

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 299



INTRODUCED BY Rep. GREG G. GASATAYA

EXPLANATORY NOTE

Healthcare, especially Mental Healthcare, has become quite neglected among college students due to the extreme priority of universities to excel in the academe and in both curricular and non-curricular activities. As cases of self-injury among students rise because of lack of mental health care and awareness in universities, it must be realized by the state that in order to attain our desired intellectual development in students, we must also provide sufficient mental health services and promote mental health awareness to them.

According to the National Center for Mental Health of the Department of Health (DOH), the suicide rate in the Philippines is 2.5 for men and 1.7 for women (per 100,000 population). In 2012, the DOH estimated more than 2,500 cases of suicide: 2,008 of which are male and 550 female. Despite having the lowest suicide incidence among the ASEAN countries, the World Health Organization (WHO) noted in a 2011 report that the Philippines is the country with the highest incidence of depression in Southeast Asia. In 2004 alone, the DOH recorded over 4.5 million cases of depression. The DOH further reported that only 30 of every 90 of depressives will seek medical help while the other 60 will be ashamed to seek help because of the stigma associated with the illness.

Despite the alarming state of mental health in the country, there are only 490 psychiatrists for our entire population of more than 100 million and it remains inaccessible to the poor due to costly consultations. The lack of legislation, according to leading psychologists and psychiatrists, may well be among the reasons our suicide rate continues to increase. Our mental health personnel for our tertiary educational institutions also remain limited despite the increasing need for mental healthcare among students. The undersigned believes that improved mental health services that attend to students' mental, developmental, and emotional needs would help prevent spiteful incidences among college students and would assist in their holistic development as we eliminate the said barrier to learning.

In this light, this Bill seeks to promote mental healthcare among college students through the recruitment, hiring, and training of additional mental health personnel for state universities and colleges.

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AN ACT
STRENGTHENING THE MENTAL HEALTH SERVICES OF STATE UNIVERSITIES AND
COLLEGES AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* - This Act shall be known as the "State Universities and Colleges (SUCs) Mental Health Service Act".

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to uphold the basic right of every Filipino to sound mental health and ensure access to appropriate interventions, therapy, and treatment as needed. Pursuant to this mandate, the State shall institute policies to promote the mental health and wellness of students, faculty, teaching and non-teaching staff, and other personnel in the campuses of SUCs through, among others, the establishment of a Mental Health Office in all SUCs, and the hiring, deployment and training of additional SUCs-based mental health service personnel.

All SUCs shall ensure that proper and adequate mental health services are provided to their students, faculty, non-teaching staff and other personnel. In this regard, all SUCs, through their Mental Health Offices, shall design programs and provide services that shall assist students in resolving emotional, behavioral and psychosocial issues that are barriers to learning and enhance the preparedness of the faculty, teaching, non-teaching staff, and other personnel to foster an enabling environment for students to acquire knowledge and to develop intellectually.

SEC. 3. *Definition of Terms.* - As used in this Act:

(a) Guidance counselor refers to an individual who possesses a license or certification granted by the Professional Regulation Commission (PRC) and holds at the minimum a master's degree in Guidance and Counseling, Guidance, or Counseling, without prejudice to those registered under the grandfather's clause of Republic Act No. 9258, otherwise known as the "Guidance and Counseling Act of 2004", and is competent to perform guidance and counseling, career guidance and implement mental health programs;

(b) 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;

(c) Mental health professional refers to a medical doctor, nurse, guidance counselor, psychologist, or any other appropriately-trained and qualified person with specific skills relevant to, and necessary for, the provision of mental health services;

(d) Mental health services refer to the psychosocial, psychiatric, or neurologic activities and programs along the whole range of the mental health support services including promotion, prevention, treatment, and aftercare, which are provided by mental health facilities and mental health professionals;

(e) Psychologist refers to a natural person who has professional training and clinical skills in psychotherapeutic intervention and assessment for mental health problems and possesses a license or certification granted by the PRC and holds at the minimum a master's degree in Psychology without prejudice to those granted licenses under the grandfather's clause of Republic Act No. 10029, otherwise known as the "Psychology Act of 2009";

(f) SUCs based mental health service personnel refers to any mental health professional who is hired or deployed by, or has a contract with a SUC to render mental health services in each campus of the SUC.

SEC. 4. *Establishment of Mental Health Offices in All SUCs Campuses.* - The Commission on Higher Education (CHED) shall, subject to the rules and regulations of the Civil Service Commission (CSC) and the Department of Budget and Management (DBM), and the policies, standards, and guidelines of the CHED, require all SUCs to establish a Mental Health Office in all their campuses.

The Mental Health Offices shall set up campus hotlines with dedicated and trained guidance counselors to provide assistance to the whole SUC Community, especially the students. Special attention shall be given to those identified to have mental health problems or conditions, especially those at risk of committing suicide.

The CHED and the SUCs, through their Mental Health Offices, shall initiate and sustain a heightened campaign to raise the collective consciousness about mental health. The awareness campaign shall give special emphasis to the issues of suicide prevention, stress handling, mental health and nutrition, and guidance and counseling. The campaign shall ensure that the whole SUC community, especially the students, is aware of in-campus mental health services.

