

EIGHTEENTH CONGRESS OF THE)
SENATE OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'19 OCT -2 P6:07

SENATE

S. No. 1099

RECEIVED

Introduced by **Senator Cynthia A. Villar**

AN ACT

STRENGTHENING THE GOVERNMENT'S EFFORTS TOWARDS THE TREATMENT AND REHABILITATION OF DRUG DEPENDENTS OR PEOPLE WHO USE DRUGS (PWUDs) BY ESTABLISHING DRUG ABUSE TREATMENT AND REHABILITATION CENTERS IN EVERY PROVINCE AND CITY IN THE COUNTRY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

President Rodrigo Roa Duterte has candidly declared that one of the problems that bedevils our country and which needs to be addressed with urgency is the proliferation of illegal drugs.¹ It is only under President Duterte's watch that we have been made aware of how the drug problem has deeply permeated all strata of the Philippine society, thereby threatening our security and our normal way of living. From the time he took office in 2016, we have seen that the efforts of his administration has not waned towards achieving the goal of eradicating the problem of illegal drugs. No minute is being wasted to relentlessly pursue all those involved in the illegal drug trade in the Philippines.

¹ Inaugural Address of His Excellency Rodrigo R. Duterte dated 30 June 2016

With the administration's campaign against illegal drugs, one of the welcome developments we have witnessed is the voluntary surrender to the authorities of hundreds, if not thousands, of drug dependents or people who use drugs (PWUDs) all over the country.² While chiefly buoyed by a well-founded fear that they will be meted with the full force of the law if they do not surrender, the initiatives of the PWUDs who surrendered undeniably present an opportunity for them to be rehabilitated and start anew to live orderly and productive lives. The same could be true also for those PWUDs who have not voluntarily surrendered but were caught red-handed using drugs; they too should be given a chance to be rehabilitated.

The government should take an active role to fully rehabilitate the PWUDs. After all, it is an avowed policy of the State, as enunciated in Republic Act 9165 or the Comprehensive Dangerous Drugs Act of 2002, 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.

Based on information gathered, there are currently 53 licensed Drug Abuse Treatment and Rehabilitation Centers (DATRCs) nationwide, only 15 of which are operated by the Department of Health (DOH).³ While around 11 more DATRCs, including the Las Piñas Drug Rehabilitation Facility, are expected to open in 2019⁴, these may still not suffice to accommodate the increasing number of PWUDs needing rehabilitation and/or intervention nationwide.

The government must be ready to extend help to PWUDs, who should be treated as victims rather than be considered as outright criminals. Ensuring their recovery through rehabilitation and reintegration into the community will be beneficial to society as they will become its productive members. Hence, this bill seeks to establish accessible drug abuse treatment and rehabilitation centers in

² <http://news.abs-cbn.com/news/07/14/16/60000-drug-users-pushers-have-surrendered-palace>,
<http://pro8.pnp.gov.ph/2016/07/12/6869-drug-userspushers-voluntarily-surrender-to-pnp-in-eastern-visayas/>,
<http://www.inquisitr.com/3292186/duterte-drug-war-about-4000-more-druggies-surrender-as-bodies-turn-up-across-philippines/>

³ Parrocha, A. More drug rehab centers set for completion in 2019. Philippine News Agency (6 September 2018)

⁴ Ibid.

every province and city in the Philippines that will cater to the welfare of PWUDs in order to sustain the government's efforts in achieving a drug-free society.

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



CYNTHIA A. VILLAR

SENATE

'19 OCT -2 P 6:07

S. No. 1099

RECEIVED 

Introduced by **SENATOR CYNTHIA A. VILLAR**

AN ACT

**STRENGTHENING THE GOVERNMENT'S EFFORTS TOWARDS THE
TREATMENT AND REHABILITATION OF DRUG DEPENDENTS OR PEOPLE
WHO USE DRUGS (PWUDs) BY ESTABLISHING DRUG ABUSE TREATMENT
AND REHABILITATION CENTERS IN EVERY PROVINCE AND CITY IN THE
COUNTRY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES**

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

1 SECTION 1. *Creation.* – In order to complement the intensified drive to
2 eradicate dangerous and/or illegal drugs in the country, there shall be drug abuse
3 treatment and rehabilitation centers (hereinafter referred to as centers) for drug
4 dependents/PWUDs established in every province and city in the Philippines. These
5 centers shall be supervised by the Department of Health.

6 Sec. 2. *Objectives and Functions.* – These centers so established shall have
7 the following objectives and functions:

8 (a) To provide care, treatment and accommodation to every person found
9 to be a drug dependent;

1 (b) To bring such drug dependent to a state where he is physically,
2 psychologically and socially capable to cope with problems common to his peer
3 group;

4 (c) To facilitate and encourage the dissemination and exchange of ideas
5 and information on the prevention, care, treatment and control of drug addiction;

6 (d) To provide after-care, follow-up and social reintegration services to
7 every drug dependent in order to assist in his assimilation to his family and
8 community after his release from the center;

9 (e) To provide motivation to each drug dependent in order that he could
10 regain self-confidence, rediscover his working abilities and develop a sense of
11 responsibility for himself;

12 (f) To encourage the formation of organization and associations composed
13 of parents, guardians and immediate relatives of drug dependents in order to arouse
14 their awareness and enhance their participation in the care, treatment and
15 rehabilitation of their relatives or wards found to be drug dependent patients;

16 (g) To undertake continuous training of physicians, nurses, health officers
17 and social workers on the practical and scientific methods of prevention, care,
18 treatment and rehabilitation of persons found to be drug dependents; and

19 (h) To strengthen the emotional and spiritual make-up of every drug
20 dependent by conducting regular guidance and counseling sessions as well as
21 interdenominational services.

