

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS

First Regular Session

House Bill No. 3208



Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

Drug abuse, illegal drug trade, and drug-related crimes are just a few of the many problems our country is facing today. In an effort to solve these plagues that is festering our society, the government, led by none other than our President himself - President Rodrigo Roa Duterte, has recently launched a much-contested and highly-broadcasted war against drugs. The efforts of the national government to battle and eradicate the perpetrators of illegal drug trade, and destroy the source of the misery of many families in our society, are undeniably laudable. However, the fact remains that this war on drugs could also destroy the lives of persons who are, under the law, considered as victims to drug abuse or dangerous drug dependence.

Sec. 2 of R.A. No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, provides that "It is x x x the policy of the State to provide effective mechanisms or measures to re-integrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation."

Indeed, the use and abuse of drugs have been destroying the lives of the drug addicts and their respective families for a very long time now. Therefore, it is only proper that the government gets involved and end their suffering

not by taking their lives or the lives of their loved ones, but rather, through effective treatment and rehabilitation.

One of the means by which the government can provide effective rehabilitation, is by placing rehabilitation and treatment centers in every cities and municipalities or clustered municipalities, which can be easily access by the poor and those who cannot afford the price of private rehabilitation facilities. In the past few weeks, reports are made that a lot of drug users, abusers, and dependents are surrendering to the police. However, mere surrendering is not enough as what these persons need is treatment and rehabilitation, otherwise, their act of surrendering would be futile as they would be easily tempted to go back to their old ways.

In view of the foregoing, the undersigned earnestly prays for the approval of this bill.



ERIC OLIVAREZ

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**AN ACT CREATING PUBLIC REHABILITATION AND
TREATMENT CENTERS FOR SUBSTANCE ABUSE IN
EVERY CITY AND MUNICIPALITY**

Section 1. Short Title. This Act shall be known as the
“*Mandatory Creation of Public Rehabilitation and Treatment
Centers for Substance Abuse Act of 2019.*”

Section 2. Coverage. This Act shall apply to every city
and municipality in the Philippines.

Section 3. Declaration of Policy. It is hereby
declared the policy of the State to provide effective
mechanisms or measures to re-integrate into society
individuals who have fallen victims to drug abuse,
dangerous drug dependence or any kind of substance abuse
through sustainable programs of treatment and
rehabilitation.

Section 4. Definition of Terms. For purposes of this
Act, the following terms shall be used under the definition
provided hereof, to wit:

Public Rehabilitation Center – any treatment and
rehabilitation center or facility for illegal drug users, drug
dependents and other substance abusers, which is created

and owned by a local government unit or local government-subsidized.

Substance abuse – is the habitual and incessant use of harmful and prohibited drugs and other substances that can cause psychoactive behavior, brain disorder, physical deformity and other dependence syndrome.

Patient – a drug dependent or substance abuser undergoing treatment whether as in-patient or out-patient in a public drug rehabilitation center or facility.

Rehabilitation Administrator – is the head in charge of the management, supervision and operation of the public rehabilitation center or facility.

Support Staff – Employees who help and support the management and operation of public rehabilitation center or facility.

Section 5. Creation of Public Drug Rehabilitation Center or Substance Abuse Facility. There shall be at least one (1) public drug rehabilitation and treatment center or facility for every city. A municipality may establish a center or facility of its own if it has available funds for its establishment, management and operation otherwise at least three (3) municipalities shall join or cluster themselves together for the establishment of one (1) drug rehabilitation and treatment facility for their use.

Section 6. Functions of Drug Rehabilitation Centers.

a). Provide a comprehensive program for the treatment of patients to enable them cease from drug use or dependence or other kind of substance abuse that can cause mental, psychological and physical disorders.

b). Diagnose drug users and substance abusers and suggest a program suited for their treatment and rehabilitation and determine whether their rehabilitation will be as in-patient or out-patient.

c.). Determine how to treat, help and assist drug dependents or those suffering with any other kind of substance addiction to recover from the ill effects of substance abuse and addiction which includes any physical and mental disorders brought about by drug or substance abuse.

d.) Educate the patients about drug addictions and substance abuse.

e.) Provide counseling to patients or those who are at risk of becoming drug dependents or substance abuser.

f.) Provide the patients with a program on how to re-integrate themselves to society and adopt total approaches for them to become better citizens and prevent their relapse;

g.) Other similar functions necessary for the rehabilitation and treatment of patients;

Section 7. Officials and employees of Public Rehabilitation Center or Facility.

- a.) Rehabilitation Administrator
- b.) Doctor (MD), psychiatrist
- c.) Psychologist/therapist
- d.) Program/Case Supervisor
- e.) Social worker/clinician/counselor
- f.) Detox specialist
- g.) Support staff

The officials and employees shall be appointed by the City or Municipal Mayor. They shall receive salaries pursuant to the Salary Standardization Law. The officials and employees of a rehabilitation center or facility created by three (3) clustered municipalities shall be appointed by the Mayor of Municipality where the center or facility is situated.

Section 8. Availment of treatment. A drug dependent or user residing in a city whose family has a collective income of not more than Thirty Thousand Pesos (P30,000.00) and in a Municipality or clustered Municipalities with a collective income of not more than Twenty Thousand Pesos (P20,000.00) shall be entitled to avail treatment and rehabilitation to a public rehabilitation center.

Section 9. Agreement with Private Drug Rehabilitation Centers. A local government unit as the need arises may likewise enter into an agreement with private rehabilitation centers for the admissions of drug or substance abuse patients who are qualified to avail treatment in a public rehabilitation centers to augment the services of its facility.

Section 10. Operation and Maintenance. The local government unit concerned shall operate and maintain the public drug rehabilitation centers or facility. In case of clustered municipalities, they shall contribute in the expenditures for the management, operation and maintenance of the public rehabilitation centers.

Section 11. Period of Compliance. All cities, municipalities or clustered municipalities shall comply with the establishment of public rehabilitation centers within one (1) year from the effectivity of this Act.

Section 12. Implementing Rules and Regulations. The Department of Interior and Local Governments (DILG) shall promulgate the implementing rules and regulations for the effective and immediate implementation of this Act.

Section 13. Repealing Clause. – All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

Section 14. *Separability Clause.* – In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

Section 15. *Effectivity Clause.* – This Act shall take effect after its complete publication in at least three (3) newspapers of general circulation.

APPROVED.