



Republic of the Philippines
PROVINCE OF CAGAYAN
City of Tuguegarao



SEVENTH CITY COUNCIL

EXCERPTS FROM THE MINUTES OF THE 52nd REGULAR SESSION
OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
HELD ON AUGUST 22, 2017, 1:00 P.M., TUESDAY,
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Danilo L. Baccay	City Vice Mayor, Regular Presiding Officer
Hon. Kendrick S. Calubaquib	Sangguniang Panlungsod Member
Hon. Maila Rosario T. Que	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Jose G. Velasco	-do-



ABSENT:

Hon. Jude T. Bayona	Sangguniang Panlungsod Member
Hon. Mary Marjorie P. Martin-Chan	-do- (on Sick Leave)

CITY ORDINANCE NO. 29-2017

AN ORDINANCE FOR THE ESTABLISHMENT AND CONSTRUCTION OF A REHABILITATION FACILITY/CENTER INTENDED FOR DRUG DEPENDENTS AND PERSONS INFLUENCED BY OTHER FORMS OF ADDICTION IN THE CITY OF TUGUEGARAO AND FOR THE APPROPRIATION OF FUNDS THEREFOR AND FOR OTHER PURPOSES

**Sponsors: HON. MAILA ROSARIO T. QUE
HON. MARY MARJORIE P. MARTIN-CHAN**

**Co-Sponsors: HON. DANILO L. BACCAY
HON. KENDRICK S. CALUBAQUIB
HON. ARNEL T. ARUGAY
HON. GILBERT S. LABANG
HON. WINNOCO R. ABRAHAM
HON. IMOGEN CLAIRE M. CALLANGAN
HON. RAYMUND P. GUZMAN
HON. GRACE B. ARAGO
HON. ANTHONY C. TUDDAO
HON. JOSE G. VELASCO**

WHEREAS, Article II of the 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill consciousness among them;

WHEREAS, Section 2 of Republic Act No. 9165 or otherwise known as the "Comprehensive Dangerous Drugs Act of 2002" states that the State shall safeguard the integrity of its territory and the well-being of its citizenry particularly the youth, from the harmful effects of dangerous drugs on their physical and mental well-being;

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WHEREAS, further and relevantly stated in Section 2 of the said law is the policy of the State to provide effective mechanisms or measures to reintegrate into society individuals who have fallen victims to drug abuse or dangerous drugs dependence through sustainable programs of treatment and rehabilitation;

WHEREAS, it is mandated by law specifically of Section 51 of Republic Act No. 9165 that local government units shall appropriate a substantial portion of their respective annual budgets to assist in or enhance the enforcement of the Drug Act giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents;

WHEREAS, there are other forms of addiction like habitual alcoholism, smoking and gambling that need preferential attention for proper treatment and rehabilitation;

WHEREAS, pursuant to DILG Memorandum Circular No. 2009-09, it is the principal responsibility of local authorities in support of overall government efforts to address illegal drugs use;

WHEREAS, the establishment of a said facility having been passed upon and resolved, being part of and pursuant to the Executive-Legislative Agenda of the present local government bearing its anti-drug abuse campaign and the creation of the City Anti-Drug Abuse Council (CADAC), it is then ripe for its implementation;

WHEREAS, it is a matter of fact and of history that dangerous drug abuse is one of the worst social ills that humanity needs to address as it distorts one's judgment, destroys one's life and eventually, ruins the drug-afflicted victim's family;

WHEREAS, it is undeniable that the increasing use of illegal drugs significantly contributed to the incidence of crimes in our jurisdiction;

WHEREAS, today, the City of Tuguegarao has an alarming number of inhabitants plagued by illegal drugs abuse, hence, our government cannot afford to be on a stalemate on the matter, therefore, the need to address the matter is urgent;

WHEREAS, it is incumbent upon us all to maintain and protect the dignity of each human life of no less drug users, thus, they are to be saved and rehabilitated to enable them to be on a productive standing and reintegrate them to our society;

WHEREAS, through the authority of the City's legislative body, in line with the mandate of law, it must establish a Drug Rehabilitation Facility/Center in the City and appropriate the needed funds for the same and put in place necessary mechanisms for the establishment of the said facility;

WHEREAS, for the proper administration of the establishment of the proposed Drug Abuse Rehabilitation Facility, the Manual of Operations for Drug Abuse Treatment and Rehabilitation Centers of the Department of Health shall be a guide for this project;

WHEREAS, for the full success of this project, this matter shall be coordinated with the relevant national agencies of the government particularly, the Department of Health, the Department of Social Welfare and Development, the Department of the Interior and Local Government and the Philippine Drug Enforcement Agency and all other relevant agencies for the necessary measures for the same.

