

CITY ORDINANCE NO. 488
September 3, 2008

AN ORDINANCE INSTITUTIONALIZING POLICIES FOR THE PREVENTION OF STI/HIV/AIDS IN BACOLOD CITY AND CREATING THE BACOLOD LOCAL STI/HIV/AIDS COUNCIL AND PROVIDING APPROPRIATION FOR SUCH OTHER PURPOSES.

WHEREAS, the Philippine Constitution declares as state policy that "[t]he State shall protect and promote the right to health of the people and instill health consciousness among them" and also mandates the state to "provide adequate social services" and "adopt an integrated and comprehensive approach to health development" available to all the people at affordable cost,

WHEREAS, Acquired Immune Deficiency Syndrome (AIDS) is a disease that recognizes no territorial, social, political and economic boundaries for which a cure has yet to be discovered;

WHEREAS, the Philippines has promulgated Republic Act No. 8504 as an important guide in sustaining prevention and control efforts and caring for the people of all ages already infected inasmuch as the gravity of the AIDS threat demands strong State action today and in the future,

WHEREAS, the City of Bacolod adheres to Republic Act No. 8504 or the Philippine AIDS Prevention and Control Act of 1998 the spells out the policy of the State to promote public awareness about the cause, modes of transmission, consequence, and means of prevention and control of the Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) through a comprehensive education and information campaign. Such campaigns shall promote value information and employ scientifically proven approaches, focus on the family as the basic social unit, and be carried out in all schools and training centers, workplaces and communities and shall involve affected individuals and groups, including people with HIV/AIDS.

WHEREAS, Article V, Section 6 of the Bacolod City GAD Code mandates that the City Government shall assist, initiate, support and provide for programs, projects and activities that promote awareness about HIV/AIDS and ensure the access to medical, social and psychological support for persons with HIV/AIDS through the duly-constituted local AIDS Council, also in pursuance of the Child, Youth and Family Welfare Code of Bacolod City;

WHEREAS, the Honorable Mayor Evelio R. Leonardia of Bacolod issued Executive Order No. 10, series of 2006 or "An Executive Order creating the Bacolod City Local AIDS Council" to help in the establishment of policies pursuant to the objectives of the above-mentioned laws and ordinances, and that the said order need to have permanence by way of a local ordinance;



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WHEREAS, although our country exhibits a low rate of HIV infection compared to other nations, experts believe that this can change rapidly to epidemic proportions unless effective measures are undertaken to control and prevent the further spread of HIV infection that will reduce the impact on individuals, families and communities.

WHEREAS, for many years now, we have been fighting the battle against HIV/AIDS through STD/HIV/AIDS health education and counseling, harm reduction activities, early diagnosis and treatment of STI cases and HIV/AIDS surveillance;

WHEREAS, local initiatives are critical in initiating and sustaining efforts to provide information and education, services and mobilization support in fighting HIV/AIDS. The local government should take the lead in the planning and organizing intervention activities for the prevention and control of the spread of this dreaded disease, HIV/AIDS;

WHEREAS, the rights of persons living with HIV/AIDS shall be upheld and respected at all times by the City of Bacolod pursuant to Republic Act No. 8504;

WHEREAS, until a vaccine or treatment of HIV/AIDS is developed, prevention and control remain to be the most viable and practical options, with education for risk reduction and behavior change as the key strategy

WHEREFORE, let it be ordained, as it is hereby ordained by the Sangguniang Panlungsod in session assembled that

Article 1. SHORT TITLE. The short title of this ordinance is "Bacolod STI/HIV/AIDS Ordinance."

