

EXCERPT FROM THE MINUTES OF THE 44TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON OCTOBER 30, 2024 AT 9:50 IN THE MORNING

- PRESENT:**
- | | | |
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| HON. LUGEN T. ORTILANO, | - | Vice Mayor & Presiding Officer |
| HON. ADRIAN S. CAMPOSAGRADO | - | SB Member |
| HON. NERI T. CAMIÑA | - | SB Member |
| HON. REYNALDO E. TUMABOTABO | - | SB Member |
| HON. JULIUS T. LEDESMA | - | SB Member |
| HON. NORBERTO T. TURALBA | - | SB Member |
| HON. JOEL L. SAYSON | - | SB Member |
| HON. ANA ROWENA A. PERERA | - | SB Member |
| HON. GAYLORD T. TRASPORTO | - | Liga President |
| HON. FLORENCE JOY V. CABALONGA | - | SKMF President |

- ABSENT:**
- | | | |
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| HON. JERRY T. TUARES | - | SB Member – (Special Priv. Leave) |
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Municipal Ordinance No. 2024-034

“AN ORDINANCE INSTITUTIONALIZING THE MENTAL HEALTH CARE PROGRAM IN THE MUNICIPALITY OF TIGBAUAN, ILOILO, ESTABLISHING MECHANISMS AND GUIDELINES FOR ITS IMPLEMENTATION, ADOPTING CERTAIN PROVISIONS OF R.A. 11036, OTHERWISE KNOWN AS THE MENTAL HEALTH ACT, APPROPRIATING FUNDS THEREOF AND FOR OTHER PURPOSES”

- *Introduced & Moved by:* HON. ANA ROWENA A. PERERA
- Sponsored by:* Committee on Health and Sanitation
Chairperson: Hon. Ana Rowena Arias-Perera
Vice Chairperson: Hon. Julius T. Ledesma
Members: Hon. Reynaldo E. Tumabotabo
- Seconded by:* Hon. Adrian S. Camposagrado, Hon. Neri T. Camiña, Hon. Reynaldo E. Tumabotabo, Hon. Julius T. Ledesma, Hon. Norberto T. Turalba, Hon. Joel L. Sayson, Hon. Gaylord T. Trasporto and Hon. Florence Joy V. Cabalonga;

- BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF TIGBAUAN, ILOILO IN SESSION ASSEMBLED THAT:

- SECTION 1. TITLE.** This ordinance shall be known as the “Mental Health Care Ordinance of Tigbauan”
- SECTION 2. DECLARATION OF POLICIES.** It is the declared policy of the Municipality of Tigbauan to promote the well-being of its people by ensuring that mental health is valued, promoted and protected, to provide timely, affordable and appropriate mental health care services and to promote a discrimination-free community.
- SECTION 3. DEFINITION OF TERMS.** The following terms are hereby defined in this ordinance:
- a. Allied Professional- shall refer to any trained non-medical mental health professional;
 - b. Discrimination- shall refer 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 or reasonable accommodation. Special measures solely to protect the right or secure the advancement of persons with decision-making impairment capacity shall not be deemed to be discriminatory;
 - c. Mental Health- shall refer to a state of well-being in which the individual realizes one’s own abilities and potentials, copes 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 on the community;
 - d. Mental Disability- shall refer to impairments in activity limitations and individual and participatory restrictions denoting negative aspects of interaction between an individual and his environment;

- e. Mental Illness- shall refer to mental or psychiatric disorder or other neurodevelopmental disorders 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; including epilepsy, *neuro* dementia, anxiety depression and other neurological illnesses;
- f. Mental Health Facility- shall refer to any establishment, or any unit of an establishment, which has, as its primary function, the provision of mental health services;
- g. Mental Health Professional- shall refer to a medical doctor, psychologist, nurse, social worker or any other appropriately-trained and qualified person with specific skills relevant to the provision of health services;
- h. Mental Health Service Provider- shall refer to an entity or individual providing, mental health services, whether public or private, including, but not limited to, mental health professionals and workers, social workers and counselors, peer counselors, informal community caregivers, mental health advocates and their organizations and persons or entities offering non-medical alternative therapies;
- i. Patient or Service User- shall refer to a person with mental health condition who requires or undergoing psychiatric, neurologic or psychosocial care;
- j. R.A. 11036- otherwise known as "An Act Establishing A National Mental Health Policy for the Purpose of Enhancing the Delivery Of Integrated Mental Health Services, Promoting and Protecting the Rights of Persons Utilizing Psychiatric, Neulogic and Psychosocial Health Services, Appropriating Funds Therefore and for other Purposes, otherwise known as the "Mental Health Act" approved on June 20, 2018;
- k. Traumatic Events- shall refer to an incident that causes physical, emotional, spiritual or psychological trauma or harm to an individual, including but not limited to, accidents, natural disasters, attacks, sexual harassment, domestic violence, and emotional or physical abuse;

