

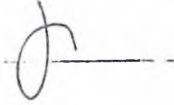
NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
Office of the Secretary

'22 JUL 13 P2 :00

SENATE
S. No. 501

RECEIVED BY



Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
ESTABLISHING THE DISABILITY SUPPORT FUND FOR THE EMPOWERMENT,
FULL PARTICIPATION AND INCLUSION OF PERSONS WITH DISABILITIES
IN SOCIETY AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

According to the World Health Organization (WHO), it is estimated that at least 15 % of the world population are living with various types of disabilities. The rights of Persons with disabilities to access services as provided under UNCRPD Article 28 necessary for their personal development are impinged by lack of awareness and sensitivity of policy makers, program planners and implementers and service providers to their needs to become contributing members of society.

Persons with Disabilities face various forms of barriers that hinder their development and full and effective participation in education, employment, socio-economic participation in society on an equal basis with others. These barriers include the lack of physical accessibility in public schools and training facilities, government offices and public transportation, and lack of disability-support services such as assistive devices and technology, live assistance including sign language interpreters for deaf and readers for blind people.

Access by persons with disabilities to government services particularly at the local government unit is a huge challenge because of budget constraints. Consequently, many persons with disabilities are left behind in development efforts of

of the government. In the end, the government is left with a choice to address the needs of an unrehabilitated, undeveloped and unproductive which is more costly than providing the early intervention and appropriate support services. Therefore, it is crucial that the government establish a proactive measure that ensures the availability of funds to support development activities of local governments and civil society organizations that promote participation, empowerment and inclusion of persons with disabilities in Philippine society.

One of the legislative agenda on disability in the Philippine Development (PDP) 2017-2022 is the establishment of the Persons with Disability Development Support Fund which is centered on the needs of every person with disability to develop his/ her full potential and live just like any other ordinary individual by providing disability support services. The PWD-Development Support fund will empower persons with disabilities and their families as consumers of rehabilitation, habilitation and disability support services, especially during their early years of intervention and education. It will also link them to referral services and information, individualized plans and fund support when necessary, for persons with disabilities over a lifetime.

This Person with Disability Development Support Fund will introduce greater impact to the economy by providing productive opportunities for persons with disabilities and families as consumers, to become contributing members of society and opening job opportunities for their family members and the community.

The bill seeks to address the growing concern of Persons with disabilities to access disability support services to facilitate their full and effective participation and inclusion in all aspects of community development on an equal basis with others.


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

- 1 Section 1. *Title.* - This shall be known as "*Disability Support Fund Act*".
- 2 Sec. 2. *Declaration of State Policy* - The Philippines as a State Party to the
- 3 United Nations Convention on the Rights of Persons with Disabilities
- 4 (UNCRPD) recognizes all the rights of persons with disabilities and shall take effective
- 5 and appropriate measures to respect, protect, and fulfill the full enjoyment by persons
- 6 with disabilities of these rights such as but not limited to access to habilitation and
- 7 rehabilitation services, participation in socio-economic activities, access to a range of
- 8 in-home, residential and other community support services, including personal
- 9 assistance, learning and assistive devices and technology necessary to support living
- 10 independently and inclusion in the community, and to prevent isolation or segregation
- 11 from the community.
- 12 Towards this end, the State shall establish a disability support fund to provide
- 13 social assistance to persons with disabilities for the support they need, to augment
- 14 local government units fund for their disability-specific and mainstreamed programs
- 15 and services targeting persons with disabilities and to support NGOs and organizations
- 16 of persons with disabilities initiatives on programs and services that are in support of

1 governmental functions relative to development and empowerment of persons with
2 disabilities.

3 **Sec. 3. *Definition of Terms.*** - For purposes of this act, the following terms shall
4 be defined as follows:

- 5 a. Disability is an evolving concept that results from the interaction between
6 person with impairments and attitudinal and environmental barriers that hinder
7 their full and effective participation in society on an equal basis with others;
- 8 b. Persons with Disabilities include those who have long-term physical, mental,
9 intellectual or sensory impairments whose interaction with various barriers may
10 hinder their full and effective participation in society on an equal basis with
11 others. Persons who may fall in this definition, are but not limited to, the
12 following: persons with psychosocial disability, persons with autism, persons
13 with down syndrome, persons who are blind, persons with low vision, persons
14 with hard of hearing, deaf, persons with rare diseases, and all other persons
15 who will be certified under the disability assessment and determination system;
- 16 c. Disability Support Services means support services provided where a condition,
17 disability or illness has been, or is likely to be, present for six (6) months or
18 more, excluding surgical or medical treatment;
- 19 d. Rehabilitation refers to the action of restoring someone to health or normal life
20 through training and therapy after imprisonment, addiction, or illness; and
- 21 e. ~~Habilitation means educating people with functional limitations so that they can~~
22 live in society more easily.

23 **Sec. 4. *Disability Support Fund.*** - The Disability Support Fund aims to address
24 the gaps in the program implementation currently undertaken at the national and at
25 the local level through programs and projects of the local government and civil society
26 organizations. Local government units and accredited non-government
27 organizations will also be assisted through funding to establish responsive services
28 ~~supporting independent living of persons with disabilities.~~ This will provide more
29 choices for persons with disabilities in availing services necessary for them to live
30 independently like any ordinary individual.

31 **Sec. 5. *Coverage.*** - Disability Support Fund shall provide:

- 1 1. Fund Support to Persons with disabilities based on their personal needs such
2 as rehabilitation, habilitation, assistive devices and technology and Disability
3 support services;
- 4 2. Fund Support to local government units to develop responsive programs for
5 persons with disabilities as mandated by laws;
- 6 3. Fund Support to non-government organizations and persons with disabilities'
7 organization as service providers to individuals with disabilities;
8 Criteria will be developed in granting support funds to individuals with
9 disabilities, partner LGUs and organizations.

10 *Sec. 6. Role of National Council on Disability Affairs as Administrator for the*
11 *Disability Support Fund.* - The National Council on Disability Affairs (NCDA) shall be
12 the administrator of the Disability Support Fund. In partnership with organizations of
13 persons with disabilities, all concerned government agencies, local government units
14 thru Persons with Disability Affairs Office (PDAO), non-government organizations shall
15 implement programs and services targeting persons with disabilities.

16 All policies concerning programs and services for persons with disabilities shall
17 be reviewed and enhanced for clarity of operationalization at the local level.

18 *Sec. 7. Monitoring.* - The NCDA, in collaboration with representatives of the
19 Organizations of Persons with Disabilities, is hereby tasked to convene an Inter-
20 Agency Committee to make an annual assessment of the implementation of this Act.

21 *Sec. 8. Implementing Rules and Regulations.* - The NCDA in consultation,
22 coordination and collaboration with concerned government agencies shall, within sixty
23 (60) days from the effectivity of this Act, prepare the implementing rules and
24 regulations necessary to carry out the provisions of this Act.

25 *Sec. 9. Appropriations.* - The amount necessary for the implementation of the
26 Act shall be included in the annual General Appropriations of the year following its
27 enactment into law and thereafter. The initial amount of which shall be determined
28 by the Department of Social Welfare and Development (DSWD), the National Council
29 of Disability Affairs (NCDA), and representatives from other major stakeholders
30 including organizations of persons with disabilities.

1 Sec. 12. *Separability Clause.* – If any provision of this Act is held invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall
3 remain valid and in effect.

4 Sec. 13. *Repealing Clause.* – Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule or regulation contrary to or
6 inconsistent with the provision of this Act is hereby repealed, modified, or amended
7 accordingly.

8 Sec. 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
9 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Adopted,