



EXCERPTS FROM THE MINUTES OF THE THIRTEENTH (13TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON APRIL 17, 2023 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Josephine H. Sumangil-Evangelista, Presiding Officer
S.B. Member Leren Mae M. Bautista
S.B. Member Marlo PJ A. Alipon
S.B. Member Jonathan Bryan S. Siytiap
S.B. Member Miko C. Pelegrina
S.B. Member Mark Lester B. Dizon
S.B. Member Benedicto S. Alborida
S.B. Member Mike Dexter A. Concio
S.B. Member Jerwin A. Moliñawe
Ms. Dona T. Alborida, Secretary to the Sangguniang Bayan
Ms. Felomina I. Lincallo, LLSO I

Absent : S.B. Member Gaudencio P. Macatangay, Liga President, (O.B.)
S.B. Member Jozylyn N. Manansala, SK Federation President, (O.B.)

Visitors : Mr. Carl Audric Guia, Brgy. Bambang
Ms. Susan Guia, Brgy. Bambang
Ms. Argeelene Guia, Brgy. Bambang

ORDINANCE NO. 2023-2363

AN ORDINANCE INSTITUTIONALIZING THE MENTAL HEALTH CARE PROGRAM IN THE MUNICIPALITY OF LOS BAÑOS, ESTABLISHING MECHANISMS AND GUIDELINES FOR ITS IMPLEMENTATION, ADOPTING CERTAIN PROVISIONS OF RA. 11036, APPROPRIATING FUNDS THEREOF, AND FOR OTHER PURPOSES.


Author : Councilor Mark Lester B. Dizon

WHEREAS, mental health as defined by the World Health Organization (WHO) is "a state of well-being in which the individual realizes his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to his/her community ";

WHEREAS, mental health is a vital part of a person's total health and that the problems on mental health contain not just the traditional mental disorders but the issues of population who are susceptible to psychosocial risks caused by extreme life experiences such as traumatic incidence/events, disasters, near-death experiences, heinous and violent crimes, internal displacement brought about by religious and civil unrests as well as the psychosocial matters of daily living like preserving a sense of well-being in these complicated times;

WHEREAS, recently, Republic Act No. 11036, otherwise known as the "Mental Health Act" mandates local government units to strengthen programs and governance to promote mental health wellness by formulating, developing, and implementing national policies, strategies, programs and regulations relating to mental health;



WHEREAS, Local government Units (LGUs) are required to support the Mental Health Program by reviewing, formulating and developing regulations and guidelines necessary to implement an effective health care and wellness policy within their territorial jurisdictions, including the passage of a local ordinance focusing on mental health which are consistent with existing national policies and guidelines;

WHEREAS, there is a need to review, update, evaluate and institutionalize the mental health program in the municipality of Los Baños in order to improve and enhance its delivery and accessibility to the constituents who may need mental health care services;

WHEREAS, recognizing the need for a local policy to institutionalize a mental health care program in the municipality, the Los Baños Local Health Board, endorsed to the Sangguniang Bayan the crafting of an ordinance that will institutionalize a Mental Health Care Program in the municipality of Los Baños, Laguna;

NOW THEREFORE, on motion of Councilor Mark Lester B. Dizon duly seconded by Councilor Miko C. Pelegrina and unanimously approved by all the councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, **THAT**:

SECTION 1. TITLE. This ordinance shall be known as the “Mental Health Wellness Ordinance of the Municipality of Los Baños.

SECTION 2. POLICIES. This ordinance is enacted pursuant to the provision of Section 2 of the Philippine Constitution which states that:

- The State affirms the basic right of all Filipinos to mental health as well as the fundamental rights of people who require mental health services.

- The State commits itself to promoting the well-being of people by ensuring that: mental health is valued, promoted and protected; mental health conditions are treated and prevented; timely, affordable, high-quality, and culturally-appropriate mental care is made available to the public; mental health services are free from coercion and accountable to the service users; and persons affected by mental health conditions are able to exercise the full range of human rights, and participate fully in society and at work, free from stigmatization and discrimination.

