ORDINANCE NO. 17-081

AN ORDINANCE INSTITUTIONALIZING THE CRISIS ASSISTANCE FOR THE TREATMENT AND REHABILITATION OF INDIGENT DRUG DEPENDENTS (CARIDO) WHO ARE RESIDENTS OF MUNTINLUPA CITY, AND ALLOCATING THE AMOUNT OF TEN MILLION PESOS (Php 10,000,000.00) FOR THE PURPOSE.

Sponsored by:
Hon. Coun. Lucio B. Constantino
Hon. Coun. Bal Nieves
Hon. Coun. Stephanie G. Teves
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ringo A. Teves
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Alexander Diaz
Hon. Coun. Ivey Rhia Arciaga-Tadeía
Hon. Coun. Christine May A. Abas
Hon. Coun. Marissa Cole-Rongavilla
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Rafael T. Sevilla
Hon. Coun. Victor L. Ulanday
Hon. Coun. Grace B. Gonzaga

WHEREAS, Section 2 of RA 9165 otherwise known as the Comprehensive Dangerous Drugs Act of 2002 provides, "that the State adopt as its policy to safeguard the integrity of its territory and the well-being of its citizenry particularly the youth from the harmful effects of dangerous drugs.... It shall likewise provide mechanism or measures to integrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation;"

WHEREAS, based on the statistics from the Treatment and Rehabilitation Division (TRD) of DAPCO from 2013 to 2015, an average of thirty five point ninety (35.90%) of petitioners who initially sought assistance for the treatment and rehabilitation of their patients, backed out due to lack of financial capacity to defray the cost of treatment and rehabilitation;

WHEREAS, Section 74 RA 9165 provides for the Cost-Sharing in the Treatment and Rehabilitation of a Drug Dependent;

WHEREAS, DILG issued Memorandum Circular No. 2012-94 “Strengthening the City Municipal and Barangay Anti-Drug Abuse Councils” and Sec. 51 of RA 9165 reiterated that the concerned LGU must allocate a substantial portion of their budget to assist in or enhance the enforcement of RA 9165;
WHEREAS, the City Government, in response to the campaign of the National Government Against substance abuse and to address the influx of surrenderers allocated a substantial amount in its budget to extend much needed financial help to indigent petitioners;

WHEREAS, it is imperative to establish a clear system and procedure to draw fund/s from the said allocated for treatment and rehabilitation while ensuring compliance to Accounting and Auditing Rules;

WHEREAS, there is an available Approved Appropriation for Institutionalizing the Crisis Assistance for the Treatment and Rehabilitation of Indigent Drug Dependents (CARIDDD) who are residents of Muntinlupa City under DAPCO amounting to Ten Million Pesos (P10,000,000.00) as certified by the City Budget and Management Department;

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED, by 8th Sangguniang Panlungsod of Muntinlupa City, that the Crisis Assistance to Muntinlupa patients (drug dependents) seeking treatment and rehabilitation be institutionalized as follows:

SECTION 1. Title. Institutionalization of the Crisis Assistance for the Rehabilitation of Indigent Drug Dependents and allocation the amount of Ten Million Pesos for the purpose.

SECTION 2. Scope. Grant of Financial assistance is strictly limited for Muntinlupa Residents and is to be paid directly to the specific Treatment and Rehabilitation Center indicated in the Court Order for the patient.

SECTION 3. Definition of Terms. As used herein, the following terms shall mean as indicated:

BADAC – means Barangay Anti-Drug Abuse Council.

1. Casual or Occasional User – refers to a person who, from time to time, uses or administers or allows others to administer to him dangerous drugs and substance in an attempt to refresh his mind and body or as a form of play, amusement or relaxation.

2. Center – Any of the treatment and rehabilitation centers which will undertake treatment, aftercare and follow-up treatment of drug dependents. It includes institutions, agencies and the like whose purpose are: the development of skills arts and technical known-how, counseling and/or inculcating civic, social and moral values to drug dependents patients, with the aim of weaning them away from dangerous drugs and keeping them drug free, adapted to their families and peers and re-adjusted into the community as law abiding, useful and productive citizens.
3. Committee – shall refer to the Technical Evaluation Committee on CARIDD, created within the agency and tasked to determine Cost Sharing among the Petitioner, The City Government and the BADAC.

