

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

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. _____
(In substitution of House Bills Numbered 2075 and 2732)

Introduced by Reps. Romulo, Sy-Alvarado, Rodriguez, Quimbo, Escudero, Robes, Loyola, Go (M.), Savellano, Reyes, Barba, Lacson, Saulog, Garcia (J.E.), Acop, Vergara, Mariano-Hernandez, Collantes, Lusotan, Dalog and Nieto

AN ACT
STRENGTHENING THE PROMOTION AND DELIVERY OF MENTAL HEALTH SERVICES IN BASIC EDUCATION THROUGH THE HIRING AND DEPLOYMENT OF MENTAL HEALTH PROFESSIONALS, AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1.** *Short Title.* – This Act shall be known as the "*Basic Education Mental*
2 *Health and Well-Being Promotion Act*".

3
4 **SEC. 2.** *Purposes.* - The purposes of this Act are as follows:

5
6 a) Enable the Department of Education (DepEd) recruit, train and hire additional
7 mental health professionals, sustain their well-being, competencies,
8 professional growth, and career development in DepEd;

9
10 b) Adequately address the mental, emotional and developmental needs of learners
11 as well as teaching and non-teaching personnel through the Mental Health
12 Professionals;

13
14 c) Promote the emotional, psychological and mental health well-being of learners
15 and teachers so as to enhance their classroom and learning preparedness,
16 including those learners identified as children in conflict with law (CICL),
17 students at risk of dropping out (SRDO), learner-victims of Violence Against
18 Women and Children (VAWC), and learners-victims of other related forms of
19 child abuse and criminal acts;

20

- 1 d) Support teachers and other education personnel in improving classroom
2 management through the conduct of behavioral and other guidance related
3 interventions to improve the learners' well-being, emotional and psycho-social
4 development, daily disposition and career decision making. Likewise train the
5 teachers and other education personnel in developing awareness and skills to
6 enable them to identify early warning signs of mental health problems and the
7 need for mental health interventions;
8
- 9 e) Establish linkages with the community through the promotion of mental health
10 programs and activities geared for the development of learners;
11
- 12 f) Support parents, guardians, and concerned stakeholders in improving the
13 school behavior and academic success of their children. Support parents,
14 guardians and concerned stakeholders in improving the school behavior and
15 academic success of their children;
16
- 17 g) Remove the emotional, behavioral, and psycho-social barriers to learning so as
18 to enhance the classroom atmosphere in order to achieve a child-friendly,
19 inclusive, safe, and motivating learning environment; and
20
- 21 h) Provide after care support in the treatment of mental health concerns of clients.
22

23 **SEC. 3. *Definition of Terms.*** – As used in this Act:
24

- 25 a) *Counseling* – refers to a dynamic face to face personal interaction between the
26 counselor and the counselee, where the counselor employs various methods,
27 approaches or techniques to enhance the counselee's intrapersonal and
28 interpersonal development and competencies;
29
- 30 b) *Guidance Associate* – refers to a plantilla position in DepEd which shall be filled-
31 in by a graduate of a Bachelor's degree in Psychology or any related courses
32 and must have earned a minimum of twelve (12) units of Behavioral Science
33 subjects and two hundred (200) hours of supervised practicum or internship
34 experience on guidance and counselling preferably in a school or community
35 setting;
36
- 37 c) *Guidance Counselor* – refers to an individual who possesses license or
38 certification granted by the Professional Regulations Commission (PRC) and
39 holds a minimum master's degree in Guidance and Counseling, Guidance, or
40 Counseling without prejudice to those registered under the grandfather's clause
41 of R.A. 9258, otherwise known as the "Guidance and Counseling Act of 2004,"
42 and is competent to perform guidance and counselling, career guidance and
43 implement mental health programs;
44
- 45 d) *Guidance Services Specialist* – refers to the specific plantilla-position in the
46 DepEd of Guidance Counselor that takes care of the mental health and well-
47 being of learners and employees;