SECTION 3. DEFINITION OF TERMS. As used in this ordinance, the following words and phrases shall have the meanings ascribed to them:

- a. **Mental Health** - refers to a state of well-being in which the individual realizes one's own abilities and potentials, copes adequately with the normal stresses of life, displays resilience in the face of extreme life events, works productively and fruitfully, and is able to make a positive contribution to the community;



- b. ***Mental Disability*** - refers to impairments in activity limitations and individual and participatory restrictions denoting the negative aspects of interaction between an individual and his environment. This results from organic syndromes such as mental retardation and acquired lesions of the central nervous system, dementia and psychotic and non-psychotic disorders;
- c. ***Mental Illness*** - refers to mental or psychiatric disorder or other neurodevelopmental disorders characterized by the existence of recognizable changes in the thoughts, feelings and general behavior of an individual brought about by neurobiological causes manifested by genetic or biochemical abnormalities and associated medical conditions which include distress, personality disorder, substance use dependence and mental retardation; including epilepsy, neuro dementia, anxiety depression and other neurologic illnesses.
- d. ***Mental Health Facility*** - refers to any establishment, or any unit of an establishment, which has, as its primary function, the provision of mental health services;
- e. ***Mental Health Professional*** - refers to a medical doctor, psychologist, nurse, social worker or any other appropriately-trained and qualified person with specific skills relevant to the provision of health services;
- f. ***Allied Professional*** - refers to any trained non-medical mental health professional;
- g. ***Mental Health Service Provider*** - refers to an entity or individual providing mental health services, whether public or private, including, but not limited to, mental health professionals and workers, social workers and counselors, peer counselors, informal community caregivers, mental health advocates and their organizations and persons or entities offering non-medical alternative therapies;
- h. ***Patient or Service User*** - refers to a person with mental health condition who requires or undergoing psychiatric, neurologic or psychosocial care;
- i. ***R.A. No. 11036*** - Republic Act No. 11036 or "An Act Establishing a National Mental Health Policy for the Purpose of Enhancing the Delivery of Integrated Mental Health Services, Promoting and Protecting the Rights of Persons Utilizing Psychiatric, Neurologic and Psychosocial Health Services, Appropriating Funds Therefor, and For Other Purposes", otherwise known as the "Mental Health Act", approved on June 20, 2018;
- j. ***Traumatic Events*** - refers to an incident that causes physical, emotional, spiritual, or psychological trauma or harm to an individual, including but not limited to, accidents, natural disasters, attacks, sexual harassment, domestic violence, and emotional or physical abuse;



- k. **Discrimination** - refers to any distinction, exclusion or restriction which has the purpose or effect of nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation. Special measures solely to protect the right or secure the advancement of persons with decision-making impairment capacity shall not be deemed to be discriminatory."

SECTION 4. DUTIES AND RESPONSIBILITIES OF THE MUNICIPAL GOVERNMENT OF LOS BAÑOS:

- a. Review, formulate, and develop regulations and guidelines necessary to implement an effective mental health care and wellness program and policies in municipality of Los Baños;
- b. Integrate mental health care services in the basic health care services, and ensure that these are provided in primary health care facilities and hospitals;
- c. Establish or provide training programs or activities necessary to enhance the capacity of mental health service providers and other health workers in providing appropriate mental health services or interventions;
- d. Establish and capacitate mental health care facilities or clinic in the municipality in order to be more accessible and responsive to the needs of the patients or community;
- e. Establish a temporary housing facility for vagrant psychotics or individuals suffering from mental health problem with no identified relatives where they can live or stay;
- f. Refer or coordinate transfer of service users or patients to mental health facilities, professional workers and other service providers for appropriate care; and
- g. Establish a multi-sectoral network for the identification, management, and prevention of mental health illness in the community

SECTION 5. INSTITUTIONALIZING THE MENTAL HEALTH PROGRAM OF THE MUNICIPALITY OF LOS BAÑOS, LAGUNA. The mental health program and services of the Municipal Health Office of Los Baños is hereby institutionalized and shall be integrated as part of the public health services in the health facilities of Municipal Government of Los Baños.

- a. Mental health care services to be provided in the municipality shall be:
 - a.1. Based on medical and scientific research findings;



- a.2. Responsive to the clinical, gender, cultural and other special needs of the individuals being served;
- a.3. Service must be provided in most appropriate and least restrictive setting;
- a.4. Age-appropriate;
- a.5. Provided by mental health professionals and workers in a manner that ensures accountability; and
- a.6. Economically accessible.
- b. The mental health care services shall aspire to evolve from a predominantly hospital-based mental health care system to a comprehensive community-based mental health care system which shall consists of:
 - b.1. Development and integration of mental health care at the primary health in the community;
 - b.2. Continuation of programs for capacity/capability building among existing local health workers in close coordination with mental or psychiatric hospitals, universities and other health providers;
 - b.3. Continuous support services and intervention for affected families;
 - b.4. Advocacy and promotion of mental health awareness among the general population;
 - b.5. Capacity building, reorientation and training shall be required for health providers;
 - b.6. Research and development to improve mental health programs shall be undertaken, in collaboration with other government agencies, academic institutions, mental health associations and non-government organizations, to develop or enhance appropriate and relevant mental health services in the community.

