

Item No.: 22

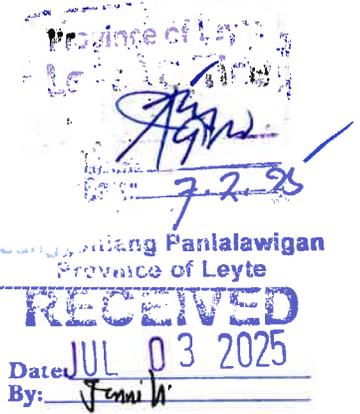
Date: 05 2025 AUG



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT

June 30, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 6, series of 2025 of the Sangguniang Bayan of Abuyog, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 6, series of 2025 entitled: **“Mental Health Care Ordinance of the Municipality of Abuyog Leyte.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Sections 447(a)(1)¹ of the Local Government Code of 1991 (R.A 7160), pursuant to RA 11036². Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government

² **“Mental Health Act.”**

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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Legal Office
Recd-Proc
Date: 6.20.25

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
27 June 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 06, series of 2025 of the Municipality of Abuyog, Leyte**, entitled: **An Ordinance providing for a Community-Based Mental Health Program and Delivery System in the Municipality of Abuyog, Leyte establishing mechanisms and guidelines for its implementation, and appropriating necessary funds therefor.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan Secretary

June 20, 2025

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Legislative Building
Capitol Grounds
Tacloban City



Ma'am:

Respectfully transmitting herewith as attached Ordinances of the Sangguniang Bayan of Abuyog, Leyte for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte, to wit:

1. **ORDINANCE NO. 01, s. 2025**
"An Ordinance Adopting Republic Act 11361 or the "Anti-Obstruction of Power Lines Act" and Further Strengthening its Implementation in the Municipality of Abuyog, Leyte"
2. **ORDINANCE NO. 02, s. 2025**
"An Ordinance Authorizing the Local Chief Executive of the Municipality of Abuyog, Leyte to Grant Incentives to Board Passers, Topnotchers, and Course Review Team Members of the Teachers Education Program in Pursuance to Abuyog Community College (ACC) Board of Trustees Resolution No. 39, Series 2024 and its Implementing Rules and Regulations (IRR)"
3. **ORDINANCE NO. 06, s. 2025**
"An Ordinance Providing for A Community-Based Mental Health Program and Delivery System in the Municipality of Abuyog, Leyte Establishing Mechanisms and Guidelines for its Implementation, and Appropriating Necessary Funds Therefor"
4. **ORDINANCE NO. 07, SERIES 2025**
"An Ordinance Strengthening the Implementation of Republic Act No. 7883, Otherwise Known as the "Barangay Health Workers Benefits and Incentives Act of 1995" and Providing Funds for this Purpose"

Thank you and more power.

Very respectfully yours,

ARSENIO T. VILLOTE
Sangguniang Bayan Secretary



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 7TH REGULAR SESSION OF THE 19TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING, MUNICIPAL COMPOUND, ABUYOG, LEYTE ON FEBRUARY 25, 2025.

PRESENT:

- | | |
|-------------------------------|--------------------------------------|
| Hon. James L. Bohol | Municipal Vice-Mayor, Prsdg. Officer |
| Hon. Jeannette A. Valida | SB Member, Prsdg. Pro-tempore |
| Hon. Antonio C. Almendra, Jr. | SB Member |
| Hon. Arnold R. Allera | SB Member |
| Hon. Patrocinio A. Risos, Jr. | SB Member |
| Hon. Editha C. Deloy | SB Member |
| Hon. Francisco B. Landia | SB Member, Floor Leader |
| Hon. Erwin V. Belleza | SB Member |
| Hon. Dario P. Lleve | SB Member, ABC President |
| Hon. Melliza Jane C. Traya | SB Member, SK Ped. Pres. |

ABSENT:

- | | |
|----------------------|------------------|
| Hon. Edmundo P. Saño | SB Member – O.B. |
|----------------------|------------------|



ORDINANCE NO. 06, SERIES 2025
Sponsor: Honorable Jeannette A. Valida
Chairman, Committee on Public Health

AN ORDINANCE PROVIDING FOR A COMMUNITY-BASED MENTAL HEALTH PROGRAM AND DELIVERY SYSTEM IN THE MUNICIPALITY OF ABUYOG, LEYTE ESTABLISHING MECHANISMS AND GUIDELINES FOR ITS IMPLEMENTATION, AND APPROPRIATING NECESSARY FUNDS THEREFOR

BE IT ENACTED by the Sangguniang Bayan of Abuyog, Leyte in session duly assembled that:

I. PRELIMINARIES

Section 1. TITLE – This Ordinance shall be known as “Mental Health Care Ordinance of the Municipality of Abuyog, Leyte”.