22 Sec. 3. *Sites of the Centers.* – The Secretary of Health and the local chief
23 executives shall determine the location of the centers in their respective provinces
24 and cities in the country.

25 In the determination and prioritization of the sites where centers will be
26 established, consideration shall be given to the following:

- 27 a.) Existence (or the lack) of national and local government-operated or
28 -accredited rehabilitation centers;

1 b.) Density of the population and rate of incidence of drug dependence;
2 and

3 c.) Locations that will provide peaceful and quiet environments in order to
4 ensure a focused and uninterrupted treatment and rehabilitation of the
5 drug dependents but at the same time reasonably accessible to the
6 prospective clientele;

7 Pending the establishment of centers in some provinces, the Secretary of
8 Health should initiate drug rehabilitation programs in existing government hospitals
9 in the province.

10 Sec. 4. *Affordability of Rehabilitation and Treatment.* – The Secretary of
11 Health shall establish a socialized scheme for the payment of the expenses of
12 rehabilitation and treatment of drug dependents or PWUDs with the end in view that
13 it is the government's duty to ensure that drug dependents or PWUDs are
14 rehabilitated and reintegrated into society; Provided, that drug dependents or
15 PWUDs who are indigents and whose immediate next of kin are likewise indigent
16 shall not be required to pay; Provided further, that expenses of rehabilitation and
17 treatment may be chargeable to Philhealth by drug dependents or PWUDs; and
18 Provided finally, that drug dependents or PWUDs shall not be required to pay a
19 deposit as a condition for their admittance to any government-operated center or
20 government hospitals.

21 Sec. 5. *Director of the Center.* – Each of the Centers shall be headed by a
22 Director, who shall be appointed by the Secretary of Health and vested with powers
23 generally exercised by a chief of a government hospital.

24 The appointment of the directors of the centers should follow a reliable and
25 stringent selection process, to be adopted by the Department of Health. In no case
26 shall a person be appointed as Director of a Center unless he or she possesses the
27 following qualifications, among others: shall be of good moral character; shall be of
28 sound mind; shall not have been convicted by a court of competent jurisdiction of
29 any offense involving moral turpitude; shall be a holder of the degree of Doctor of

1 Medicine or its equivalent conferred by a college of medicine duly recognized by the
2 government; and shall have at least five (5) years experience in the care, treatment
3 and rehabilitation of drug dependents or PWUDs.

4 Sec. 6. *Personnel and Staff.* – The Secretary of Health, in consultation with
5 the Director of the respective centers, shall appoint such other personnel and staff
6 as may be necessary for the effective operation of the Center, subject to existing
7 laws, rules, and regulations.

8 In line with the local government units' role of assisting in the rehabilitation or
9 treatment of drug dependents/PWUDs provided under Section 51 of Republic Act
10 9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended, local
11 government units may detail personnel, as may be necessary, to perform tasks and
12 functions that are supportive to the complete and effective rehabilitation of drug
13 dependents/PWUDs being treated in the centers.

14 It is mandatory that the officials, personnel and staff to be employed and/or
15 detailed at the centers will undergo integrity tests and trainings, from time to time,
16 as measure to prevent infiltration by drug syndicates into our drug rehabilitation
17 centers and system.

18 Sec. 7. *Government Assistance to the Center.* – The Secretary of Health is
19 hereby authorized to call upon any department, bureau, agency or instrumentality of
20 the government for such assistance as may be necessary for the effective
21 implementation of this Act.

22 Sec. 8. *Implementing Rules and Regulations.* – The Secretary of the
23 Department of Health, in coordination with the Department of Social Welfare and
24 Development, the Department of Interior and Local Government, the Philippine
25 National Police, the Philippine Drug Enforcement Agency, concerned non-
26 governmental organizations, and other stakeholders, shall promulgate such rules and
27 regulations as may be necessary to secure an effective administration of the centers
28 and the effective implementation of the provisions of this Act, within one hundred
29 twenty (120) days from the approval of this Act.

1 Sec. 9. *Appropriations.* – The sum necessary for the effective implementation
2 of this Act shall be charged against the appropriations for the Department of Health
3 under the General Appropriations Act. Thereafter, such amount as may be
4 necessary for the continued operation of the centers shall be included in the annual
5 General Appropriations Act.

6 Sec. 10. *Separability Clause.* – If any portion or provision of this Act is
7 declared unconstitutional or invalid, the remainder of this Act or any provisions
8 hereof not affected thereby shall continue to be in force and effect.

9 Sec. 11. *Repealing Clause.* – Any law, presidential decree or issuance,
10 executive order, letter of instruction, rule or regulation inconsistent or contrary to
11 the provisions of this Act is hereby repealed or modified accordingly.

12 Sec. 12. *Effectivity.* –This Act shall take effect after fifteen (15) days following
13 its complete publication in the Official Gazette or a newspaper of general circulation.

14 Approved,