SECTION 6. MENTAL HEALTH CLINIC / FACILITY. In the Rural Health Unit of Los Baños, Laguna, Mental Health Clinic shall be established and shall serve patients with mental health problem on an out-patient basis. It shall provide the following services:

- a. Psychiatric consultation and counseling;
- b. Provision of medicine for mental health disorder;
- c. Referral and coordination of patients needing admission;
- d. Screening and assessment of individuals for substance use disorder.



SECTION 7. PROMOTION OF MENTAL HEALTH AND PUBLIC AWARENESS. To protect the dignity of those who are suffering from mental health problems, the Municipal Government of Los Baños shall promote an integrated approach to mental health care through programs that strengthen the basic coping mechanism of individuals.

It shall also endeavor to raise the value of mental health consciousness among the people, such as in the various educational institutions and public and private workplaces, among others.

The Municipal Government of Los Baños shall:

- a. promote awareness on mental health wellness;
- b. provide support and services for individuals at risk;
- c. facilitate access, including referral mechanisms of individuals with mental health conditions to treatment and psychosocial support; and
- d. correct the stigma and discrimination associated with mental health conditions.

SECTION 8. INTENSIFIED PSYCHOSOCIAL ACTIVITIES AND INTERVENTION AFTER CALAMITIES AND/OR DISASTERS AND OTHER TRAUMATIC EVENTS. The Municipal Government of Los Baños through the Los Baños Municipal Health Office and Municipal Social Welfare and Development shall conduct psychosocial interventions and activities especially in the aftermath of calamities, traumatic incidence, disasters, the Covid 19 pandemic which, needless to say, have contributed much to the state of well-being especially of children.

SECTION 9. CAPACITY BUILDING PROGRAMS FOR BARANGAY FRONTLINE WORKERS. The Municipal Government of Los Baños (MGLB), with technical assistance from DOH, shall be responsible for the training of Barangay Health Workers, Barangay Health Emergency Response Teams and other barangay volunteers on the promotion of mental health. The MGLB shall provide appropriate assistance, supplies and logistics necessary to carry out their functions.

SECTION 10. CAPACITY BUILDING PROGRAMS FOR OTHER STAKEHOLDERS. In close coordination with mental health facilities, academic institutions, and other stakeholders, mental health professionals, workers, and other service providers shall undergo capacity-building, reorientation, and training to develop, update and enhance their ability to deliver evidence-based, gender-sensitive, culturally appropriate and human-rights oriented mental health services, with emphasis on the community and public health aspects of mental health.

For this purpose, Non-Government Organizations, People's Organizations and other entities that are helping in the promotion and advocacy for mental health



awareness shall be encouraged to coordinate with the Municipal Health Office of Los Baños for purposes of inclusion in the comprehensive plan to address mental health issues in the municipality.

SECTION 11. LOS BAÑOS MENTAL HEALTH ADVISORY COUNCIL. The Los Baños Mental Health Advisory Council is hereby created to serve as advisory body in providing policies for a consistent, rational and unified response to mental health problems and concerns.

A. Composition - The Advisory Council shall be composed of the following:

Local Chief Executive, as the Chairperson
Municipal Health Officer, as Vice Chairperson

Members:

Sangguniang Bayan Councilor for Health
SK Federation President
Municipal Social Welfare and Development Officer
Municipal Planning and Development Coordinator
Municipal Budget Officer
Gender and Development Officer
Liga President
Department of Education Representative
LB MHO Mental Health Program Coordinator
Public Information Officer
LB MHO Health Education and Promotion Officer
PWD Federation Head or Representative
NGO Representative

B. Duties and Functions of Los Baños Mental Health Advisory Council:

1. Crafting of a unified Los Baños Mental Health Care Program (LBMHCP) shall be the responsibility of the Advisory Council;
2. Review existing programs and policies for mental health care in the municipality;
3. Develop programs designed to promote and upscale the approaches for mental health awareness in the community;
4. Recommend policies and legislations that will promote and strengthen mental health programs and advocacies in the municipality of Los Baños;
5. Ensure implementation of psychosocial interventions in the community specially during or after disasters or calamities;