NOW, THEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**, that City Ordinance No. 29-2017 shall be enacted by the Tuguegarao City Council assembled.

SECTION 1. TITLE. This Ordinance shall be known as "*An Ordinance for the Establishment and Construction of a Rehabilitation Facility/Center Intended for Drug Dependents and Persons Influenced by Other Forms of Addiction in the City of Tuguegarao and for the Appropriation of Funds Therefor and for Other Purposes.*"

SECTION 2. OBJECTIVE. This Ordinance brands the classical slogan "Save the Users" and intends to help and rehabilitate illegal drug users to redeem their productive state and reintegrate themselves into the society and to mitigate and to prevent the occurrence of illegal drug-induced crimes thereby promoting peace and order in the City.

SECTION 3. DEFINITION OF TERMS:

- a. Tuguegarao City Anti-Drug Abuse Council (TCADAC) – the primary governing body for the establishment, administration and management of the Tuguegarao City Anti-Drug Abuse Center.
- b. Manual of Operations for Drug Abuse Treatment and Rehabilitation Centers – a standard reference material recommended by the Department of Health to aid administrators and practitioners in the management and operations of a drug treatment and rehabilitation center.
- c. Department of Health (DOH) – main governmental arm regulating, overseeing and monitoring the integration, coordination and supervision of all drug rehabilitation, intervention, aftercare and follow-up programs, projects and activities as well as the establishment, operations, maintenance and management of drug abuse treatment and rehabilitation centers nationwide.
- d. Non-Residential Treatment and Rehabilitation Center (Outpatient Center) – a health facility that provides diagnosis, treatment and management of drug dependents and persons influenced by other forms of addiction like smoking and gambling on an outpatient basis. It may be a drop-in/walk-in Center or any other office/facility used by support groups that provide consultation or counseling. From time to time, it may provide temporary shelter for patients in crisis for not more than twenty-four (24) hours.
- e. Residential Treatment and Rehabilitation Center (In-Patient Center) – a health facility that provides comprehensive rehabilitation services utilizing, among others, any of the accepted modalities: Multidisciplinary Team Approach, Therapeutic Community Approach and/or Spiritual Services towards the rehabilitation of drug dependents and persons influenced by other forms of addiction like smoking and gambling.

For purposes of this Ordinance, all other technical terms and their corresponding definitions as indicated under Article I, Section 3 of Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002", are hereby adopted.

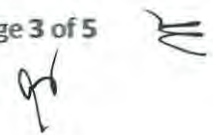
SECTION 4. ADMINISTRATION AND MANAGEMENT OF THE FACILITY/CENTER. The administration and management of the Tuguegarao City Anti-Drug Abuse Rehabilitation Center shall be with the TCADAC led by the City's Local Chief Executive pursuant to City Ordinance No. 20-2016 titled "An Ordinance Institutionalizing the Tuguegarao City Anti-Drug Abuse Council and Providing Funds Thereof" and subject to applicable and related legal standards provided for by law.

The Department of Health shall supervise, regulate, oversee and monitor the activities, projects and programs of the Tuguegarao City Anti-Drug Abuse Council.

SECTION 5. SITE OF THE DRUG REHABILITATION CENTER. The facility/center shall be strategically placed in an isolated and suitable location to be identified by the Local Anti-Drug Abuse Council and shall thereafter be deliberated and approved by the City Council.

SECTION 6. GUIDELINES FOR THE ESTABLISHMENT OF THE FACILITY/CENTER.

- A. **OWNERSHIP:** The TCADARC shall be wholly operated and maintained by the Local Government of Tuguegarao City.
- B. **SERVICE CAPABILITY:** The TCADARC shall be an Inpatient and Outpatient Rehabilitation Center for drug dependents and persons influenced by other forms of addiction like smoking and gambling.
- C. **ADMINISTRATIVE AND OTHER SUPPORT SERVICES GUIDELINES:**
 - i. **Personnel and Staff Management.** The Center must have a sound system of recruitment, selection and appointment of personnel to ensure that staff is competent and qualified to perform the services. Individual file shall be maintained to include personal data sheet, service records, credentials, performance evaluation, etc.



