

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6984




Introduced by **HONORABLE JOSEPH STO. NIÑO B. BERNOS**

EXPLANATORY NOTE

President Rodrigo Roa Duterte's 'War against Drugs' forced many drug dependents out of the shadows. As a result, many have been arrested due to violations of several drug-related criminal charges and resulted to crowding out of prisons and other correctional facilities for a long period. After incarceration, these drug dependents, pushers and users alike, still go back to their old ways with complete caution to avoid the authorities.

The purpose of this Bill is to complement the penalties imposed by the State against drug dependents by institutionalizing automatic rehabilitation of drug dependents. Drug abuse affects the well-being of an individual and of the entire society, and leads to other crimes like rape, robbery, and even homicide and murder. There is a need to use the rehabilitation facilities of the State to address drug dependence as a health problem for users – to veer away the users from further dependence through holistic approaches provided by the rehabilitation centers.

It is hoped that through this Bill, the use of jails and correctional facilities of the State will be streamlined, and to complement the 'stick' approach of threat and punishment of the government with a 'carrot' approach of rehabilitation and treatment. In view of the foregoing, the immediate passage of this Bill is earnestly sought.


HON. JOSEPH STO. NIÑO B. BERNOS
Representative
Lone District, Abra

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AN ACT

**INSTITUTIONALIZING THE AUTOMATIC REHABILITATION OF
ARRESTED/APPREHENDED PERSONS FOUND TO BE DRUG DEPENDENT,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9165, OTHERWISE
KNOWN AS THE “COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002,”
AND FOR OTHER PURPOSES**

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

Section 1. Insertion of Section 15-A. Under Article II (Unlawful Acts and Penalties),
Section 15-A is hereby inserted after Section 15 thereof and shall read as follows:

“Section 15-A. Automatic Rehabilitation – A person apprehended or arrested for use of dangerous drugs and who, immediately after arrest, confesses/admits to the use thereof shall be subjected to automatic rehabilitation for a minimum period of six (6) months rehabilitation center duly accredited by the Board. Provided, that this shall not be applicable if other case(s) for violation of this Act is/are filed against the person apprehended or arrested, or when s/he is a repeat offender.

Upon confession/admission given with due regard to the arrested or apprehended person’s constitutional rights, members of the law enforcement agency which arrested the suspect, shall relay the matter to the Board or its duly recognized representative, who shall then order the

applicant to be examined for drug dependency by a DOH-accredited physician results in the issuance of a certification that the apprehended or arrested person is a drug dependent, said physician shall recommend to the Board the required treatment for the said drug dependent. Thereafter, the drug dependent shall be referred to the necessary treatment and rehabilitation center which shall be required to submit monthly reports to the Board on the progress of rehabilitation/treatment. Costs for the rehabilitation and treatment shall be shouldered by the arrested or apprehended person.”

Sec.2. Additional Accessory Penalty. Under Article II (Unlawful Acts and Penalties), Section 35-A is hereby inserted after Section 35 thereof and shall read as follows:

“Section 35-A. Rehabilitation at Jails and Correctional Facilities
– Persons apprehended or arrested for violation of any provision of this Act who are found to be drug dependent are to be subjected to treatment and rehabilitation while inside the jail and correctional facilities.

The DOH and the DILG, in coordination with the Board and the Courts, shall come up with specific guidelines on how the said rehabilitation and treatment of drug dependence shall be undertaken.”

Sec. 3. Separability Clause. If any part or provision of this Act shall be held to be unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 4. Repealing Clause. Any law, decree, ordinance or administrative circular not consistent with any provision of this Act is hereby amended, repealed or modified accordingly.

Sec. 5. Effectivity Clause. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in one (1) newspaper of general circulation.

Adopted,