6. Recommend funding for capacity enhancement of LBMHCP such as but not limited to hiring of appropriate manpower or health care professionals, training of manpower or volunteers, and procurement of supplies and logistics such as drugs and medicine intended for mental health illness;
 7. Establish mechanisms of hotlines/ online consultations managed by trained professionals to cater cases that include but not limited to, anxiety, stress, suicide or self-harm and other mental health cases that may need immediate counseling or intervention through telephone or online consultations;
 8. Formulate the work and financial plan of the LBMHCP and submit the plan to concerned LGU offices for incorporation to proposed annual budget;
 9. The council shall also serve as advisory body to the anti-drug abuse program of the municipality;
 10. Formulate policies and programs for the management of vagrant psychotics or those individuals with mental health illness needing referrals for admission or for temporary shelter;
 11. In coordination with academic institution, conduct or encourage research and development programs intended to enhance the capacity and capability of the municipality to manage mental health issues in the community and ultimately to reduce the burden of the disease to the family and community;
 12. Perform such other duties and functions necessary to carry out the purpose of this Ordinance.
- C. Quorum - The presence of majority of members of the Advisory Council shall constitute a quorum.
- D. Meetings - The Council shall meet at least once every quarter or as frequently as necessary to discharge its duties and functions. It may be convened by the Chairperson or upon written request of at least three (3) members of the council.
- E. Secretariat- The Los Baños Municipal health Office and Municipal Social Welfare and Development Office shall serve as the secretariat of the Council.
- F. Appointment of Members - The Municipal Mayor shall appoint the members of the Advisory Council thru an executive order within sixty (60) days from the effectivity of this Ordinance.



SECTION 12. ACCESS TO QUALITY MENTAL HEALTH CARE. Every constituent shall have the right to equal and non-discriminatory mental health care services appropriate to his or her needs and shall be entitled to care and treatment in accordance to the same standards and accessibility as other sick individuals.

Moreover, people in far-flung areas and/or highly populated or depressed areas/barangays and people from vulnerable sectors such as the children in conflict with the law, people deprived of liberty, indigenous people, and women in postpartum shall have the same level of access and shall be prioritized for home or facility visits and access to mental health outreach activities.

SECTION 13. CONFIDENTIALITY. All patients with mental illness shall be entitled to the right to confidentiality. All information, communications, and records, in whatever form or medium stored, regarding the patient/service user, any aspect of the patient's/service user's mental health, or any treatment or care received by the patient/service user, shall not be disclosed to third parties without the written consent of the patient/service user concerned or the patient's/service user's legal representative, except in some circumstances allowed by law.

SECTION 14. MENTAL HEALTH CARE FOR DRUG DEPENDENTS. Persons who use prohibited drugs or substances referred to or accessing the services of LBMHCP shall be given equal and non-discriminatory services but subject to the existing policies and programs of the municipality for substance abuse clients or patients.

SECTION 15. REPORTORIAL REQUIREMENTS. The Municipal Government of Los Baños through the Municipal Health Office shall submit reports for the mental health program to authorized government agencies.

- For the purpose of obtaining accurate reports for planning and prioritization of health programs and fundings, all health facilities and/or health providers whether public or private practitioner, are required under this ordinance to submit report on patients or clients with mental health problems seen, consulted or managed in their respective clinics or health facilities. Report shall be submitted to the Los Baños Municipal Health Office at least every quarter and shall include the following information:

- Age
- Sex
- Barangay Address
- Diagnosis
- Consultation status (New or Old)

SECTION 16. PENALTY. This ordinance strictly prohibits the discrimination against a person with a mental health condition.

This Ordinance adopts the penalty clause as provided in RA 11036 and its IRR. For this purpose, the Municipal Government of Los Baños shall assist any complainant/s in filing a case with the proper court.



Failure to observe the provisions of Section 15 of this ordinance, the following shall be observed:

First offense	Warning
Second offense	Fine of Php 1000.00
Third Offense	Fine of Php 2000.00

For this purpose, the Municipal Legal Officer or its equivalent office shall be directed to implement this provision of the Ordinance.

SECTION 17. FUNDING AND APPROPRIATIONS. The Municipal Government of Los Baños shall appropriate funds for the implementation of Los Baños Mental Health Care Program and for the operational expenses of the LB Mental Health Advisory Council and the fund shall be sourced from the Los Baños Municipal Health Office, Municipal Social Welfare and Development Office and GAD Fund.


SECTION 18. SEPARABILITY CLAUSE. If, for any reasons, any part or provision of this Ordinance shall be declared unconstitutional or invalid by the court, or suspended or revoked by competent authorities, other parts or the provisions thereof which are not affected thereby shall continue to be full force and effect.


SECTION 19. REPEALING CLAUSE. All ordinances, rules and regulations or parts thereof not consistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.


SECTION 20. EFFECTIVITY. This Ordinance shall take force and effect upon approval and issuance of copy of ordinance to all stakeholders and health providers.

ENACTED : April 17, 2023

I HEREBY CERTIFY to the correctness of the above –quoted Ordinance.


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED: 
HON. JOSEPHINE H. SUMANGIL - EVANGELISTA
Vice Mayor / Presiding Officer

APPROVED: 
HON. ANTHONY F. GENUINO
Municipal Mayor