

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. **132**

HOUSE OF REPRESENTATIVES

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Introduced by HON. RODEL M. BATOCABE, HON. ALFREDO A. GARBIN, Jr. and
HON. CHRISTOPHER S. CO

EXPLANATORY NOTE

This bill seeks to establish a Drug Rehabilitation Center for every legislative district in the country.

Drug addiction and abuse has become an escalating crisis in the Philippines. According to the 2012 survey by the Dangerous Drugs Board (DDB), there are an estimated 1.3 million drug users in the country, with the number currently on the rise.

The short and long term damage of drug addiction and abuse can have negative health and/or legal consequences on the person's life and to his or her family. While addiction to some substances is not necessarily criminal in nature, such as alcohol and prescription drugs, they still have the same detrimental effects with illegal substances if abused.

As of 2012, there are 41 Drug Rehabilitation Residential Centers and 3 Out-Patient Centers nationwide which are accredited by the Department of Health (DOH). The locations of these rehabilitation centers are concentrated only in some regions in Luzon and Visayas. In addition, of the above cited number of illegal drug users, only approximately 2,000 underwent rehabilitation due to the prohibitive costs of a six-month rehabilitation treatment ranging from Php 60,000 in a government-run facility to Php 150,000 in privately-run rehabilitation centers.

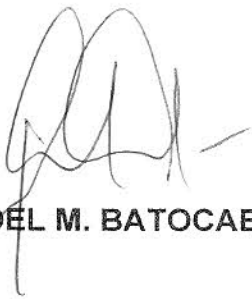
Pursuant to Sec. 15, Art. II of the 1987 Constitution, the State shall *protect and promote the right to health of the people* and instill health consciousness among them.

Specifically, the Philippine government shall endeavor to make *health services available to all people at affordable cost* and that there shall be priority for the needs of the underprivileged sick, elderly, disabled, women, and children of which the State shall endeavor to provide free medical care to paupers, as mandated by Sec. 11, Art. XIII of the 1987 Constitution.

This bill seeks for the uniform distribution of such Drug Rehabilitation Centers so that treatment for substance abuse will be more accessible to the poor and the marginalized. Presently, the cost of rehabilitation of a drug addict is very prohibitive so much so that only the rich can afford to be treated privately. In the meantime, poor drug addicts remain as drug addicts until they die either from substance abuse or from violence caused by law enforcement official or the underworld. With subsidized treatment, a poor drug addict will now have a choice and/or option to hope and be rehabilitated or remain as addict and die. Most of all, an affordable or even free rehabilitation services by the government will encourage more people to voluntarily commit themselves to rehabilitation under Art. VIII of Republic Act 9165 (Comprehensive Dangerous Drugs Act of 2002), thereby enhancing public safety in the long term.

This bill is in line with 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*, as stated in Sec. 2 of RA 9165.

In concurrence with the new administration's intensified campaign against illegal drug use, the swift passage of this bill is earnestly sought.



RODEL M. BATOCABE



ALFREDO A. GARBIN, Jr.



CHRISTOPHER S. CO

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Introduced by HON. RODEL M. BATOCABE, HON. ALFREDO A. GARBIN, Jr. and
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**AN ACT PROVIDING FOR THE ESTABLISHMENT OF DRUG REHABILITATION
CENTERS IN EVERY LEGISLATIVE DISTRICT OF THE COUNTRY, UNDER THE
SUPERVISION OF THE DEPARTMENT OF HEALTH, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

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

Section 1. Title. - This Act shall be known as the "Accessible Drug Rehabilitation
Treatment Act."

Section 2. Purpose and Objectives. - This Act shall have the following objectives:

- (1) To provide the proper treatment and care to persons found to have committed substance abuse, for the purpose of rehabilitation and to restore the physical, psychological conditions of the person to normal and healthy levels;
- (2) To provide comprehensive social reintegration services and follow-up in order to prepare the person for the adjustment to family and community life after release;
- (3) To provide affordable and accessible drug rehabilitation and treatment services to encourage more drug dependents, especially the indigent, to voluntarily submit for treatment.

Section 3. Establishment of the Drug Rehabilitation Centers. - There shall be established and maintained a secured, clean, and adequately-equipped Drug Rehabilitation Center in each Legislative District of the country, herein referred to as "Center," to be managed, operated and maintained by the Department of Health (DOH) in coordination with other concerned agencies.

The program for the voluntary or compulsory submission of a drug dependent and other legal processes related thereby shall be accomplished in compliance to the provisions in Art. VIII of Republic Act 9165 (Comprehensive Dangerous Drugs Act of 2002).

Section 4. Location of each Center - The Secretary of Health, in coordination with the Secretary of Public Works and Highways, shall determine the location of each Center per Legislative District, taking into consideration the accessibility of the Center to the residents of remote areas.

Section 5. Supervision of each Center. - The Department of Health shall exercise supervision and control over each Center, in addition to the duties and responsibilities of the Department under Sec. 76 of RA 9165.

Section 6. Organization and Key Positions of each Center. - Each Center shall be headed by a Director, who shall be appointed by the Secretary of Health, and shall be vested with powers generally exercised by the chief of a government hospital. The

organization shall adhere to the organizational framework currently in place in other government-run Drug Rehabilitation Centers.

The DOH shall establish the necessary personal qualifications in the appointment of the Directors, personnel and staff.

Section 7. Government Assistance to each Center. – The Secretary of Health is hereby authorized to call upon any department, bureau, agency, or instrumentality of the government for any support necessary for the effective implementation of this Act.

Section 8. Implementing Rules and Regulations. - The Department of Health, in consultation with the Department of Justice, Department of Budget and Management, Department of Social Welfare and Development, Philippine National Police, National Bureau of Investigation, Philippine Charity Sweepstakes Office (PCSO), and Philippine Amusement and Gaming Corporation (PAGCOR), within ninety (90) days from the effectivity of the Act, shall promulgate the rules and regulations necessary for the effective implementation of the provisions of this Act.

The Department of Social Welfare and Development shall formulate the socialized rates for the cost of drug rehabilitation treatment, proportionate to the financial capacity of the person undergoing rehabilitation, and shall be incorporated in the Implementing Rules and Regulations.

Section 9. Appropriations. - The funds required for the implementation of this Act shall be taken from the budget of the Department of Health for the current fiscal year. Thereafter, the amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year immediately following its enactment into law and subsequent thereto.

A portion of funds generated by the PCSO and PAGCOR shall be set aside for the purpose of establishing adequate Drug Rehabilitation Centers in each Legislative District of the country and also for the maintenance and operating expenses of such centers, pursuant to Sec. 87 of RA 9165.

The fund may be augmented by grants, donations, and endowment from various sources, domestic or foreign, for purposes related to their functions, subject to the existing guidelines set by the government.

Section 10. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Section 11. Repealing Clause. - All laws, parts of laws, decrees, presidential issuances, proclamations, orders, ordinances, and administrative regulations in conflict with the provisions of this Act are hereby amended, modified or repealed accordingly.

Section 12. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved.