

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY 2
Cotabato City

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION

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Name: UNASSIGNED 4- Signature: 
Date: AUG 17 2023 Time: 12:08 PM

Second Regular Session

BTA PARLIAMENT
BTA Parliament Bill No. 245

Introduced by
MP Engr. Baintan Adil-Ampatuan, MNSA

Co-Authored by:

MP Atty. Laisa M. Alamia, MP Amilbahar S. Mawallil, MP Atty. Suharto M. Ambolodto, MP Engr. Don Mustapha A. Loong, MP Atty. Rasol Y. Mitmug, Jr., MP Rasul E. Ismael, MP Tawakal B. Midtimbang, MP Jaafar Apollo Mikhail L. Matalam, MP Michael E. Midtimbang, MP Atty. Sittie Fahanie S. Uy-Oyod, and MP Bassir. D. Utto

AN ACT
ESTABLISHING A PROGRAM TO HELP CHILDREN DIAGNOSED WITH
AUTISM SPECTRUM DISORDER (ASD) IN THE BANGSAMORO
AUTONOMOUS REGION IN MUSLIM MINDANAO, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES

Explanatory Note

Article 2, Section 15 of the 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them.

The same was reiterated in Section 2, Article IX of Republic Act No. 11054, or the Bangsamoro Organic Law (BOL), which also states that the Bangsamoro Government shall protect and promote the right to health of the people and instill health consciousness among them. It shall also uphold the peoples' right to have access to essential goods health, and other social services that promote their well-being. This is an emphasis that paramount importance is given to health.

Additionally, Section 2(r) of R.A. 11054 also states that the Bangsamoro Government shall exercise its authority over the development programs and laws for women, labor, youth, the elderly, the differently-abled, and indigenous peoples.

Together, these laws lay out the foundation of the Government's responsibility to look after its constituent's health and overall well-being. It is evident in provisions such as Section 2(r) that these efforts should also extend to specific and or marginalized sectors.

Thus, it is imperative that the Bangsamoro Government continues to recognize and identify the needs of these sectors, in order to further deliver and improve health service delivery towards its citizens.

Autism Spectrum Disorder (ASD) is a neurological and developmental disorder that affects how people interact with others, alongside their abilities to communicate, learn, and behave. Although autism can be diagnosed at any age, it is described as a "developmental disorder" because symptoms generally appear in the first 2 years of life.¹

According to the *Diagnostic and Statistical Manual of Mental Disorders (DSM-5)*, a guide created by the American Psychiatric Association that health care providers use to diagnose mental disorders, people with ASD often have:

- a) Difficulty with communication and interaction with other people;
- b) Restricted interests and repetitive behaviors; and
- c) Symptoms that affect their ability to function in school, work, and other areas of life.²

Moreover, Autism is known as a "spectrum" disorder because there is a wide variation in the types and severity of symptoms people experience.³

It is estimated that worldwide about 1 in 100 children has autism⁴, where in the Philippines, this equates to about one in 100 Filipinos⁵ being on the autism spectrum, translating to approximately 1.2 million of our countrymen living with autism today.

Although Republic Act No. 7277, or the Magna Carta for Disabled Persons laid the foundations for the recognition and protection of rights of persons with disabilities, including those on the spectrum, there is still an inadequacy of programs that address the needs of the Bangsamoro diagnosed with autism.

It is the duty of the Bangsamoro Government to provide protection and care to every Bangsamoro, especially those on the spectrum to address and support their peculiar needs. Everyone has the right to the enjoyment of the highest attainable standards of physical and mental health.

¹<https://www.nimh.nih.gov/health/topics/autism-spectrum-disorders-asd>

² *Ibid.*

³ See Footnote 1.

⁴ Global prevalence of autism: A systematic review update. Zeidan J et al. Autism Research 2022 March.

⁵ <http://www.autismsocietyphilippines.org/p/autism-is-lifelong-developmental.html>

Currently, in the Bangsamoro Autonomous Region, there is no law that promotes the general welfare of those diagnosed on the spectrum, especially its early identification, assessment, and support.

This bill aims to increase awareness and proper understanding of ASD, in hopes that it can serve as a catalyst of normalizing ASD, and de-stigmatizing negative connotations around the discourse of ASD in our society. The bill can help create an environment that is conducive to the growth and development of individuals with ASD, by providing easy access to affordable therapies and education, alongside services and support for them to live self-sufficiently within the community, and hopefully minimize and or complete remove discrimination and promote inclusivity within the region.

Individuals who are on the spectrum are an underrepresented segment of the region, where they are vulnerable due to their physical, mental, intellectual, and sensory impairments. Today, these impairments continue to hinder their access to the basic services that the government offers. The overall well-being of every Bangsamoro, including those on the spectrum, is of paramount importance, which is exactly why we need to open our eyes to the realities that these people continue to face.

In view of the foregoing, the approval of this measure is earnestly sought.


ENGR. BAIN TAN ADIL-AMPATUAN, MNSA
Author

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Be it enacted by the Parliament of the Bangsamoro Autonomous Region in Muslim Mindanao assembled:

Section 1. Title. - This Act shall be known as the *"Bangsamoro Autism Spectrum Disorder Management Act of 2023"*.

Section 2. Declaration of Policy. - It shall be the declared policy of the Bangsamoro Government to extend its support to the improvement of the total well-being of those diagnosed with Autism Spectrum Disorder (ASD), especially the protection and promotion of their physical, mental, moral, intellectual and social well-being that shall fully enable them to be productive members of society.

Towards this end, the Bangsamoro Government shall provide a comprehensive approach to their welfare wherein their rights, needs, and interests are protected and addressed at all times. Moreover, it shall create a society with policies conducive to their development, in order for them to reach their full potential and become independent, self-reliant, productive, and socially accepted members of society.

Section 3. Bangsamoro Council on Autism. - There is hereby created a Bangsamoro Council on Autism, herein referred to as the Council, which shall be under the Office of the Chief Minister.

The Council shall be composed of:

- a) Minister of Health, who shall sit as the Chairperson;
- b) Minister of Basic, Higher and Technical Education, who shall sit as the Vice-Chairperson;
- c) Minister of Social Services and Development as member;
- d) Minister of Interior and Local Government as member;
- e) A representative from the Autism Society of the Philippines; and
- f) Two (2) representatives from any non-governmental organizations (NGOs) involved in the advocacy for the prevention, cure and rehabilitation of persons with ASD;

Section 4. Functions of the Council. - The Council shall have the following functions:

- a) Formulate an integrated and comprehensive program on ASD, herein referred to as the Program;
- b) Create a framework that will serve as a blueprint in the implementation of the Program;
- c) Increase public awareness, education, and information on ASD; and
- d) Establish family support networks and other programs for families of people with autism and encourage them to seek psycho-social support for the various problems faced by families with children diagnosed with ASD.

Section 5. The Program. - An integrated and comprehensive program shall be crafted by the Council and must include the following:

- a) Early screening and detection of autism;
- b) Identify and provide appropriate intervention, medical expertise and facilities suited to their needs;
- c) Special needs and education training for selected public school teachers;
- d) Protection against discrimination in schools, whether public or private;
- e) Easy access to transportation;
- f) Provision of necessary accommodations in cases of legal actions by reason of their disorder;
- g) Conduct epidemiological research on all issues concerning ASD; and
- h) Increase public awareness, education, and information on autism, including but not limited to, spearheading advocacy programs and publication of reading materials, manuals and easily readable instruction materials

concerning autism, conduct of continuing education, information and training programs and lectures on the proper handling of persons with autism;

Section 6. Secretariat. - The Council shall have a Secretariat under one of the Bureaus of the Ministry of Health, which shall be headed by an Executive Director.

The Executive Director shall have the following powers and functions:

- 1) Execute, administer, and implement the policies and measures approved by the Council;
- 2) Direct and supervise the program of the Council; and
- 3) Submit within thirty (30) days after the close of every calendar year an annual report to the Office of the Chief Minister and such other reports that it may require.

Section 7. Autism Spectrum Disorder Research and Reports. - The Council through the Secretariat shall conduct a study in order to research more on the disorder. It shall submit a report to the Bangsamoro Parliament within three (3) years after the effectivity of this Act in order to address responsively to the continuing needs of those diagnosed with ASD. The study shall include the following:

- a) Determine the prevalence of autism spectrum disorder among the children in Bangsamoro Region;
- b) Evaluate the extent to which these children experience reduced cognitive skills and delayed development; and
- c) Investigations into the causation, diagnosis, early detection, and possible treatment of ASD. All the factors must be looked into, including but not limited to, genetic factors, socio-demographic factors, infection and immunity, and hormonal and reproductive factors;

Section 8. Annual Report to the Parliament. - The Council shall submit a report to the Parliament within one (1) year from the implementation of this Act, and every year thereafter, on the progress of the Program.

Section 9. Implementation. - Within sixty (60) days from the promulgation of this Act, the necessary rules and regulations for the proper implementation of its provision shall be formulated by the Ministry of Health (MOH).

Section 10. Appropriations. - The funds necessary to carry out the provisions of this Act shall be included in the Ministry of Health annual appropriations and submitted to the Parliament for its approval.

Section 11. Separability Clause. - If for any cause, any part of this Act is declared unconstitutional or contrary to the provisions of Bangsamoro Organic Law, the rest of the provisions shall remain in force and effect.

Section 12. Repealing Clause. – All laws, orders, rules, and regulations which are inconsistent with the provisions of this Act, are hereby repealed, modified, superseded, or amended accordingly.

Section 13. Effectivity. – This Act shall take effect after fifteen (15) days following its complete publication in a newspaper of general circulation in the Bangsamoro Autonomous Region in Muslim Mindanao.

Adopted,


MP ENGR. BAIN TAN ADIL-AMPATUAN, MNSA
Author