4. Cost Sharing Scheme – shall mean the sharing of financial responsibility for the treatment and rehabilitation cost of patient among The City Government, BADAC and petitioner.

5. Dangerous Drugs – include those listed in the Schedules annexed to the 1991 Single Convention on Narcotic Drugs as amended by the 1972 Protocol and in the schedule annexed to the 1971 Single Convention on Psychotropic Substance as enumerated in the annex which is an integral part of RA 9165.

6. DAPCO – refers to Drug Abuse Prevention and Control Office.

7. Drug abuse or drug user - is a person who uses or administers to him or allows other to administer to him dangerous drugs without medical approval.

8. Drug Dependence - refers to a cluster of physiological, behavioral and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on high priority thereby involving among others, a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance taking behavior in terms of its onset, termination or level of use.

9. Drug Dependent or Regular User – refers to a person who periodically consumes or administers or allows other to administer to him dangerous drugs and substance and has acquired a marked psychological and/or physical dependence on these substances which has gone beyond a state of voluntary control.

10. Drug Dependent with co-morbidity - refers to a person who due to excessive substance abuse if suffering from complications needing surgery and/or special medical attention, and/or may have entered a psychotic or neurotic stage needing special care form mental institution.

11. DOH Accredited Physician – a physician with background experience on psychological/behavioral medicine whose application has been approval and duly authorized by the DOH to conduct dependency examination and treatment on persons believed to be using dangerous drugs.
12. Drug Dependency Examination – is the assessment conducted by any of the DOH Accredited physician on the suspected drug user-employee in order to determine the extent of his drug-taking behavior for which other diagnostic tool may be employed as the attending doctor may deem necessary and appropriate.

13. Experimenter – refers to an individual who, out of curiosity used or administered to himself or allowed others to administer to him, dangerous drugs or substance once or a few times but has since stopped.

14. Petitioner – is the person seeking rehabilitation or his/her parent, spouse or guardian, relatives seeking the rehabilitation or a patient.

15. Rehabilitation – a dynamic process including aftercare and follow-up treatment directed towards the physical, emotional/psychological, vocational, social and spiritual change of a drug dependent to enable him/her to live without dangerous drugs, enjoy the fullest life compatible with his capabilities and potentials and render him/her able to become a law abiding and productive member of the community;


17. Treatment – is the medical service rendered to a patient for the effective management of physical and mental conditions arising from his/her drug use.

18. Treatment and Rehabilitation Center (TRC) – refers to DOH Accredited institution catering patients of substance abuse.

19. Voluntary Submission – refers to the act of an individual or his patient, sibling spouse or guardian to submit himself/herself for rehabilitation of his/her drug taking habit.

SECTION 4. Creation of Technical Evaluation Committee. A Technical Evaluation Committee shall be created to determine the Cost Sharing among the stakeholders:

1. DAPCO. For the intake of patient, recommendation as to the amount of financial assistance to be granted upon admission of patient to TRC, recommendation as to the amount of monthly assistance if applicable, preparation and processing of voucher, delivery of check to TRC and completion of documents as required by the Accounting Office/COA.
2. City Health Office. For Drug Dependency Examination (DDE) by a qualified DOH Accredited Physician and for the issuance of the corresponding Certification as to the intensity or level of dependence of a patient.

3. City Social Welfare and Development Office (CSWDO). For the determination of the Socio Economic Profile of the patient/petitioner and recommendation as to the percentage of financial assistance to be extended by the City.

4. City Accountant. For the facilitation of the processing of Financial Assistance.

5. Chairman of the Barangay Anti-Drug Abuse Council (BADAC) of each Barangay. For the issuance of Indigency, approval and grant of financial assistance to the patient.

SECTION 5. Process

a. DAPCO. Initial screening of volunteered patients will be done by DAPCO after signing of Waiver Form by petitioner. Patient will be secured in the Temporary Holding Area located in POSO Satellite Office in Sucat, Muntinlupa. DAPCO shall assist patient in completing the requirements for the filing of Petition for Commitment, cost of which shall be borne by the Petitioner. Food allowance and personal hygiene needs for patients shall be borne by the petitioners while patient is in Holding Area.

b. Medical Examination as prerequisite for Filing Petition in Court shall include X-ray, CBC, Hepa B Screening, VDRL Dental Examination, Physical Examination, ECG, urinalysis, Fecalysis and Pregnancy Test for women patients.