Section 2. DECLARATION OF POLICY – The Municipality of Abuyog, Leyte affirms the basic right of all Filipinos to mental health as well as the fundamental rights of people who require mental health services.

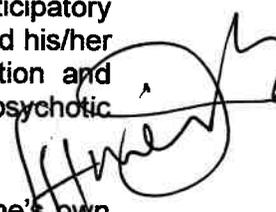
It is hereby declared the policy of the Municipality of Abuyog to uphold the right of the people to mental health and encourage mental health consciousness among them.

Towards this end, the Municipality of Abuyog, Leyte shall adopt an integrated and comprehensive approach to the development of the Municipal Mental

Health Care Delivery System to deliver appropriate services and interventions including provision of mental health protection, care, treatment, and other essential services to those with mental health condition mental health or disability.

Section 3. DEFINITION OF TERMS – as defined in this ordinance, the following terms are defined as follows:

- a) Allied professionals refer to any trained or certified non-psychiatric physician, social worker, nurse, occupational therapist, counselor, priest, minister, pastor, nun, trained or certified non-psychiatric individual or non-physician;
- b) Confidentiality refers to ensuring that all relevant information related to persons with psychiatric, neurologic, and psychological health needs is kept safe from access or use by, or disclosure to, persons or entities who are not authorized to access, use, or possess such information;
- c) Discrimination refers to any distinction, exclusion or restriction which has the purpose or effect of nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation. Special measure solely to protect the rights or secure the advancement of persons with decision-making impairment capacity shall not be deemed to be discriminatory;
- d) Drug Rehabilitation refers to the processes of medical or psychotherapeutic treatment of dependency on psychoactive substances such as alcohol, prescription drugs, and other dangerous drugs pursuant to Republic Act 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002". Rehabilitation process may also be applicable to diagnosed behavioral addictions such as gambling, internet and sexual addictions. The general intent is to enable the patient to confront the psychological, legal, financial, social, and physical consequences. Treatment includes medication for co-morbid psychiatric other medical disorders, counseling by experts and sharing of experience with other addicted individuals;
- e) Informed consent refers to consent voluntarily given by a service user to a plan for treatment, after a full disclosure communicated in plain language by the attending mental health service provider, of the nature, consequences, benefits, and risks of the proposed treatment, as well as available alternatives;
- f) Mental disability refers to impairment in activity limitations and individual and participatory restriction denoting the negative aspects of interaction between an individual and his/her environment. This results from organic syndromes such as mental retardation and acquired lesions of the central nervous system, dementia and psychotic and non-psychotic disorders;
- g) Mental Health refers to a state of well-being in which the individual realizes one's own abilities and potentials, scopes 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;
- h) Mental Health condition refers to neurologic or psychiatric condition characterized by the existence of a recognizable, clinically-significant disturbance in an individual's cognition, emotional regulation or behavioral that reflects a genetic or acquired dysfunction in the neurological, psychosocial, or developmental process underlying mental functioning. The determination of neurologic and psychiatric conditions shall be based on scientifically-accepted medical nomenclature and best available scientific and medical evidence;
- i) Mental Health Professional refers to a medical doctor, psychologist, nurse, social worker or any other appropriate trained and qualified person with specific skills relevant to the provision of mental health services;



