EXPLANATORY NOTE

Autism Spectrum Disorder (ASD), also known as Pervasive Developmental Disorders (PDDs), causes severe and pervasive impairment in thinking, feeling, language, and the ability to relate to others. This disorder is usually first diagnosed in early childhood, and range from a severe form, called autistic disorder, through pervasive development disorder not otherwise specified (PDD–NOS), to a much milder form, Asperger syndrome. It also includes two rare disorders, Rett syndrome and childhood disintegrative disorder.¹

There is no single best treatment for children with ASD. Decisions about the best treatment, or combination of treatments, should be made by the parents with the assistance of experts. In some cases, however, the cost of treatment is prohibitive. Hence, this bill seeks to provide parents and their children access to treatment by requiring health insurers to provide full coverage not only for treatment but also the prevention, early detection, and diagnosis of ASD.²

HERMINIO HARRY L. ROQUE JR

¹ http://www.nimh.nih.gov/healthtopics/autism-spec-m-disorders-pe-asive-developmental-disorders/index.sh-
² This bill was originally filed by Senator Mirian Defensor-Santiago during the Fourteenth Congress, First Regular Session.
AN ACT
REQUIRING HEALTH INSURERS TO PROVIDE FULL COVERAGE FOR THE
PREVENTION, EARLY DETECTION, DIAGNOSIS, AND TREATMENT OF
AUTISM SPECTRUM DISORDERS

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 “Autism Prevention, Early Detection, Diagnosis and Treatment Act.”

SECTION 2. Declaration of Policy. — It is a policy of the State to protect the physical, moral, and social well-being of the people. Towards this end, the State shall exert efforts to make treatment for autism spectrum disorder more accessible to those with such ailment by requiring health insurers to provide full coverage for prevention, early detection, diagnosis, and treatment.

SECTION 3. Definition of Terms. — For the purposes of this Act, the term:
(A) “Autism spectrum disorder” means a neurobiological condition that includes autism, Asperger syndrome, Rett’s syndrome, or pervasive developmental disorder;
(B) “Department” means the Department of Health; and
(C) “Secretary” means the Secretary of Health.

(A) There is hereby established within the Department of Health an advisory panel on health insurance coverage for autism spectrum disorder. Such panel shall be composed of nine (9) members who are experts in health care and appointed as follows: Seven (7) members who are officers or employees of the Department of Health with a background in mental health or mental retardation and developmental disabilities shall be appointed by the President; and the Senate President and the Speaker of the House shall each appoint a member who is a representative of an autism advocacy group.

(B) Each member shall serve a term of two (2) years. The President shall designate the Chair of the panel from among his or her appointees. Vacancies in the membership of the panel shall be filled in the manner provided for original appointments.

The members of the panel shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this Act.

(C) The advisory panel on health insurance coverage for autism spectrum disorder shall annually, on or before September first, compile and submit to the Secretary a list of successful treatment and therapy options for autism spectrum disorder that will be required to be covered pursuant to this Act.

(D) Within forty-five (45) days of receipt of each list submitted pursuant to Paragraph C of this Section, the Secretary shall, on an emergency basis, promulgate and implement rules and regulations requiring coverage for the treatment and therapy options included in each such list.

SECTION 5. Creation of an Autism and Health Insurance Coverage Hotline. –

(A) Within one hundred eighty (180) days of the submission of the initial list to the Secretary pursuant to Section 4(C) of this Act, the Department shall establish and operate an autism and health insurance coverage hotline. The hotline shall be a toll-free, twenty-four (24) hour a day consumer call center for families with autistic children who have complaints about or questions on insurers and coverage for autism spectrum disorder. All complaints
received by such hotline shall be documented and referred to the appropriate official in the
Department for corrective action.

(B) The Department may contract with a qualified non-profit corporation for the
provision and operation of the hotline required by this Section. Any such contract shall only
be awarded after the Department has conducted a request for proposals process. The
Department shall select a non-profit corporation which has the resources and ability to
operate a nationwide hotline, and is staffed by employees and/or volunteers with strong
experience in autism spectrum disorder.

(C) If the Department elects to establish and operate the hotline using its own
personnel and resources, such hotline shall be staffed by officers and employees with strong
experience in autism spectrum disorder. Until the Civil Service Commission shall have
established civil service titles and competitive examinations for positions as employees of
the hotline, the Secretary is authorized to appoint and employ such qualified officers and
employees as shall be necessary to operate the autism and health insurance coverage hotline.

(D) The Secretary is authorized to promulgate and implement any rules and
regulations necessary to carry out the provisions of this Act.

SECTION 6. Separability Clause. – If any provision or part hereof is held invalid or
unconstitutional, the remainder of the Act or the provision not otherwise affected shall
remain valid and subsisting.

SECTION 7. 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 hereby repealed, modified or amended
accordingly.

SECTION 8. Effectivity Clause. – This Act shall take effect fifteen (15) days after its
publication in at least two (2) newspapers of general circulation.

Approved,