed by the health practitioners to have fully recovered from drug dependence, and obtained a valid exit clearance from the rehabilitation facility.

e.) *Social Cooperative* refers to a group of individuals who initiate entrepreneurial and commercial activities that are driven by a social aim.

f.) *Social Enterprise Business* refers to revenue-generating businesses that seek to address environmental and social needs such as, but not limited to, providing opportunities for disadvantaged people.

g.) *Social Reintegration* refers to any form intervention with the aim of successfully integrating rehabilitated individuals into the community.

h.) *Use* refers to any act of injecting, intravenously or intramuscularly, of consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body, of dangerous drugs.

SEC. 3. *Monitoring, Evaluation, Assessment, and Learning (MEAL) Program.* — The MEAL program involves a regular and systematic way of examining the progress of rehabilitated individuals in rehabilitation centers. This shall include measures such as, but not limited to, regular visitation, establishing a helpdesk, and random drug testing to ensure that rehabilitated individuals are making progress. It is also intended to detect problems so that remedial measures can be done.

SEC. 4. *Formation of Monitoring Team.* — There shall be a monitoring team in every rehabilitation center which shall be formed under the supervision of the Department of Health (DOH) to implement the MEAL Program. The number of members shall be proportional to the admittance capacity of the rehabilitation center, upon the recommendation of DOH. Their salary shall be charged against the budget allocation of the DOH.

SEC. 5. *Creating Employment Opportunities.* — Returning back to their normal lives require finding sustainable means to provide for their needs. With that, there shall be employment opportunities available for rehabilitated individuals such as, but not limited to, the job vacancies that can be provided by social cooperatives, social enterprise businesses, and pay-for-work schemes.

Formation of social cooperatives and social enterprise businesses shall be encouraged by the Department of Social Welfare and Development (DSWD), Department of Labor and Employment (DOLE) and the Department of Trade and Industry (DTI) through partnership, sponsorship, subsidy and tax incentives. The said implementing agencies shall develop guidelines for the application, admission, and allocation of funds for the aforementioned employment institutions.

SEC. 6. *Educational, Artistic and Vocational Training.* — The Department of Education (DepEd) and Commission on Higher Education (CHED) shall design a program to complement rehabilitated individuals' transformation, centering on values formation, personality development, among others, that would increase one's self-worth.

The Technical Education and Skills Development Authority (TESDA) shall provide skills training programs that would match the abilities of rehabilitated individuals to equip them for jobs necessary to attain self-sufficiency and financial independence.

The National Commission on Culture and Arts (NCCA) shall provide artistic opportunities where rehabilitated individuals can make efficient use of their energy, enable them to freely express their emotions, and develop their talents.

The National Sports Commission (NSC) shall develop engaging programs that would enhance health and physical aptitude of rehabilitated individuals.

SEC. 7. *Non-discrimination.* — Rehabilitated individuals shall not be subjected to any of the following discriminatory acts:

1. Educational Institutions shall not deprive rehabilitated individuals of education on the basis of their past medical record;
2. Employment institutions shall not reject rehabilitated individuals on the basis of their past medical record;
3. Local government officials shall not deprive rehabilitated individuals any benefits allocated for the constituents;
4. Law enforcers shall apply due process in re-apprehension of rehabilitated individuals; and
5. Any other discriminatory act against rehabilitated individuals.

SEC. 8. *Penalty.* — Any person or entity found guilty of any form of discrimination against rehabilitated individuals shall be penalized accordingly. Formulation of the policy thereof shall be headed by the Department of the Interior and Local Government (DILG).

SEC. 9. *Implementing Rules and Regulations.* — The Secretary of the DOH, in coordination with DSWD, DTI, DEPED, CHED, TESDA, NCCA and NSC shall issue the Implementing Rules and Regulations within ninety (90) days from the effectivity of this Act.

SEC. 10. *Appropriation of Funds.* — The amount necessary for the implementation of this Act shall be charged from the budget allocation of the following departments and agencies: DOH, DSWD, DTI, DEPED, CHED, TESDA, NCCA and NSC. Thereafter, such amounts necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. *Separability Clause.* — If any provision or part hereof is held invalid or unconstitutional, the remainder of the provisions not otherwise affected shall remain valid and subsisting.

SEC. 12. *Repealing Clause.* — All laws, decrees, rules and regulations, or parts thereof inconsistent with the provisions this Act are hereby repealed, amended or modified accordingly.

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

Approved,