Article 2. DECLARATION OF POLICY. The City of Bacolod hereby declares to prevent the spread of the Human Immuno-deficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) and other sexually-transmitted infections (STI) by promoting public awareness about the cause, modes of transmission, consequence, and means of prevention and control through a comprehensive education and information campaign, undertaking campaigns promote value information and employ scientifically proven approaches, focus on the family as the basic social unit, and be carried out in all schools and training centers, workplaces and communities and shall involve affected individuals and groups, including people with HIV/AIDS and such other lawful means

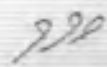
Article 3. DEFINITION AND SCOPE. For purposes of this ordinance, all the definitions under republic Act No. 8504 are hereby adopted as well as the following:

- a. STI refers to sexually transmitted infections, which are acquired by a person as a result of sexual intercourse

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- b. HIV refers to Human Immuno-Deficiency Virus as specific virus that upon incursion into the blood vessels destroys the immune system of a persons body.
- c. Acquired Immune Deficiency Syndrome (AIDS) = a condition characterized by a combination of signs and symptoms, caused by HIV contracted from other person and which attacks and weakens the body's immune system, making the affected individuals susceptible to other life-threatening infections.
- d. HIV/AIDS Education – the provision of information on the causes, prevention and consequences of HIV/AIDS and activities designed to assist individuals to develop the confidence and skills needed to avoid HIV transmission and to develop more positive attitudes towards people living with HIV/AIDS.
- e. Peer Educator – a person belonging to the same group or same social network to the target population, who is trained to conduct HIV/AIDS health education activities.
- f. HIV/AIDS Prevention and Control – the program, strategies and measures aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition on people living with HIV/AIDS.
- g. Prophylactic – refers to any agent or device used to prevent the transmission of the disease, i.e. condom.
- h. Reproductive Health – it is a state of complete physical mental and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive health system and its function.
- i. High-risk group refers to individuals, both male and female, whose sexual and other behaviors put them at high risk of acquiring or transmitting STI/HIV/AIDS.
- j. Information materials refers to any written and/or printed material that explains or educates period.
- k. Minor is a person who is below 18 years of age, including those aged 18 and above who are unable to fully take care of themselves or protect themselves because of physical or mental disability or condition.
- l. Council refers to the Bacolod City Local STI/HIV/AIDS Council created under this Ordinance.



Article 4. STRENGTHENING THE BACOLOD LAC (BACOLOD LOCAL STI/HIV/AIDS/COUNCIL). The Bacolod Local STI/HIV/AIDS Council shall implement and monitor activities for STI/HIV/AIDS prevention in Bacolod City.

Section 1. The Bacolod Local STI/HIV/AIDS Council shall be composed of:

- a. The City Mayor as over-all Chairperson;
- b. The City Health Officer as Vice-Chairperson;
- c. Chair, Committee on Child and Family
- d. Chair, Committee on Labor and Management;
- e. Chairperson of the Committee on Women and Gender;
- f. Chairperson of the Committee on Health;
- g. Bacolod City Police Office;
- h. DSSD – Bacolod City;
- i. Department of Interior and Local Government;
- j. Commission on Human Rights;
- k. Department of Labor and Employment
- l. Bacolod City Tourism Office;
- m. Bacolod City Prosecution Office;
- n. Bacolod City Population Office;
- o. Bacolod City Gender and Development Council;
- p. Public Information Office;
- q. One representative from each NGO involved in STI/HIV/AIDS prevention/control efforts/activities;
- r. One representative each from the Negros Press Club and the KBP;
- s. One representative each from any local medical society;
- t. Department of Education (DepEd);

- u. City Legal Office;
- v. Overseas Workers Welfare Administration (OWWA);
- w. Liga ng mga Barangay;
- x. Social Action Center (SAC); and
- y. One (1) representative from accredited organizations of people living with HIV/AIDS

Section 2. A permanent representative shall be designated by each member of the Council, who, in case of their absence, will represent them during meetings or activities of the Council.

Section 3. The term of office of the representatives of the Council shall be co-terminus with the term of office of the appointing authority provided, that the organizations from which they are representative must continue to exist and must maintain the purpose for which they were chosen

Section 4. The Council shall be convened by the Mayor within sixty (60) days from assumption of office and shall thereafter meet at least once every month or as often as may be necessary by serving notice to all members at least a day before the meeting.