- j) **Mental Health Service Provider** refers to an entity or individual providing mental health services as defined in this Ordinance, whether public or private, including, but not limited to mental health professionals and workers, social workers and counselor, informal community caregivers, mental health advocates and their organizations, personal ombudsmen, and persons or entities offering non-medical alternative therapies;
- k) **Mental Health Service** refer to 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;
- l) **Mental Health Worker** refers to a trained person, volunteer or advocate engaged in mental health promotion, providing support services under the supervision of a mental health professional;
- m) **Mental Illness** refers to a mental or psychiatric disorder characterized by the existence of recognizable changes in the thoughts, feelings and general behavior of an individual brought about by neurobiological causes manifested by genetic or biochemical abnormalities and associated medical conditions which include distress, personality disorder, substance use dependence and mental retardation;
- n) **Psychiatric or Neurologic Emergency** refers to a condition presenting a serious and immediate threat to the health and wellbeing of a service user or any other person affected by a mental health facilities and mental health condition, or any other person affected by a mental condition, or to the health or well-being of others, requiring immediate intervention;
- o) **Psychosocial Problem** refers to a condition that indicates the existence of recognizable changes in the individual's behavior, thoughts and feelings brought about and closely related to sudden, extreme and prolonged stress in the physical or social environment;
- p) **Service Users** refers to a person with lived experience of any mental health condition including persons who require or are undergoing psychiatric, neurologic or psychosocial care.

II. MUNICIPAL MENTAL HEALTH BOARD

Section 4. MENTAL HEALTH BOARD. The Municipal Mental Health Board is hereby established under the Municipal Health Office, to provide for a consistent, rational and unified response to mental health problems, concerns and efforts through the formulation and implementation of the Municipal Mental Health Care Delivery System. For the purpose of this ordinance, Municipal Mental Health Care Delivery System shall constitute a quality mental health care program through the development of efficient and effective structures, systems and mechanisms that will ensure fair, accessible, affordable, appropriate, efficient and effective delivery of mental health care to all its stakeholders by qualified, competent, compassionate and ethical mental health professionals and mental health workers.

Section 5. COMPOSITION OF THE BOARD – The Board shall be composed of the following:

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|---|--|
| <ul style="list-style-type: none"> a) Chairperson b) Vice-Chairperson c) Members | <ul style="list-style-type: none"> Mayor Municipal Health Officer Chairman, SB Committee on Health Chairman, SB Committee on Education Chairman, SB Committee on Barangay Affairs Head Municipal Social Welfare and Development Office |
|---|--|

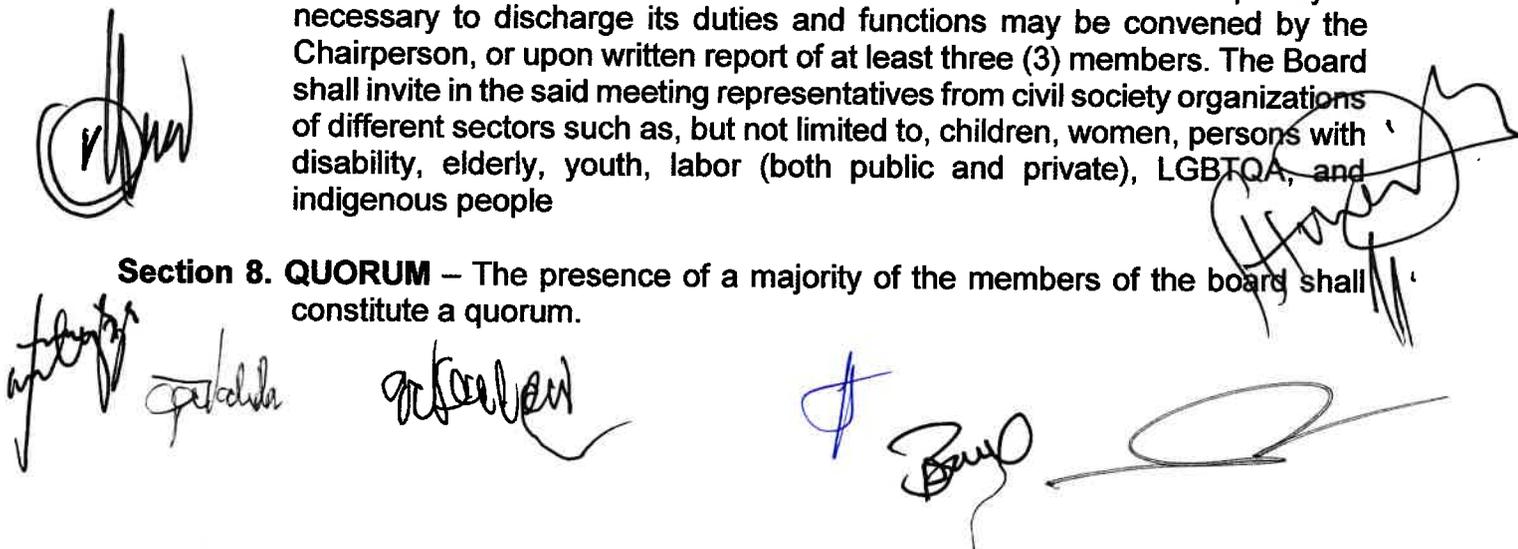
Commission on Human Rights, representative
Philippine Mental Health Association, representative
Department of Health, representative
Public Hospitals and private medical station within the territorial jurisdiction of the municipality
DepEd Schools Head, District Supervisors
Two Representatives from civil society organizations involved in mental health issues (May include representatives from sectoral CSOs)