The SUCs, through the Mental Health Offices, shall develop and provide for sufficient allocation for mental health programs and projects designed to maintain and address the mental health and wellbeing of the faculty, students, and personnel of the SUCs.

Each Mental Health Office shall be manned by, train and deploy mental health professionals who shall serve as the mental health service personnel of the SUCs.

The SUCs-based mental health service personnel of the Mental Health Offices, including those who shall be hired upon the effectivity of this Act, shall create a mechanism for timely crisis intervention and suicide prevention and the appropriate response strategies for the whole SUCs community, especially the students.

The CHED shall, in coordination with the SUCs, establish mechanisms to maximize existing services offered by other executive departments such as the attached agencies to the Department of Health (DOH) dealing with mental health and the Department of Social Welfare and Development (DSWD).

SEC. 5. *Hiring, Training and Deployment of Mental Health Professionals.* - Subject to the guidelines set by the CHED, Civil Service Commission (CSC), Department of Budget and Management

(DBM), and the SUCs, the SUCs shall hire, train and deploy mental health professionals, including a psychologist, to the Mental Health Office to ensure that each SUC shall have mental health professionals or mental health service providers within five (5) years from the effectivity of this Act.

The SUCs shall, in coordination with the CHED, prepare the appropriate plantilla positions for the additional SUC-based mental health service personnel to be hired under this Act subject to the existing organizational, staffing, position classification and compensation policies, rules, and regulations to be submitted to the DBM for evaluation and approval.

Notwithstanding the provisions of Republic Act No. 9258, otherwise known as the "Guidance and Counseling Act of 2004", the SUCs may hire, as may be necessary, graduates with relevant background in psychology or similar fields, who do not yet qualify as mental health professionals to provide SUCs-based mental health services: Provided, That they undergo sufficient capacity building as determined by the CHED and are supervised by qualified mental health professionals in their provision of mental health services: Provided, further, That they meet the relevant qualifications and are licensed as mental health professionals within three (3) years from their date of hiring.

The CHED and the SUCs, through the Mental Health Offices, shall formulate a scheme for the continuous training of mental health service personnel, taking into consideration the latest information,

SEC. 6. *Professional and Career Development of Mental Health Professionals.* - The CHED shall, in coordination with the DBM, CSC, DOH and the PRC:

(a) Prepare a uniform career and personnel development plan that shall include provisions on personal wellness, merit promotion, performance evaluation, in-service training, graduate scholarships, research grants, and incentive award system;

(b) Match the salary grades of mental health professionals with related plantilla items under the provisions of Republic Act No. 6758, otherwise known as the "Position Classification and Compensation Act of 1989," as amended;

(c) Align the qualifications and standards for the qualification outcomes of Mental Health Professionals to the provisions of Republic Act No. 10968, otherwise known as the "Philippine Qualifications Framework Act";

(d) Revisit the organizational structure of the SUCs to provide competent and professional personnel who shall provide supervision and technical assistance to the guidance counselors;

(e) Review, revise, and develop the duties and responsibilities of mental health professionals in accordance with laws governing their professions;

(f) Prepare a performance evaluation plan that considers the improvement of the efficiency and organizational effectiveness of each counselor: Provided, That each employee shall be informed regularly by the immediate supervisor of one's performance evaluation; and

(g) Provide periodic training, retooling and skills upgrading to mental health professionals.

SEC. 7. *Salary Scale.* - The career and salary scales of mental health professionals in SUCs shall provide for a gradual progression from a minimum to a maximum salary by means of regular increments, to be given regularly based on merit and competencies. The entry level of mental health professionals shall not be lower than Salary Grade 16. Psychometricians shall have, as entry level, Salary Grade 11.

SEC. 8. *Contract with SUCs-Based Mental Health Personnel.* - In case of scarcity of available mental health service personnel for full time employment in the Mental Health Offices of the SUCs, the SUCs may enter into agreements for their hiring on a contractual or part-time basis in the campuses of the SUCs.

SEC. 9. *Benefits.* - The Mental Health Professionals in the Mental Health Offices shall enjoy the rights, privileges and other benefits provided in Republic Act No. 7305, otherwise known as the “Magna Carta of Public Health Workers”, Republic Act No. 11036, otherwise known as the “Mental Health Act” and other pertinent laws.

SEC. 10. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be included in the Annual General Appropriations Act.

SEC. 11. *Implementing Rules and Regulations.* - Within sixty (60) days after the effectivity of this Act, the CHED shall, in coordination with the DOH, the Philippine Association of State Universities and Colleges, and other concerned stakeholders, issue the rules and regulations necessary for the hiring, training and deployment of the SUCs-based guidance counselors, psychologists and other mental health service personnel, and for the implementation of this Act.

SEC. 12. *Suppletory Application.* - The applicable provisions of Republic Act No. 11036, otherwise known as the “Mental Health Act”, insofar as they are not inconsistent with the provisions of this Act, shall apply suppletorily.

SEC. 13. *Separability Clause.* - If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected, shall remain in full force and effect.

SEC. 14. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is repealed, modified or amended accordingly.

SEC. 15. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation

Approved,