



Republic of the Philippines
Region IX
Province of Zamboanga del Sur

Municipality of Ramon Magsaysay

Office of the Sanggunian Secretary

EXCERPT FROM THE MINUTES OF THE 51st REGULAR SESSION OF THE 11th SANGGUNIANG BAYAN OF RAMON MAGSAYSAY, ZAMBOANGA DEL SUR, HELD AT THE SANGGUNIANG SESSION HALL, ON AUGUST 14, 2023.

Officers/Members:	Designation	Present	Absent	Remarks
Hon. LEONILLO D. BORINAGA, SR.	Municipal Vice Mayor, Presiding	/		
Hon. VERGINITA A. GONZALES	SB Member	/		
Hon. CELSO C. CUYOS	SB Member	/		
Hon. NECASTER N. JAVIER	SB Member	/		
Hon. NIEVES A. CABASAG	SB Member	/		
Hon. LOLITO O. ARIAS	SB Member	/		
Hon. CHANDEL RAY N. ENTIENZA	SB Member	/		
Hon. ANSELMO D. SACASAN, JR.	SB Member	/		
Hon. JESS EARL PIUS C. HONTIVEROS	SB Member	/		
Hon. CHED LOUI D. ARCITE	Liga President	/		
Hon. JADE MICHAEL M. MENDOZA	SK Fed. President	/		
Hon. EVERGISTO S. ANIB	IPMR	/		

MUNICIPAL ORDINANCE NO. 11-02-2023

“AN ORDINANCE PROVIDING FOR A COMMUNITY BASED-MENTAL HEALTH PROGRAM AND DELIVERY SYSTEM IN THE MUNICIPALITY OF RAMON MAGSAYSAY, ZAMBOANGA DEL SUR, ESTABLISHING MECHANISMS AND GUIDELINES FOR ITS IMPLEMENTATION AND APPROPRIATING NECESSARY FUNDS THEREFOR”

BE IT ORDAINED by the Sangguniang Bayan of Ramon Magsaysay, Zamboanga del Sur in session duly assembled that:

I. PRELIMINARIES

Section 1. SHORT TITLE. - This Ordinance shall be known as the "Mental Health Care Ordinance of Ramon Magsaysay.

Section 2. DECLARATION OF POLICY. - The Municipality of Ramon Magsaysay 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 to uphold the right of the people to mental health and encourage mental health consciousness among them. Towards this end, the Municipality 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 or disability.

Section 3. DEFINITION OF TERMS. - As defined in this Ordinance, the following terms are defined as follows:

- 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;
- 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;

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- 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 or 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 impairments in activity limitations and individual and participatory restrictions 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 a 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 Facility refers to any establishment, or any unit of an establishment, which has, as its primary function, the provision of mental health services;
- j) Mental Health Professional refers to a medical doctor, psychologist, nurse social worker or any other appropriately -trained and qualified person with specific skill relevant to the provision of mental health services.
- k) 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 counselors, informal community caregivers, mental health advocates and their organizations, personal ombudsmen, and persons or entities offering nonmedical alternative therapies;
- l) 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;
- m) 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;
- n) 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.
- o) Psychiatric or Neurologic Emergency refers to a condition presenting a serious and immediate threat to the health and well-being 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 metal condition, or to the health or well-being of others, requiring immediate medical intervention;



p) 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; and

q) Service User 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. MUNICIPAL MENTAL HEALTH BOARD. - The Municipal Mental Health Board (referred as "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 purposes of this ordinance, the 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:

Chairperson: Municipal Mayor

Vice-Chairperson: Municipal Health Officer

Members:

- Chairman, SB Committee on Health,
- Chairman, SB Committee on Children,
- Chairman, SB Committee on Education,
- Chairman, SB Committee on Barangay Affairs,
- Chairman, SB Committee on Persons with Disability,
- Head, Municipal Social Welfare and Development Office,
- Representative, Commission on Human Rights,
- Representative, Philippine Mental Health Association,
- Representative, Department of Health,
- Representative, Public Hospitals within the territorial jurisdiction of the municipality (if any),
- Representative, DepEd Schools Division Office,
- Two Representatives from civil society organizations involved in mental health issues

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 Municipal Government;
- b) Develop program for intervention designed to promote and upscale the approaches for mental health awareness for educational institutions, public and private workplaces, among others;
- c) Recommend intensified psychosocial activities with special focus on addressing effects of calamities and/or disasters and other traumatic events, including on-line consultations and discussions, in close coordination with the different guidance counselors 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) Assist 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 Sanggunian 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 office, 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. It 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.