Section 6. DUTIES AND FUNCTIONS OF THE BOARD – The Board shall exercise the following duties and functions:

- a) Review the existing systems, policies and guidelines on mental health services that are implemented by different offices of the local government
- b) Develop program for intervention designed to promote and upscale the approaches for mental health awareness for educational institutions, public and private work places, among others;
- c) Recommend intensified psychosocial activities with special focus on addressing effects of calamities and/or disasters and other traumatic events, including online consultations and discussions, in close coordination with the different guidance counselor of various schools in the municipality;
- d) Establish mechanisms of hotline, online, and face-to-face consultations handled by trained professionals to counsel and cater cases that include, but not limited to, anxiety, stress, suicide, and self-harm and other preventable cases;
- e) Plan necessary capacity-building, reorientation, and training programs for mental health professionals, mental health workers, and allied professional
- f) Assists barangays as well as educational, training and work institutions in the establishment of their respective mental health care system;
- g) Promulgate protocols and guidelines to facilitate inter-LGU and NGA referral system, including access of Individuals with mental health conditions to treatment and psychosocial support;
- h) Develop plans, programs and activities for the observation of Mental Health Month in the municipality;
- i) Review all related laws and regulations related to mental health and recommend further appropriate legislation to the sangguniang in order to sustain and strengthen programs, services and other mental health initiatives;
- j) Create such inter-agency committees, project task forces, and other groups necessary to implement the policy and program framework of this Ordinance;
- k) In close coordination with the Municipal Health, to monitor mental health cases and incidents in barangays, and educational, training and work institutions, and other sectors and organizations; and
- l) Perform such other duties and functions necessary in carrying the purposes of this Ordinance

Section 7. MEETINGS – The Board shall meet at least once a month or as frequently as necessary to discharge its duties and functions may be convened by the Chairperson, or upon written report of at least three (3) members. The Board shall invite in the said meeting representatives from civil society organizations of different sectors such as, but not limited to, children, women, persons with disability, elderly, youth, labor (both public and private), LGBTQA, and indigenous people

Section 8. QUORUM – The presence of a majority of the members of the board shall constitute a quorum.

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III. COMMUNITY-BASED MENTAL HEALTH CARE

Section 9. PSYCHIATRIC, PSYCHOSOCIAL, AND NEUROLOGIC SERVICES IN RURAL HEALTH UNIT – A psychiatric, psychosocial, and neurologic services in the Rural Health Unit, which shall serve as a community-based mental health care facility of the Municipality of Abuyog, Leyte.

The Psychiatric, Psychosocial, and Neurological Services Units shall provide the following services:

- a) Out-patient hospital care for those service users exhibiting psychiatric or neurologic symptoms;
- b) Linkage and possible supervision of home care services for those with special needs as a consequence of long-term hospitalization, unavailable families, inadequate families, inadequate or non-compliance to treatment;
- c) Coordination with drug rehabilitation center on the care, treatment and rehabilitation of persons suffering from drug or other substance-induced mental, emotional and behavioral disorder; and
- d) Referral system with other health and social welfare programs, both government or non-government, for programs in the prevention of mental illness, the management of these at risk for mental health and psychosocial problems and mental illness of disability.

The psychiatric, psychosocial and neurological services unit shall have adequate room and a complement of mental health professionals. The Municipal Health Officer in the implementation of this provision, may enlist the assistance of support staff, trained Barangay Health Workers (BHWs), allied professionals, and volunteer family members of patients/service users, provided that, they are equipped or to be equipped of appropriate trainings. It shall have basic equipment and supplies, and adequate stock of medicines appropriate at said level.

