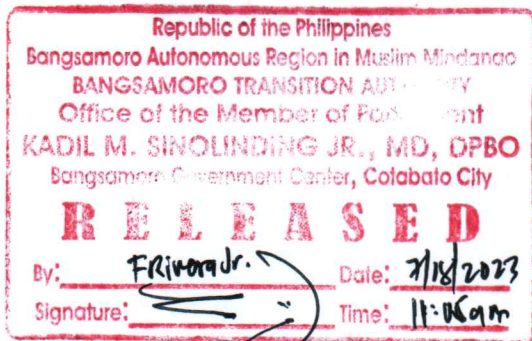


Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City



Second Parliament
First Regular Session



BTA BILL NO. 230

Introduced by MP KADIL M. SINOLINDING, JR., MD, DPBO

Co-authors : ATTY. LANANG ALI JR. PROF. EDDIE M. ALIH MUDJIB C. ABU ABDULAZIZ M. AMENODIN DR. SUSANA S. ANAYATIN DAN S. ASNAWIE ALI MONTAHA D. BABAO BAI MALEIHA B. CANDAO ATTY. SHA ELIJAH B. DUMAMA-ALBA SUHARTO S. ESMAEL MATARUL M. ESTINO RASUL E. ISMAEL MUSLIMIN A. JAKILAN ALBAKIL D. JIKIRI KHALID M. HADJI ABDULLAH HATIMIL E. HASSAN DEN MARTIN A. KAHALAN ATTY. JOSE I. LORENA HAMID U. MALIK MARJANIE S. MACASALONG FROILYN T. MENDOZA TAWAKAL B. MIDTIMBANG MICHAEL E. MIDTIMBANG ABDULKARIM T. MISUARI NURREDHA I. MISUARI ALI O. SALIK ATTY. RASOL Y. MITMUG JR. SUWAIB L. ORANON ABDULWAHAB M. PAK ATTY. RANDOLPH C. PARCASIO RAMON A. PIANG JR. ALI O. SALIK ALI B. SANGKI ROMEO K. SEMA ENGR. AIDA M. SILONGAN ATTY. SITTIE FAHANIE S. UY-OYOD

AN ACT

ESTABLISHING DRUG REHABILITATION CENTER IN BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO OTHERWISE KNOWN AS BAYT TAHILIYYAH BAHAY KANLUNGAN FOR DRUG DEPENDENTS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Globally, this dangerous drug is a social menace and considered a public disease and a threat mostly among the youth. It is a recurring problem which poses a grave threat to family prosperity and to the general extent, the country's national security. In the Philippines, it has attested all sectors of the youth and levels of all society including the government, business and even law enforcement agencies.

Section 15 of Republic Act 9165 provides that a person apprehended or arrested, who is found to be positive for use of any dangerous drug, after a confirmatory test, shall be imposed a penalty of a minimum six (6) months rehabilitation in a government center for the first offense, subject to the provisions of Article VIII of this Act.

In BARMM, there are more than 33,000 drug dependents as per record of the Philippine Drug Enforcement Agency (PDEA) BARMM. Some were charged for violation of Section 15, RA 9165, convicted and imposed by the court a penalty of 6 months rehabilitation. Unfortunately, drug dependents were ordered to be brought to a detention facility due to the lack of rehabilitation center in the region. This detention facility is a place where people who committed crimes are kept which cannot be considered a rehabilitation center. There were also drug surrenderees from among the 33,000 drug dependents who are undergoing Community Based Rehabilitation Programs (CBRP) which are being implemented by the Barangay Local Government Units (BLGUs).

Hence, because of people's greediness and uncaringness, these dangerous drugs have been used illegally and excessively which have caused damage tremendously to people's life, his/her family, workplace, community and to the whole country.

It is by the establishment of a rehabilitation center in the Bangsamoro Autonomous Region that shall ensure the speedy recovery from physical and mental trauma brought about by dangerous drugs to every drug dependents in the region.

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

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

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First Regular Session

BTA BILL NO. 230

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION
RECEIVED
Name: ADELAIH DIPAUM Signature: 
Date: JUL 18 2023 Time: 11:28AM

Introduced by **MP KADIL M. SINOLINDING, JR., MD, DPBO**

Co-authors : **ATTY. LANANG ALI JR. PROF. EDDIE M. ALIH MUJIB C. ABU ABDULAZIZ M. AMENODIN DR. SUSANA S. ANAYATIN DAN S. ASNAWIE ALI MONTAHA D. BABAO BAI MALEIHA B. CANDAO ATTY. SHA ELIJAH B. DUMAMA-ALBA SUHARTO S. ESMAEL MATARUL M. ESTINO RASUL E. ISMAEL MUSLIMIN A. JAKILAN ALBAKIL D. JIKIRI KHALID M. HADJI ABDULLAH HATIMIL E. HASSAN DEN MARTIN A. KAHALAN ATTY. JOSE I. LORENA HAMID U. MALIK MARJANIE S. MACASALONG FROILYN T. MENDOZA TAWAKAL B. MIDTIMBANG MICHAEL E. MIDTIMBANG ABDULKARIM T. MISUARI NURREDHA I. MISUARI ALI O. SALIK ATTY. RASOL Y. MITMUG JR. SUWAIB L. ORANON ABDULWAHAB M. PAK ATTY. RANDOLPH C. PARCASIO RAMON A. PIANG JR. ALI O. SALIK ALI B. SANGKI ROMEO K. SEMA ENGR. AIDA M. SILONGAN ATTY. SITTIE FAHANIE S. UY-OYOD**

AN ACT
ESTABLISHING DRUG REHABILITATION CENTER IN BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO OTHERWISE KNOWN AS BAYT TAHILIYYAH BAHAY KANLUNGAN FOR DRUG DEPENDENTS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Section 1. Title - This Act shall be known as the "**Bayt Tahiliyyah Bahay Kanlungan Act of 2023.**"

Section 2. Declaration of Policies. It is a policy of the Bangsamoro Autonomous Region in Muslim in Mindanao as provided in:

Section 8 Article IX of the Republic Act 11054 in *Right to Access to Basic Services*, stated "*to provide, maintain and ensure the delivery of basic and responsive health programs, quality education, appropriate services, livelihood opportunities, affordable and progressive housing projects, power and electricity and water supply for the Bangsamoro people and other inhabitants of the region*".

Section 22 Article IX of the Republic Act 11054 which states "*to provide for a comprehensive and integrated health service delivery for its constituents and establish by law a general hospital system to serve the health requirements of its people and ensure that the individual basic right to life shall be attainable through the prompt intervention of excellent and affordable medical services*".

Section 3. Definition of Terms - for the purpose of this Act, the following terms are hereby defined, as follows,

- a. Center - refers to a treatment, rehabilitation and reformation center for drug dependents.
- b. Drug Rehabilitation - a dynamic process including re- integration, aftercare and follow up treatment directed towards the physical, emotional/psychological, vocational, social and spiritual change of a drug dependent to enable him/her to live without dangerous drugs, enjoy the fullest life compatible with his capabilities and potentials and render him/her able to become a law abiding and productive member of the community.
- c. Drug Dependence - it is a cluster of physiological, behavioral and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance-taking behavior in terms of its onset, termination, or levels of use.
- d. Dangerous Drugs - those provided under Republic Act No. 9165 otherwise known as the "Comprehensive Dangerous Drugs Act of 2002" repealing Republic Act No. 6425, otherwise known as the "Dangerous Drugs Act of 1972", which include those listed in the Schedules annexed to the United Nations 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances.
- e. *Non-residential Treatment and Rehabilitation Center (Out-patient Center)* – a health facility that provides diagnosis, treatment and management of drug dependents on an outpatient basis. It may be a drop-in/walk-in Center or any other office/facility used by support groups that provide consultation or counseling. From time to time, it may provide temporary shelter for patients in crisis for not more than twenty- four (24) hours.
- f. Person Deprived of Liberty (PDL) - shall refer to a person committed to the custody of Bureau of Jail Management and Penology (BJMP).
- g. *Residential Treatment and Rehabilitation Center (In-patient Center)* – a health facility that provides comprehensive rehabilitation services utilizing, among others, any of the accepted modalities: Multidisciplinary Team Approach, Therapeutic Community Approach and/or Spiritual Services towards the rehabilitation of a drug dependent.
- h. Client - shall refer to any person who is successfully admitted to the Center for drug rehabilitation.
- i. Drug Dependency Examination (DDE) - shall refer to the medical examination conducted by a DOH - accredited Physician to evaluate the extent of drug abuse of a person and to determine whether he/she is a drug dependent or not, which includes history taking, intake interview, determination of a criterion for drug dependency, mental and physical status, medical and psychiatric complications and co- morbidities, and detection of the dangerous drugs in body specimens through laboratory procedures.

Section 4. Drug Rehabilitation Center - To implement the above-mentioned policies, there shall be established a Bangsamoro Drug Rehabilitation Center in the Bangsamoro Autonomous Region.

This Act shall be established under the special supervision of the Ministry of Health and in support and participation of BJMP-BARMM, Philippine Drug Enforcement Agency (PDEA) and other concerned BARMM line agencies.

Section 5. Objectives and Functions - the center shall seek the following objectives and functions:

- (a) To provide care, treatment, rehabilitation and reformation for clients;
- (b) To provide aftercare, follow up, monitoring and social reintegration services to enable a drug dependents to adjust to family and community life after his release;
- (c) To regain and restore the pre clients status physically, physiologically, and spiritually
- (d) To formulate the Centers' Implementing Rules and Regulations and draft the Manual of Operation;
- (e) To provide out-patient consultation, counseling, and values transformation to patients undergoing treatment at home or other community based centers.

Section 6. Site of the Center - the Ministry of Health (MOH) shall determine the location of the center which primarily considers access, safety and security of the facility.

Section 7. Coverage area - The Bangsamoro Drug Rehabilitation Center shall cater primarily, but not limited to, patients from the Bangsamoro Autonomous Region.

Section 8. Organization - the center shall be headed by a Center Director to be recommended by a selection board headed by the Ministry of Health and appointed by the Chief Minister.

The Center Director shall have no appointing authority but may recommend in hiring of center staff and personnel. The Organizational Structure and all other personnel requirements of the center shall be in accordance to the manual of operations consistent with the policies and guidelines prescribed under the Ministry of Health, by the Ministry of Finance and Budget Management, and compliant with the provision under the Civil Service Commission Human Resource Management.

Section 9. Personnel and Staff - The Promotion and Selection Board of the Ministry of Health shall facilitate the hiring of personnel and/or staff as necessary for the effective operation of the center subject to existing laws, rules and regulations of the Civil Service Commission. The following positions are:

- a. One (1) Medical Specialist IV (preferably a Psychiatrist) - SG 24
- b. One (1) Medical Specialist II (Psychiatrist) - SG 22
- c. (1) Administrative Officer III - SG 14
- d. One (1) Administrative Officer I - SG 10
- e. One (1) Nutritionist & Dietitian II - SG 15
- f. One (1) Medical Technologist II - SG 15
- g. One (1) Guidance Counsellor - SG
- h. Two (2) Social Welfare Officer II - SG 15
- i. One (1) Administrative Aide VI - SG 6
- j. One (1) Administrative Aide IV - SG 4

Section 10. Strategic Development Plan - the center shall prepare and formulate the short-term, mid-term and long-term development plan, in the fulfillment of the following:

- (a) To upgrade the center with modern facilities compliant to the national standard of rehabilitation,
- (b) To provide rehabilitative and reformative facilities, behavioral and to enhance recovery and skills development,

(c) To formulate plans and initiate program, projects and activities consistent to the mandate of the center for its sustainability and function, and

(d) To hire and/or augment human resources to comply with the staffing requirements of the center.

Section 11. Admission to the Center - The Center Director shall approve the admission of the client upon the recommendation of the attending physician as requisites of the Drug Dependency Examination (DDE), provided the permission from the client and/or the guardian shall be acquired by voluntary drug dependents.

Section 12. Rules and Regulations - the MOH with the support of the BJMP, PDEA, Ministry of Social Services and Development (MSSD), Ministry of Interior and Local Government (MILG) and other concerned ministries, agencies and bureaus shall promulgate rules and regulations as may be necessary to ensure an efficient administration of the center and implementation of the provisions of this Act.

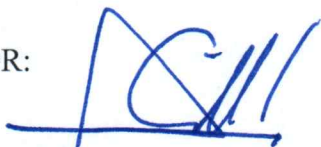
Section 13. Appropriation - The General Appropriation Act of the Bangsamoro shall appropriate such amount, as may be necessary to carry out the objectives of this Act. It shall cover the Capital Outlay (CO) including the construction of the center structures, land development and procurement of equipment, Pre-operating expenses, Personnel Services (PS); and, Maintenance and other Operating Expenses (MOEE).

Section 14. Separability Clause. In the event any provision of this Act or the application of such provision to any person or circumstances is declared invalid, the remainder of this Act or the application of the said provisions to other persons or circumstances shall not be affected by such declaration.

Section 15. Repealing Clause. All laws, acts and regulations not consistent with this Act are hereby repealed or modified accordingly.

Section 16. Effectivity - This Act shall take effect fifteen (15) days from its publication in any two (2) newspapers of general circulation.

AUTHOR:



KADIL M. SINOLINDING, JR, MD, DPBO
Member of the Parliament

Certified Correct:

PROF. RABY B. ANGKAL
Secretary General

Attested by:

HON. PANGALIAN M. BALINDONG
Speaker