SECTION 4. DUTIES AND RESPONSIBILITIES OF THE MUNICIPAL GOVERNMENT OF TIGBAUAN:

- a. Review, formulate and develop regulations and guidelines necessary to implement an effective mental health care and wellness program and policies in the Municipality of Tigbauan;
- b. Integrate mental health care services in the basic healthcare services, and ensure that these are provided in primary healthcare facilities and hospitals;
- c. Establish or provide training programs or activities necessary to enhance the capacity of mental health service providers and other health workers in providing appropriate mental health services or interventions;
- d. Establish and capacitate mental health care facilities or clinic in the municipality in order to be more accessible and responsive to the needs of the patients or community;
- e. Establish a temporary housing facility for vagrant psychotics or individuals suffering from mental health problem with no identified relatives where they can live or stay;
- f. Refer or coordinate transfer of service users or patients to mental health facilities, professional workers and other service providers for appropriate care; and
- g. Establish a multi-sectoral network for the identification, management, and prevention of mental health illness in the community;

SECTION 5. INSTITUTIONALIZING THE MENTAL HEALTH PROGRAM OF THE MUNICIPALITY OF TIGBAUAN. The mental health program and services of the Municipal Health Office of Tigbauan is hereby institutionalized and shall be integrated as part of the public health services in the health facilities of the Municipal Government of Tigbauan.

- I. Mental health care services to be provided in the municipality shall be:
 - a. Based on medical and scientific research findings;
 - b. Responsive to the clinical, gender, cultural and other special needs of the individuals being served;
 - c. Service must be provided in most appropriate and least restrictive setting;
 - d. Age-appropriate;
 - e. Provided by mental health professionals and workers in a manner that ensures accountability; and
 - f. Economically accessible.
- II. The mental health care services shall aspire to evolve from a predominantly hospital-based mental health care system to a comprehensive community-based mental health care system which shall consists of:
 - a. Development and integration of mental health care at the primary health in the community;

- b. Continuation of programs for capacity/capability building among existing local health workers in close coordination with mental or psychiatric hospitals, universities and other health providers;
- C. Continuous support services and intervention for affected families;
- d. Advocacy and promotion of mental health awareness among the general population;
- e.Capacity building, reorientation and training shall be required for health providers;
- f.Research and development to improve mental health programs shall be undertaken, in collaboration with other government agencies, academic institutions, mental health associations and non-government organizations, to develop or enhance appropriate and relevant mental health services in the community.

SECTION 6. MENTAL HEALTH PROGRAM. The Municipality of Tigbauan through the Municipal Health Office shall ensure the implementation of the following to hasten the delivery of mental health services to the people:

- a. Capacity-building of non-specialists and other health professionals, including municipal health officers and barangay health workers, in providing appropriate mental health services;
- b. Institute and strengthen a mental health facility or system suited for the needs of the people of Tigbauan;
- c. Institutionalize a hospita-specialist referral system for psychiatric, substance and neurologic emergencies;
- d. Establish a mechanism for the delivery of pharmacological and/or psychosocial interventions;
- e. Education, awareness and information campaign with regards to the importance of mental health, mental health consciousness and the various mental health conditions and the available mental health services in the municipality;
- f. Assist service users by making available appropriate medications, medical supplies and equipment needed by health workers to deliver appropriate mental health services;
- g. Include reportorial requirement, regular submission of reports to DOH and creation of registry and make decisions based on official and scientific data and reports;

SECTION 7. MUNICIPAL MENTAL HEALTH ADVISORY BOARD. The Municipal Mental Health Advisory Board is hereby established to provide for a consistent, rational and unified response to mental health problems and concerns through the formulation and implementation of the Tigbauan Mental Health Care Program:

- I The Board is empowered to:
- a. Review and formulate policies and guidelines on mental health issues and concerns;
 - b. Develop an inclusive and integrated plan and program on mental health;
 - c. Conduct regular monitoring and evaluation in support of policy formulation and planning on mental health;
 - d. Promote and facilitate collaboration among sectors and disciplines for the development and implementation of mental health related programs within these sectors;
 - e. Provide overall technical supervision and ensure compliance with policies, programs and projects within the comprehensive framework of the Municipal Mental Health Program and such other activities related to the implementation of this ordinance, through the review of mental health services and the adoption of legal and other remedies provided by law;
 - f. Plan and implement the necessary and urgent capacity building, reorientation and training programs for all mental health professionals, mental health workers and allied professionals as articulated in this ordinance;
 - g. Review all existing laws related to mental health and recommend legislation which will sustain and strengthen programs, services and other mental health initiatives;
 - h. Create such inter-agency committees, project task forces, and other groups necessary to implement the policy and program framework of this ordinance; and
 - i. Perform such other duties and functions necessary in carrying the purposes of this ordinance.

