Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
18th City Council

PO2013-28

85th Regular Session

OPAC-ok

ORDINANCE NO. SP-2222, S-2013

AN ORDINANCE AMENDING ARTICLE V SECTION 24 AND SECTION 25 OF ORDINANCE NO. SP-1264, S-2003 ENTITLED "AN ORDINANCE ADOPTING A COMPREHENSIVE ANTI-DRUG ABUSE AND REHABILITATION PROGRAM, PROVIDING PENALTIES FOR VIOLATION THEREFOR AND FOR OTHER PURPOSES", BY PROVIDING DIRECT AUTHORITY TO QCDTRC-TAHANAN TO ASSESS AND ADMIT PATIENTS.

Introduced by Councilors JESUS MANUEL C. SUNTAY, PRECIOUS HIPOLITO CASTELO, ALEXIS R. HERRERA, EUFEMIO C. LAGUMBAY, GODOFREDO T. LIBAN II, RANULFO Z. LUDOVICA, DOROTHY A. DELARMENTE, ANTHONY PETER D., CRISOLOGO, RICARDO T. BELMONTE, JR., JOSEPH P. JUICO, ALFREDO D. VARGAS III, EDEN "CANDY" A. MEDINA, JULIENNE ALYSON RAE V. MEDALLA, RODERICK M. PAULATE, , ALLAN BENEDICT S. REYES, JULIAN ML.COSETENG, JAIME F. BORRES, JOSE MARIO DON S. DE LEON, GIAN CARLO G. SOTTO, JESSICA CASTELO DAZA, RAQUEL S. MALAÑGEN, VINCENT DG. BELMONTE and IVY LIM-LAGMAN.

WHEREAS, Section 458, paragraph (5), subsection (xiv) of R.A. No. 7160, otherwise known as the Local Government Code of 1991, states that, it is among the powers, duties and functions of the Sangguniang Panlungsod to "provide for the care of xxx drug dependents xxx and xxx establish and provide for the operation of centers and facilities for said needy and disadvantaged persons";

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WHEREAS, in order to ensure the effective implementation of a comprehensive and sustainable anti-drug abuse and rehabilitation program that includes the productive re-integration of drug dependents into society, the Quezon City Government established the Quezon City Drug Treatment and Rehabilitation Center (QCDTRC-TAHANAN) under the auspices of the Office of the Vice Mayor, which began operation on January 25, 1993;

WHEREAS, Quezon City Ordinance No. SP-1264, S-2003, entitled "An Ordinance Adopting a Comprehensive Anti-Drug Abuse and Rehabilitation Program, Providing Penalties for Violation thereof and for other purposes", was enacted on May 13, 2003;

WHEREAS, due to expediency and to minimize the possibility for drug dependents to escape while completing requirements necessary for admission to QCDTRC-TAHANAN, and by virtue of an Administrative Order issued by the Department of Health (DOH), Section D entitled Verification of Patient's Identity, the requirements and procedure set forth in Section 24 and Section 25 should be amended.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. Sections 24 and 25 of Article V (TREATMENT, REHABILITATION AND CONFINEMENT OF DRUG DEPENDENTS) of Ordinance No. SP-1264, S-2003, is hereby amended, to read as follows:

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"SECTION 24. VOLUNTARY CONFINEMENT – A drug dependent may by himself/herself or through his/her parent, spouse, guardian or relative within the fourth (4th) civil degree of consanguinity or affinity, apply to the QCADAAC or QCDTRC-TAHANAN, for treatment and rehabilitation of the drug dependency. Upon such application, the QCADAAC shall elevate the matter to a Court of competent jurisdiction, which shall order the application to be examined for drug dependency. If the examination by a DOH – accredited physician results in the issuance of a certification that the applicant is a drug dependent, he/she shall be ordered by the Court to undergo treatment and rehabilitation in the QCDTRC for a period of not less than six (6) months.

Confinement at QCDTRC-TAHANAN for treatment and rehabilitation shall not be less than six (6) months but shall not exceed one (1) year except upon order of the Court. The QCDTRC-TAHANAN Administration shall provide the QCADAAC and Court periodic reports on the status of the drug dependent and may recommend for the discharge or extension of the treatment and rehabilitation."

"SECTION 25. REQUISITES FOR CONFINEMENT AND REHABILITATION. – To qualify for voluntary confinement, the following certified or verified documents are necessary:

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25.1 Sworn statement of drug dependency, except those found in flagrante to be drug dependents who shall be subject to compulsory confinement and rehabilitation;

25.2 Certificate of drug dependency to be issued by a DOH - accredited in-house QCDTRC/TAHANAN physician.

25.3 Signed waiver for voluntary confinement to QCDTRC/TAHANAN for treatment and rehabilitation.

25.4 Certification of residency to be issued by the Punong Barangay of which the drug dependent is a resident.

25.5 Payment of reasonable admission fees, to be determined by the QCDTRC/TAHANAN, and prescribed court fees.

25.6 Any of the following Identification Cards for proper verification:

25.6.1) Office/School/Postal ID

25.6.2) Driver's License

25.6.3) Passport (if available)

25.6.4) Voter's ID

25.6.5) NBI/Police Clearance

25.6.6) NSO Copy of Birth Certificate

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SECTION 2. REPEALING CLAUSE - All ordinances, rules and regulations or parts thereof, which are in conflict with the provisions in this Ordinance are hereby deemed repealed or modified accordingly.

SECTION 3. EFFECTIVITY – This ordinance shall take effect immediately upon its approval.

ENACTED: June 24, 2013

JOSEPH P. JUICO
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

APPROVED: JUL 25 2013

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 24, 2013 and was PASSED on Third/Final Reading under Suspended Rules on the same date.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

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