The TCADAC shall appoint the prescribed personnel and staff necessary for the effective operation of the facility/center subject to existing laws, rules and regulations.

- ii. **Fiscal Management.** The Center shall have a sound plan of financing which gives assurance of sufficient funds to enable it to carry out its defined purpose and provide appropriate services for drug dependents. Funds shall be provided and allocated to the employees and personnel of the rehabilitation center and the same shall be charged from the City funds. Employees and personnel shall also be entitled to benefits and privileges provided by existing laws. It is the duty of the Center to submit their financial report annually.

The parent, spouse, guardian or any relative within the fourth degree of consanguinity of any person who is confined under the voluntary submission program or compulsory submission program shall be charged for the cost of his/her treatment and rehabilitation, taking into consideration the economic status of the family of the person confined which shall be assessed by the Department of Social Welfare and Development (DSWD).

The TCADAC shall determine the reasonable and legal fees to be collected from the family of the person confined subject to the approval of the Sangguniang Panlungsod and in accordance to other existing laws, rules and regulations.

The Rehabilitation Center must not exceed fifty percent of the total bed allocation for paying patients. Discounted rates shall be based on the prescribed guidelines by the DSWD and other existing laws, rules and regulations.

- iii. **Security.** The Center must be adequately secured to ensure safety from outside intrusion and to prevent escapes of patients and to ensure a drug free environment. There must be a fence and plant barriers around the area. Visitors shall be properly screened and controlled. A system of searching for dangerous drugs and items must be clearly documented and implemented.
- iv. **Maintenance Program.** The Center must have a preventive maintenance plan. Upkeep and maintenance of facility and equipment including vehicles shall be regularly conducted.
- v. **Training program.** All staff must keep abreast with current trends in treatment and rehabilitation programs. To ensure the enrichment of knowledge and skills enhancement of staff in the specialized area of rehabilitation, the Center must have a training program for all the personnel. The Center must allow attendance of its personnel to appropriate training programs. All members of the technical staff of the center including volunteers shall undergo training. The training shall consist of pre-service training for future members of the staff, continuous in-service or in-house staff training for administrative and clinical staff.

(Note: For accurate legal compliance and emphasis, the above stated guidelines are copied from and it is in line with the Manual of Operations for Drug Abuse Treatment and Rehabilitation Centers of the Department of Health)

- D. For purposes of this Ordinance, the remaining standards set forth in the *Manual* recommended by the Department of Health shall be adopted and will serve as the basis for the creation, administration and management of the Tuguegarao City Anti-Drug Abuse Rehabilitation Center.

SECTION 7. FUNDING. The fund for the project shall be drawn from the Development Fund of the Internal Revenue Allotment pursuant to the directive of Section 51 of Republic Act No. 9165, otherwise known as the "*Comprehensive Dangerous Drugs Act of 2002*", on its mandatory inclusion in the Local Annual Budget.

SECTION 8. REPEALING CLAUSE. Any provision of ordinance, rules and regulations and/or parts thereof inconsistent with the provisions of this ordinance are hereby amended, modified and/or repealed accordingly.

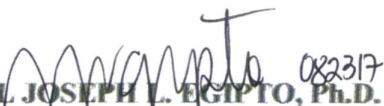
SECTION 9. SEPARABILITY CLAUSE. Should any provision of this ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, the parts which are not affected shall remain in full force or effect.

SECTION 10. EFFECTIVITY. This Ordinance takes effect immediately upon approval.


On motion of Hon. Maila Rosario T. Que, duly seconded by Hon. Grace B. Arago and without any objection, **CITY ORDINANCE NO. 29-2017** was **APPROVED** on its Third and Final Reading under suspended rules.

X-X-X


I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sanggunian

ATTESTED:


HON. DANILO L. BACCAY
City Vice Mayor
Presiding Officer
Date: 08-24-17

APPROVED:


HON. BIENVENIDO C. DE GUZMAN II
City Mayor
Date: 8/29/17