Section 5. The presence of at least a majority of all the members of the Council shall constitute a quorum for purposes of doing business.

Section 6. The functions of the City Health Office as Secretariat shall be as follows:

- a. Prepare the agenda of the meetings of the Council and record the minutes of the same;
- b. Shall keep the records of the Council;
- c. To submit an annual report to the Council within two (2) months after the close of each calendar year;
- d. To oversee the implementation of the policies, programs and activities of the Council; and
- e. To perform such other functions as may be required by the Council

Section 7. The Council is created to be the central advisory, planning and policy making body on the prevention and control of HIV/AIDS with the following functions:

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- a. Formulate and recommend policies and strategies for the awareness, prevention and control of STI/HIV/AIDS within Bacolod City;
- b. Develop an annual STI/HIV/AIDS prevention plan with corresponding budget;
- c. Identify and prepare remedies to problems in program implementation, program coordination, gaps in policy guidelines and enhance local multi-sectoral response to STI/HIV/AIDS concerns;
- d. Initiate and/or conduct skills training, advocacy programs and develop strategies to benefit high-risk groups and the general public with the purpose of heightening awareness on STI/HIV/AIDS;
- e. Recommend to the Sangguniang Panlungsod enactment of policies that shall control and prevent the spread of STI/HIV/AIDS;
- f. Ensure that education and information activities on reproductive health and sexuality including STI/HIV/AIDS prevention shall reach different barangays, the academe and all sectors;
- g. Recommend to the Sangguniang Panlungsod the accreditation of NGO's with STI/HIV/AIDS prevention programs;
- h. Help in sourcing funds for STI/HIV/AIDS prevention program;
- i. Ensure and monitor strict implementation of laws, policies and circulars that require specific agencies to conduct information lectures to the general population and health certificate applicants;
- j. Provide information lectures to health certificate applicants and ensure that information and education activities shall reach different barangays, the academe and all sectors;
- k. Recommend policies and strategies to DOLE, DepEd, DILG and other national agencies which are represented in the Council concerns such as but not limited to enhancement of curriculum in response to STI/HIV/AIDS prevention;
- l. Prepare periodic report to the City regarding the status and results of the councils' programs, projects and activities;
- m. Recommend and/or conduct policy researches and studies aimed at enhancing the council's function;
- n. Establish linkages with national and global organizations working for STI/HIV/AIDS awareness, prevention and control, and

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- o. Implement programs as may be authorized by the Council

Section 8. The City Health Office shall be the Secretariat of the Bacolod Local STI/HIV/AIDS Council.

Article 5. ADDITIONAL SERVICES FOR BARANGAY HEALTH CENTERS. Reproductive and Health centers in Bacolod shall have additional services and qualified personnel for high risk groups and other clients who would like to avail of reproductive health intervention. Additional Services for the Reproductive Health Centers includes:

- a. Prevention and management of abortion and aids complications
- b. Infertility diagnosis and treatment
- c. Mens reproductive health
- d. Counseling and education on sexuality
- e. Adolescent Sexuality
- f. Violence against women and children
- g. Improved management of STI
- h. Family planning
- i. Maternal and Child Health and Nutrition
- j. Breast Cancer and other Gynecological Disorder

Article 6. REGULAR STI SCREENING AND MEDICAL EXAMINATION. The City Government of Bacolod shall strengthen the Social Hygiene Clinic (SHC) through provision of sufficient equipment, reagents and supplies and adequate personnel and STI screening for other high risk and non-high risk group shall also be available daily at the City Health Office.

Section 1. The SHC shall provide access to weekly examination and shall be responsible in releasing the health certificates to the workers subject to the rule on confidentiality under RA 8504. The SHC shall provide regular reports to the Environmental Sanitation Division under the City Health Office to assist the Health and Sanitation Officer in ensuring compliance with health and sanitation laws and requirements for all establishments in Bacolod City that is required sanitary to operate PD 856.