- 1
- 2 e) *Guidance Teacher* – refers to a regular teacher who is given additional
- 3 assignments related to guidance and counselling services aside from the
- 4 teaching load, to augment the lack of supply of Guidance Counselors. They
- 5 shall be selected by the school heads based on their leadership skills and
- 6 potentials, and competence in handling guidance related concerns. Preferably,
- 7 a Guidance Teacher have at least a background in psychology, values education
- 8 or have units in guidance and counseling;
- 9
- 10 f) *Mental Health* – refers to state of well-being in which the individual realizes
- 11 one’s own abilities and potentials, copes adequately with the normal stresses
- 12 of life, displays resilience in the face of extreme life events, works productively
- 13 and fruitfully, and is able to make a positive contribution to the community;
- 14
- 15 g) *Mental Health Professional* – refers to a medical doctor, nurse, guidance
- 16 counselor, psychologist, or any other appropriately trained and qualified person
- 17 with specific skills relevant to the provision of mental health services;
- 18
- 19 h) *Mental Health Program* – refers to the system of services designed to maintain
- 20 the state of well-being of an individual in order that one may realize one’s own
- 21 abilities and potentials, cope adequately with the normal stresses of life,
- 22 displays resilience in the face of extreme life events, works productively and
- 23 fruitfully, and be able to make a positive contribution to the community;
- 24
- 25 i) *Mental Health Services* – refer to the psychosocial, psychiatric or neurologic
- 26 activities and programs along the whole range of the mental health support
- 27 services including promotion, prevention, treatment and aftercare, which are
- 28 provided by mental health facilities and mental health professionals;
- 29
- 30 j) *Psychologist* – refers to a natural person who has professional training and
- 31 clinical skills in psychotherapeutic intervention and assessment for mental
- 32 health problems that possesses license or certification granted by the PRC and
- 33 holds a minimum master’s degree in Psychology without prejudice to those
- 34 granted licenses under the grandfather’s clause of R.A. 10029, otherwise known
- 35 as the “Psychology Act of 2009”;
- 36
- 37 k) *Psychometrician* – refers to a natural person who has professional training skills
- 38 in psychological assessment that possesses license or certification granted by
- 39 the PRC and holds a minimum bachelor’s degree in Psychology without
- 40 prejudice to those granted licenses under the grandfather’s clause of R.A.
- 41 10029, otherwise known as the “Psychology Act of 2009”; and
- 42
- 43 l) *Psychosocial Problem* – refers to condition that indicates the existence of
- 44 dysfunctions in a person’s behavior, thoughts and feelings brought about by
- 45 sudden, extreme, prolonged or cumulative stressors in the physical or social
- 46 environment.
- 47

1 **SEC. 4. *Strengthening of School Level Mental Health and Well-being Office.*** – There
2 is hereby established, under the administration and supervision of the DepEd, a Mental
3 Health and Well-being Office in every schools division level which is primarily tasked
4 to address the mental, emotional and developmental needs of learners and personnel
5 of the DepEd.

6
7 A sufficient number of Guidance Counselors and Guidance Services Specialist positions
8 shall be created within the school division offices and in schools in order to cater to
9 the needs of learners and employees, according to minimum standards to be
10 determined by the DepEd and the Department of Health (DOH), in coordination with
11 the Civil Service Commission (CSC) and the Department of Budget and Management
12 (DBM).

13
14 The schools division level Mental Health and Well-being Office shall be headed by
15 qualified Mental Health Professional with a position of Guidance Services Specialist V
16 (Salary Grade 24).

17
18 **SEC. 5. *Hiring and Deployment of Mental Health Professionals.*** – Subject to the
19 guidelines set by the CSC and the DBM, the DepEd shall provide for the hiring and
20 deployment of Mental Health Professionals such that each public elementary,
21 secondary, vocational institutions, and offices in the different governance levels of the
22 DepEd shall have mental health professionals or mental health service providers within
23 five (5) years from the effectivity of this Act.

24
25 Until such time that the supply of mental health professionals is deemed sufficient,
26 the DepEd may deploy guidance teachers and other similarly qualified employees to
27 provide school-based mental health services: *Provided*, That they undergo sufficient
28 capacity building as determined by the DepEd and supervised by qualified Mental
29 Health Professionals within the school or the school division office in their provision of
30 mental health services: *Provided, further*, That they receive an additional honoraria as
31 just compensation for providing such services subject to guidelines set by the DBM
32 and the Commission on Audit.

33
34 Notwithstanding the provisions of Republic Act No. 9258, public education institutions
35 may hire, as may be necessary, graduates with relevant background in psychology or
36 similar fields, who do not yet qualify as mental health professionals, to provide school-
37 based mental health services: *Provided*, That they undergo sufficient capacity building
38 as determined by the DepEd and supervised by qualified Mental Health Professionals
39 within the schools division level in their provision of mental health services: *Provided,*
40 *further*, That they meet the relevant qualifications and are licensed as mental health
41 professionals within three (3) years from their date of hiring.

42
43 The DepEd shall establish mechanisms to maximize existing services offered by other
44 executive departments such as attached agencies to DOH dealing on mental health
45 and Department of Social Welfare and Development (DSWD).