Section 10. COMMUNITY COUNSELLING CENTER – Each barangay as a matter of priority, shall establish or provide a counselling center/space so that those considered with mental health concern may be initially promulgated and monitored for the referral to the proper mental health professional, worker, allied professional, service provider, or facility. In furtherance hereof, barangays are highly encouraged to set aside the amount necessary to carry out the intents and purposes of this Ordinance, their annual budgets should carry provision and budget to implement this ordinance, which shall be subject to the scrutiny of the Municipal Budget Office before submission to the Sanggunian for approval.

Section 11. ASSIGNMENT OF MENTAL HEALTH PROFESSIONAL IN BARANGAYS – As much as practicable, there shall be a mental health professional assigned in each barangay to cater with victims of R.A. 9262, Children At Risk (CAR), children in conflict with the law (CICL), and other victims belonging to vulnerable sectors.

The assigned mental health professional may also be called upon to assist the monitoring of those persons diagnosed with mental health condition, as referred by other mental health professionals, mental health facilities, and other appropriate institutions or agencies.

Section 12. CAPACITY BUILDING PROGRAMS FOR BARANGAY FRONTLINE WORKERS – The Mental Health Board as provided under Chapter II hereof, with technical assistance from Department of Health (DOH), shall be responsible for the training of BHWs, and other barangay volunteers on the promotion of mental health. The LGU shall provide them assistance for medical equipment and supplies to carry out their functions.

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For this purpose, capacity-building activities for mental health issues and those persons in distress situation shall be designed by the Board to ensure uniformity and regularity in its conduct for the barangays of this municipality. The Board shall also take into special consideration the expertise of established training groups for this purpose

IV. MENTAL HEALTH CARE IN OTHER INSTITUTIONS AND/OR SECTORS

Section 13. MENTAL HEALTH CARE IN EDUCATIONAL AND TRAINING INSTITUTIONS – In close coordination with the Department of Education (DepEd), the Commission on Higher Education (CHED), the Department of Health (DOH), the Department of Social Welfare and Development (DSWD), and the Municipal Mental Health Board, all educational and training institutions in the municipality at all levels, shall establish a mental health care system for the students, learners, and personnel, which include the following programs:

- a) A guidance office, which shall be available at anytime of the day for students;
- b) Appropriate mental health training for school guidance counselor, nurses and doctors, and allied professionals;
- c) Training of school teachers for mental health both in classroom and virtual setting; and
- d) Advocacy and promotional activities, and awareness campaigns on the protection and promotion of the right to mental health

Section 14. MENTAL HEALTH CARE IN WORK INSTITUTIONS – Employers and municipal government units, agencies, and instrumentalities, shall establish a mental health care system, which shall include programs and services for the mental health of the employees.

Section 15. CAPACITY BUILDING PROGRAMS FOR OTHER STAKEHOLDERS – in close coordination with mental health facilities, academic institutions, and other stakeholders, mental health professionals, worker, and other service providers shall undergo capacity-building, reorientation, and training to develop their ability to deliver evidence-based, gender-sensitive, culturally appropriate and human-rights oriented mental health services, with emphasis on the community and public health aspects of mental health. For this purpose, non-government organizations, people’s organizations and other entities that are helping in the promotion and advocacy for mental health awareness shall be encouraged to coordinate with the Municipal Health Office and the Board for purpose inclusion in the comprehensive plan to address mental health issues in the Municipality.

V. RIGHTS ON MENTAL HEALTH SERVICES

Section 16. ACCESS TO EFFECTIVE AND QUALITY MENTAL HEALTH CARE – Every constituent shall have the right on equal and non-discriminatory basis, to receive mental health care appropriate to his or her needs and shall be entitled to care and treatment in accordance to the same standards and accessibility as other sick individuals. Likewise, people in far-flung areas and/or highly populated or depressed areas/barangays and people from vulnerable sectors such as the children at risk, children in conflict with the law, people deprived of liberty, indigenous people, and women in postpartum shall have the same level of access, and shall be prioritized for regular home visits, access to mobile health care clinics, if possible, based on the guidelines to be set by the Board.

Section 17. CONFIDENTIALITY – All patients or services users with mental illness enjoy the right to confidentiality. Confidentiality of all information, communications, and records including those in Data Privacy Act, in whatever form or medium stored, regarding the patient/service user, any aspect of the patient's/service user's mental health, or any treatment or care received by the patient's/service user, which information, communication, and records shall not be disclosed to third parties without the written consent of the patient's/service user's legal representative, except in some circumstances allowed by law.