III. COMMUNITY-BASED MENTAL HEALTH CARE

Section 9. PSYCHIATRIC, PSYCHOSOCIAL, AND NEUROLOGIC SERVICES IN MUNICIPAL PUBLIC HOSPITALS (RHU). - A psychiatric, psychosocial, and neurologic services in the municipal public hospital (RHU) which shall serve as a community-based mental health care facility of the Municipal Government.

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;

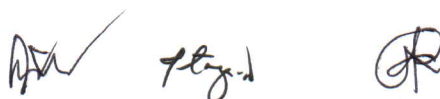
b) Linkage and possible supervision of home care services for those with special needs as a consequence of long- term hospitalization, unavailable families, inadequate families, inadequate or noncompliance to treatment;

c) Coordination with drug rehabilitation centers 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 or disability. The Psychiatric, Psychosocial, and Neurological Services Unit shall have adequate room and a complement of mental health professionals. The Medical Chief or Chief of Hospital, 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 COUNSELING CENTER - Each barangay, as a matter of priority, shall establish or provide a counseling center/space so that those considered with mental health concerns may be initially evaluated and monitored, for their eventual 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. No. 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 Municipal Health Board (Board), as provided under Chapter III 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. For this purpose, capacity-building activities for mental health issues and those persons in-distress situations shall be designed by the Board to ensure uniformity and regularity in its conduct for the barangays of the 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), 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:

- a) A guidance office, which shall be available at any time of the day for students;
- b) Appropriate mental health training for school guidance counselors, 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, agencies, and instrumentalities, shall establish a mental health care system, which shall include programs and services for the mental health of the employees.

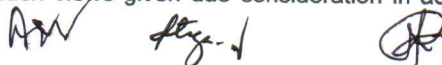
Section 15-CAPACITY BUILDING PROGRAMS FOR OTHER STAKEHOLDERS. - In close coordination with mental health facilities, academic institutions, and other stakeholders, mental health professionals, worker, and other service providers shall undergo capacity building, reorientation, and training develop their 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 area/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 service 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 patients/service user, which information, communication, and records shall not be disclosed to third parties without written consent of the patients/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 professionals, 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, 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.

A. This Ordinance adopts the penalty clauses provided in Section 44, in relation to Sections 18, 4(c), 4(e), and 5(h) of R.A. No 11063. For this purpose, the Municipal Government of Ramon Magsaysay shall assist any complaint/s in the filing of a case with proper court.

B. Failure to observe the provisions of Chapter V and Chapter VI, Section 21 hereof, the following shall be observed:

1. First offense - the concerned official shall be asked to explain within 24 hours why no appropriate administrative sanction be meted against him/her for failure to comply with the said provision.

2. Second Offense - for failure, despite notice, to comply, the concerned officer shall be meted a fine of One Thousand Pesos (₱1000.00).

3. Third Offense - for failure, despite repeated demands to comply, shall be meted with Two Thousand Five Hundred Pesos (₱2,500.00).

If the violation is committed by a public officer, he/she shall also be subject to administrative liability, in addition to the above-mentioned penalties.

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 patients/service users attended to and or served;

b) the respective kinds of mental illness or disability, duration and result of the treatment; and

c) patients'/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 IX for human rights situation monitoring in the province/city/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.

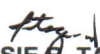
Section 23. FUNDING AND APPROPRIATIONS. - The amount of Fifty Thousand Pesos (₱50,000.00) shall be appropriated for the implementation of this ordinance.

Section 24. SEPARABILITY CLAUSE. If for any reason, any provision of this ordinance shall be held unconstitutional or not valid by any court of competent jurisdiction, such judgment shall not affect or impair the other provisions or part thereof which shall continue to be in force and in effect.

Section 25. REPEALING AND AMENDATORY CLAUSE. All municipal ordinances, resolutions, rules, and regulations or any part thereof which are in conflict with or inconsistent with the provisions of this ordinance are hereby repealed and/or modified accordingly.

Section 26. EFFECTIVITY. This ordinance shall take effect upon its approval.

CERTIFIED CORRECT:


TESSIE A. TAGA-AN
Secretary to the Sanggunian

ATTESTED:


LEONILO D. BORINAGA, SR.
Municipal Vice-Mayor, Presiding

APPROVED:


MARGIE ARCITE-MACHON
Municipal Mayor