c. Drug Dependency Examination (DDE). The DOH Accredited Physician shall conduct Drug Dependency Examination for an assessment patient’s level of dependency (1) experimenter (2) causal users, (3) occasional user, (4) regular user or drug dependent. Clients falling under the first three categories will be referred to the Barangay Anti-Drug Abuse Council (BADAC) for Community Based Intervention while Category (4) or drug dependents will be recommended for in house at DOH Accredited TRC.

d. Petitioner. Petitioner shall submit a letter to DAPCO requesting for the grant financial assistance for the treatment and rehabilitation of his/her patient. Petitioner shall also secure a Certificate of No Property from the City Assessor’s Office which they will submit to the BIR Office (South Station) for corresponding Certification of Tax Exemption which are requirements of the TRC’s in the grant of discount to the patient.
e. City Social Welfare and Development Office (CSWDO). Petitioners shall then proceed to the City Social Welfare and Development Office to secure two copies of Certificate of Indecency which will classify petitioner and patient based on the family’s aggregate income in relation to the poverty threshold and submit a recommendation to DAPCO as to the percentage of financial assistance they can be given.

f. Upon release of Court Order for the Commitment of the patient to a specific Treatment and Rehabilitation Center, DPCO will schedule the transport of the patient to the specified TRC.

g. Treatment and Rehabilitation Center, by virtue of a Memorandum of Agreement, shall admit patient through a Guarantee letter issued by the City Government of Muntinlupa thru DAPCO.

h. Petitioner accompanying the patient will be interviewed by a Social Worker from the receiving TRC and from there shall be told of the amount of monthly dues needed for the duration of the patient’s stay. Receiving TRC thru a formal letter shall inform DAPCO of the monthly due per patient.

i. DAPCO shall then recommend to the City Mayor by the formal letter the total amount of financial assistance to be extended to the patient for his/her treatment and rehabilitation;

j. Upon the City Mayor’s approval, a voucher payable to the institutional shall then be prepared by DAPCO, attached the approval Petitioner’s letter request, the CSWDO Certification of indigency, DDE Examination and Court Order. Upon release of check, DAPCO shall bring the check to the RTC which shall issue an official receipt.

k. Disclaimer, if the patient, for whatever reason, could not finish the already paid treatment and rehabilitation procedure for the whole period commitment, the remaining amount from the financial assistance given to the patient shall be refunded to the City Government.

SECTION 6. Memorandum of Agreement (MOA) – A Memorandum of Agreement (MOA) with the DOH Treatment and rehabilitation Center (Bicutan and Tagaytay) shall be signed by the City Mayor and the respective and rehabilitation Center Directors for them to accept patients for rehabilitation and thru Letter of Guarantee from the City Mayor represented by Drug Abuse Prevention and Control Office (DAPCO) for the admission patient.

SECTION 7. Budget Allocation – A total budget to Ten Million Pesos (Php10,000,000.00) as certified available by the Budget Office of Muntinlupa City shall be used for the treatment and rehabilitation of indigent drug dependents who are residents of Muntinlupa City, which amount shall be taken from the 2017 Executive Budget in accordance with Ordinance No. 16-025 dated 10, 2016.
SECTION 8. Private Donor – Financial sponsorship for the rehabilitation of patients is welcomed by the City Government of Muntinlupa provided that it will comply with standard auditing rules and regulations.

SECTION 9. Effectivity Clause - This Ordinance shall take effect immediately after its publication.

ENACTED, by the 8th Sangguniang Panlungsod of Muntinlupa, this 27th day of March 2017, on its 32nd Regular Session.

CONCURRED:

COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member

COUN. BAL MIEFES
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. LOUISITO A. ARCIANGA
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT I:

COUN. STEPHANIE G. TEVES
Member

COUN. RINGO A. TEVES
Member

COUN. ALEXANDER B. DÍAZ
Member

DISTRICT II:

COUN. CHRISTINE MAY A. ABAS
Member

COUN. MARK LESTER M. BAES
Member

COUN. RAFAEL T. SEVILLA
Member

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COUN. GRACE B. GONZAGA
Member

COUN. VICTOR L. ULANDAY
Member

ABSENT:
COUN. WALTER A. ARCILLA
Sectoral Representative
President
League of Barangay Captains

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary

ATTESTED:

CELSO C. DIOKO
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: 04 APR 2011

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