Section 18. INFORMED CONSENT TO TREATMENT – Service users must provide informed consent in writing prior to the implementation by mental health professional, workers, and other service providers of any plan or program of therapy or treatment including physical or chemical restraint. All persons, including service users, person with disabilities, and minors, shall be presumed to possess legal capacity for the purpose of this Ordinance or any other applicable law, irrespective of the nature or effects of their mental health conditions or disability. Children shall have the right to express their views on all matters affecting themselves and have such views given due consideration in accordance with their age and maturity.

Section 19. ADVANCE DIRECTIVE – Any person seeking the services, as established in this ordinance, may set out his/her preference in relation to treatment through a signed, dated, and notarized advance directive executed for the purpose. An advance directive may be revoked by a new advance directive or by a notarized revocation.

VI. MISCELLANEOUS PROVISIONS

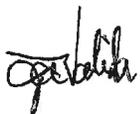
Section 20. PENAL PROVISION – This ordinance strictly prohibits the discrimination against a person with a mental health condition. This ordinance adopts the penalty clauses provided in Section 44, in relation to Sections 18, 4 (c), 4(e), and 5(h) of RA No. 11036. For this purpose, the Municipal Government of Abuyog, Leyte shall assist any complaint/s in filing a case with proper court.

Section 21. REPORTORIAL REQUIREMENTS – The Municipal Health Office shall make a quarterly report to the Philippine Council for Mental Health, which shall, include, among others, the following data:

- a) Number of patient's/service users attended to and or served;
- b) The respective kinds of mental illness or disability, duration and result of the treatment; and
- c) Patient's/service users age, gender, educational attainment and employment without, disclosing the identities of such patients/service user for confidentiality such report shall also include analysis of current and projected mental health situation and recommendations on how to improve mental health campaigns. Such report shall also be furnished to the Board for appropriate policy and program interventions, and to the Commission on Human Rights Region VIII for human rights situation monitoring in the municipality.

Section 22. IMPLEMENTING RULES AND REGULATIONS – Within ninety (90) days from the effectivity of this Ordinance, the Office of the Mayor, in coordination with the Board, shall formulate the rules and regulations necessary for the effective implementation of this Ordinance.

Section 23. FUNDING AND APPROPRIATIONS – The amount of P250,000.00 shall be appropriated for the implementation of this Ordinance.



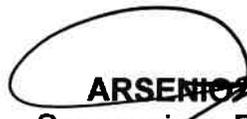
Section 24. SEPARABILITY CLAUSE – Should any provision in this ordinance be declared unconstitutional by any competent court, the remaining provisions shall remain valid and legal.

Section 25. REPEALING CLAUSE – Any ordinance, rules and regulations and executed issuances found inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 26. EFFECTIVITY – This Ordinance shall take effect after fifteen (15) days following the completion of its publication in a newspaper of local circulation and posting requirement.

ENACTED: This 25th day of February, 2025

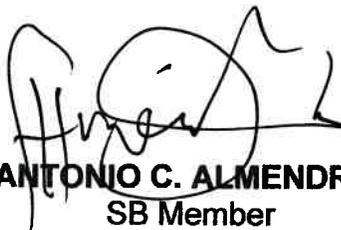
I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ARSENIO F. VILOTE
Sangguniang Bayan Secretary

ATTESTED:


HON. JAMES L. BOHOL
Municipal Vice Mayor, Prsdg. Officer


HON. JEANNETTE A. VALIDA
SB Member, Prsdg. Pro-Tempore


HON. ANTONIO C. ALMENDRA, JR.
SB Member


HON. ARNOLD R. ALLERA
SB Member

HON. PATROCINIO A. RISOS, JR.
SB Member


HON. EDITHA C. DELOY
SB Member

HON. EDMUNDO P. SAÑO
SB Member - O.B.


HON. FRANCISCO B. LANDIA
SB Member, Floor Leader


HON. ERWIN V. BELLEZA
SB Member


HON. DARIO P. LAVE
SB Member/ ABC Fed. President


HON. MELLIZA JANE C. TRAYA
SB Member/ SK Ped. Pres.

APPROVED:


HON. LEMUEL GIN K. TRAYA
Municipal Mayor