1 **SEC. 6. *Professional and Career Development of Mental Health Professionals.*** – The
2 DepEd, in coordination with the DBM, CSC, DOH and Professional Regulations
3 Commission (PRC), shall:

- 4
- 5 a) Prepare a uniform career and personnel development plan that shall include
6 provisions on personal wellness, merit promotion, performance evaluation, in-
7 service training, post graduate scholarship grants, research grants, suggestions
8 and incentive award system;
 - 9
 - 10 b) Match the salary grades of Mental Health Professionals related items with
11 respect provisions of R.A. 6758, otherwise known as the "Position Classification
12 and Compensation Act";
 - 13
 - 14 c) Align the qualifications and standards for the qualification outcomes of Mental
15 Health Professionals to R.A. 10968, otherwise known as the "Philippine
16 Qualifications Framework Act";
 - 17
 - 18 d) Revisit the DepEd's organizational structure in order to provide competent and
19 professional personnel who will provide supervision and technical assistance to
20 Guidance Counselors at the school levels;
 - 21
 - 22 e) Review, revise and develop the duties and responsibilities of Mental Health
23 Professionals in accordance to their professionalizing laws;
 - 24
 - 25 f) Prepare performance evaluation plan that considers the improvement of
26 individual counselor efficiency and organizational effectiveness: *Provided,* That
27 each employee shall be informed regularly by the immediate supervisor of one's
28 performance evaluation;
 - 29
 - 30 g) Provide for the institutionalization of the Basic Education Mental Health Manual;
31 and
 - 32
 - 33 h) Provide periodic training and skills upgrading and development to Mental Health
34 Professionals.

35

36 **SEC. 7. *Salary Scale.*** – The career and salary scales of Mental Health Professionals in
37 schools shall provide for a gradual progression from a minimum to a maximum salary
38 by means of regular increments, to be given regularly based on merit and
39 competencies as similarly given to Master Teachers.

40

41 The entry level of Mental Health Professionals shall not be lower than Salary Grade
42 16. Guidance Associates and Psychometricians shall have as entry level Salary Grade
43 11.

44

45 **SEC. 8. *Benefits.*** – The Mental Health Professionals shall enjoy the rights and
46 privileges as provided in the Magna Carta for Public Health Workers, Mental Health
47 Law and other pertinent laws.

1 **SEC. 9. *Programs and Projects Related to Mental Health.*** – The DepEd shall provide
2 for sufficient allocation for mental health programs and projects designed to maintain
3 and address the mental health and well-being of learners and personnel.
4

5 **SEC. 10. *Appropriations.*** – The amount necessary for the implementation of this Act
6 shall be included in the DepEd budget in the annual General Appropriations Act.
7

8 **SEC. 11. *Joint Congressional Oversight Committee.*** – There is hereby created a Joint
9 Congressional Oversight Committee (JCOC) to monitor and oversee the
10 implementation of the provisions of this Act. The JCOC shall be composed of five (5)
11 members each from the Senate and from the House of Representatives, respectively,
12 including a member of the minority from each chamber, to be chaired jointly by the
13 chairpersons of the Committees on Basic Education of both the Senate and the House
14 of Representatives. The four (4) other members from each chamber shall be
15 designated, respectively, by the President of the Senate and the Speaker of the House
16 of Representatives, one of whom should come from the minority members.
17

18 **SEC. 12. *Sunset Review.*** – Within five (5) years after the effectivity of this Act, or as
19 the need arises, the JCOC shall conduct a sunset review. For purposes of this Act, the
20 term “sunset review” shall mean a systematic evaluation by the JCOC of the
21 implementing agencies’ performance and accomplishments, including the impact of
22 this Act, for purposes of determining remedial legislation.
23

24 **SEC. 13. *Implementing Rules and Regulations.*** – Within ninety (90) days from the
25 approval of this Act, the Secretary of Education, in consultation with the DBM, CSC,
26 DOH, DSWD, PRC and other concerned stakeholders, shall formulate and issue the
27 rules and regulations implementing the provisions of this Act.
28

29 **SEC. 14. *Separability Clause.*** – If any part or provision of this Act is held invalid or
30 unconstitutional, other provisions not affected thereby shall remain in force and effect.
31

32 **SEC. 15. *Repealing Clause.*** – All laws, orders, and rules and regulations contrary to,
33 or inconsistent with the provisions of this Act are hereby repealed or amended
34 accordingly.
35

36 **SEC. 16. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
37 in the *Official Gazette* or in a newspaper of general circulation.
38

39 *Approved,*