II Composition

Chairperson- Municipal Mayor

Vice Chairperson- Municipal Health Officer

Members:

- 1. SB Chairperson-Committee on Health and Sanitation
- 2. SB Chairperson- Committee on Women, Family, Social Services & Indigents
- 3. SB Chairperson- Committee on Education
- 4. President- Liga ng Mga Barangay & SKMF
- 5. MSWDO;
- 6. Medical Officer

7. Social Worker
8. Nurse
9. MDRRMO
10. PSDS/Dep Ed Representative
11. PNP
12. CSO Representatives
13. PYAP Focal Person/LYDO
14. DOH/PHO Representative

SECTION 8. 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.

Moreover, people in far-flung areas and/or highly populated or depressed areas/barangays and people from vulnerable sectors such as CICL, 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 advisory board.

SECTION 9. CONFIDENTIALITY. All patients and service users with mental illness shall have the right to confidentiality in compliance with the Data Privacy Act.

SECTION 10. MENTAL HEALTH CARE FOR DRUG DEPENDENTS. Persons who avail of the voluntary submission provision and persons in charged pursuant to RA 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, shall undergo an examination for mental health conditions and, if found to have mental health conditions, shall be covered by the provisions of RA 11036.

SECTION 11. MUNICIPAL COUNSELING CENTER. A municipal mental health center or mental health space shall be established to address mental health concerns and provide counseling, monitoring or evaluation for members of the community with mental health concerns.

SECTION 12. CELEBRATION OF WORLD MENTAL HEALTH DAY AND NATIONAL MENTAL HEALTH WEEK. The Municipal Health Office shall spearhead the celebration of the World Mental Health Day, the National Mental Health Week and such other mental health related activities in the municipality.

SECTION 13. MUNICIPAL MENTAL HEALTH DAY. The month of October of every year shall be declared as the Municipal Mental Health Day to promote advocacies on mental health awareness and mental health education in the municipality.

SECTION 14. CONTINUOUS TRAINING/CAPACITY BUILDING AND PROMOTION/ADVOCACY. All-encompassing learning activities and programs designed to increase the capacity, knowledge and skills of health workers and professionals on Mental Health in the municipality must be formulated by the Mental Health Board.

SECTION 15. SELF-HARM AND SUICIDE PREVENTION. In partnership with non-government organizations, a 24/7 hotline or network which shall provide assistance to individuals with mental health conditions, especially individuals at risk of committing self-harm and suicide shall be instituted and properly disseminated.

SECTION 16. IMPLEMENTING RULES AND REGULATIONS (IRR). The Municipal Health Office in coordination with the Municipal Mental Health Board shall draft the necessary implementing rules and regulations of this Ordinance not later than 6 months from its effectivity.

SECTION 17. APPROPRIATION. The Local Government Unit of Tigbauan shall set aside an amount necessary to carry out the provisions of this ordinance which shall be included in the Annual Budget of the Municipal Health Office (MHO).

SECTION 18. SEPARABILITY CLAUSE. If for any reason any section or provision of this Ordinance is declared unconstitutional or invalid, other sections or provisions hereof not affected by such declaration shall continue to be in full force and effect.

SECTION 19. REPEALING CLAUSE. All ordinances, resolutions, executive orders, rules and regulations, and other administrative issuance, or any provisions thereof, which are contrary to or inconsistent herewith are hereby repealed or modified accordingly.

SECTION 20. EFFECTIVITY CLAUSE. This ordinance shall take effect fifteen (15) days after compliance with posting and/or publication requirements.

ENACTED.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
SB Secretary

ATTESTED:


LUGEN T. ORTILANO
Vice Mayor & Presiding Officer

APPROVED:


ATTY. VIRGILIO T. TERUEL
Municipal Mayor

(Date signed)

HON. LUGEN T. ORTILANO
Municipal Vice Mayor

Sangguniang Bayan Members:

HON. ADRIAN S. CAMPOSAGRADO
HON. NERI T. CAMIÑA
HON. REYNALDO E. TUMABOTABO

HON. JULIUS T. LEDESMA, O.D.
HON. NORBETO T. TURALBA
HON. JERRY T. TUARES, C.E.
HON. JOEL L. SAYSON

HON. ANA ROWENA ARIAS-PERERA, R.N. M.A.N.
HON. GAYLORD T. TRASPORTO, LNB President
HON. FLORENCE JOY V. CABALONGA, PPSK President