Section 2. The City Health Office shall come up with ~~guidelines to~~ prevent the transmission of the disease pursuant to this Ordinance.

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Article 7. STI/HIV/AIDS EDUCATION. The City Health Office shall advise and encourage business establishments to attend seminars conducted by the Social Hygiene Clinic or the City Health Office or by accredited NGO's of the Council regarding STI/HIV/AIDS prevention and control.

Article 8. MONITORING PROGRAM The Council shall establish a comprehensive STI/HIV/AIDS monitoring program in coordination with the City Health Office to determine and monitor the magnitude and progression of STD/HIV/AIDS infection in the City of Bacolod, and for the purpose of evaluating the adequacy and efficacy of the counter measures being employed by the Council, City Health Office and NGOs.

Article 9. REPORTING. All hospitals, clinics, laboratories and testing centers for STI/HIV/AIDS are required to immediately report to the City Health Office any identified STI/HIV/AIDS cases subject to the rule on confidentiality.

Article 10. DECLARATION OF AIDS AWARENESS WEEK The third week of May is hereby declared as AIDS Awareness Week to coincide with the commemoration day for persons living with HIV/AIDS and International Day of Action in Womens' Health. Likewise, AIDS awareness should also be highlighted on the month of December as December 1 is the World AIDS Day.

Article 11. FORMULATION OF IMPLEMENTING RULES AND REGULATIONS. Within one (1) month after the approval of this Ordinance, the Council shall formulate and issue the appropriate rules and regulations necessary for the efficient and effective implementation of any and all provisions of this Ordinance.

Article 12. APPROPRIATION. The Local Government Unit shall appropriate funds through the City Mayor's Office for the different projects of the Bacolod Local STI/HIV/AIDS Council shall be in no case less than TWO HUNDRED THOUSAND PESOS (P200,000.00) a year based on a program of work recommended by said council and shall form part of the gender-related budget of the city.

Article 13. SEPARABILITY CLAUSE. If for any reason provision of this Ordinance is declared invalid or unconstitutional, all other provision hereof not affected thereby shall continue to be in full force and effect.

Article 14. REPEALING CLAUSE. Any existing ordinance or any of its provision or provisions, which are inconsistent with this ordinance, shall be deemed repealed, amended or modified accordingly.

Article 15. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon its approval.

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CARRIED BY THE VOTE OF:

Affirmative:

Councilors : Homer O. Bais, Jocelle Batapa-Sigue, Wilson C. Gamboa, Jr., Napoleon A. Cordova, Celia Matea R. Flor, Catalino T. Alisbo, Roberto M. Rojas, Alex A. Paglumotan, Reynold L. Ifedan, Diosdado A. Valenzuela.

Negative : None

Absent : None

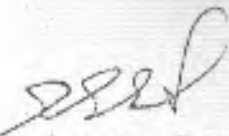
Official Travel : Vice Mayor Jude Thaddeus A. Sayson

Author : Councilor Jocelle Batapa-Sigue

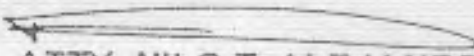
Co-Authors: Councilors Wilson C. Gamboa, Jr., Napoleon A. Cordova and Celia Matea R. Flor

Passed : September 3, 2008 (62nd Regular Session)

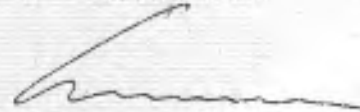
Comments : Passed
Councilors Dindo C. Ramos, Al Victor A. Espino and Kevin Daniel L. Ramos were not yet around when this ordinance was passed.


GREG G. GASATAYA
Acting Vice Mayor
Presiding Officer

ATTESTED:


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: September 19, 2008


EVELIO R. LEONARDIA
City Mayor

NTA/HPL/jbz

