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CERTIFICATION

TO WHOM IT MAY CONCERN:

***THIS IS TO CERTIFY** that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on February 9, 2007, at Lingayen, Pangasinan, the following provincial ordinance was approved:*

Sponsored by SP Member Marlyn L. Primicias-Agabas
and co-sponsored by SP Members Nestor D. Reyes and Romeo H. Dadacay

PROVINCIAL ORDINANCE NO. 128-2007

AN ORDINANCE PROVIDING FOR THE PANGASINAN REPRODUCTIVE HEALTH CARE CODE AND INTEGRATED POPULATION MANAGEMENT AND STRENGTHENING ITS IMPLEMENTING STRUCTURES AND SUPPORT MECHANISMS

WHEREAS, Philippine Laws compel local governments to promote and advance sovereign commitments to human rights, health, women's empowerment, youth well-being and responsible parenthood;

WHEREAS, the right to reproductive health is a human right of all women, young and old, whose observance directly bears on the welfare and well-being of families and communities;

WHEREAS, local governments are further mandated to provide efficient and effective basic services and facilities that will upgrade the quality of community life that includes health, population management and social welfare programs and projects on primary health care, maternal and child care, child and youth development and welfare, family and community welfare, women's welfare, welfare of the elderly and disabled persons, nutrition services, and reproductive health and family planning services;



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WHEREAS, the provincial government of Pangasinan has spearheaded local initiatives to improve and expand the quality of health, population management and social welfare services delivery systems in partnership with national and local government agencies, cooperating agencies and private sector service providers;

WHEREAS, there is still a need to improve further Pangasinan's gains in several human development indicators by addressing the gaps in the provision of RH services, as attested by the following:

- (i) Pangasinan's population is growing at a projected population growth rate of 2.41% (based on 1995-2000 Census of 44 municipalities and 4 cities) with 37% of the total population in the 15 years below age group;
- (ii) Maternal mortality rate in the province is 0.24 per 1,000 live births or 2 out of 1,000 mothers giving birth dies, lower than the national rate of 0.65 per 1,000 live births;
- (iii) Infant mortality rate registered at 10.25 per 1,000 live births or about 10 infants out of 1,000 births die annually;
- (iv) While major gains have been made in reducing infant and child mortality due to improvements in maternal and child care, much is to be done in fully immunizing children below 6 years;
- (v) 21% of the married women of reproductive age 15-49 years have unmet need for family planning or those couples or women who want no more children or space births do not have the information and access to high quality family planning services, account for this;
- (vi) Even with significant developments in addressing gender concerns and issues, low and unequal status of women in the countryside still prevails.

WHEREAS, in keeping with its duties and commitment to uphold the right and well-being of its constituents, the provincial government of Pangasinan deems it necessary and appropriate to adopt measures that address these gaps and concerns in reproductive health care;



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WHEREFORE, in view of the foregoing, on motion of SP Member Marlyn L. Primicias-Agabas and co-authored by SP Members Nestor D. Reyes and Romeo H. Dadacay, duly seconded –

Be it ordained by the Sangguniang Panlalawigan in session assembled that:

Section 1. Title - This ordinance shall be known as “The Pangasinan Reproductive Health Care Code and Population Management Act of 2006”.

Section 2. Declaration of Policy – The provincial government of Pangasinan shall adopt an integrated and comprehensive policy on reproductive health care and population management in line with its pursuit of sustainable human development that values human dignity and affords full protection to people’s rights, especially women, men, children, youth and families.

The policy is anchored on the common belief and united resolve to uphold the human rights of all persons including the right to equality and equity, the right to development, the right to education, the right to reproductive health and the right to choose and make decisions for themselves in accordance with their religious convictions, cultural beliefs, demands of responsible parenthood and on the rationale that sustainable human development is better assured with a manageable population of healthy, educated and productive citizens.

Consistent with these principles, the provincial government of Pangasinan shall guarantee access to information and education, and universal access to safe, affordable and quality reproductive health care, effective population and social services.

Section 3. Objectives – This Act specifically aims to:

- (i) Provide the people of Pangasinan with timely, complete, appropriate and accurate information and education on reproductive health and care;
- (ii) Provide couples and individuals access to safe, affordable and quality reproductive health care services;



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- (iii) Ensure the planning, implementation, monitoring and evaluation of appropriate and effective reproductive health care programs at the provincial, municipal/city and barangay levels including maternal, prenatal, infant and child care, family planning information and services, services for the prevention of abortion and management of post-abortion complications, adolescent and youth reproductive health services, prevention and management of reproductive tract infections, HIV/AIDS and other sexually transmittable infections (STIs), elimination of violence against women, education and counseling on sexuality and sexual health, prevention and treatment of cancers of the reproductive systems and other gynecological conditions, male involvement in reproductive health concerns and treatment of infertility and sexual dysfunction;
- (iv) Ensure that existing and current policy reforms, particularly the commodity self-reliance (CSR) for health and family planning, programs and projects, implementing structures and support mechanisms aimed at achieving the goals and objectives of reproductive health care, population management and development and related social welfare services are strengthened, sustained and institutionalized at the provincial, municipal/city and barangay levels.

Section 4. Definition of Terms. For the purpose of this Ordinance, the following terms shall be defined as follows:

- (i) Adolescent Sexuality – refers to the reproductive system, gender identity, values or beliefs, emotions, relationships and sexual behavior of young people as social beings. Adolescence refers to a life stage and pertains to people aged 10-19 years.
- (ii) Family Planning – is a program that enables couples and individuals to decide freely and responsibly the number and spacing of their children and to have information and means to do so and to have informed choice and access to full range of safe and effective family planning methods, techniques and devices but explicitly excludes abortion.
- (iii) Gender Equality – is the absence of discrimination on the basis of a person's sex, in opportunities and in the allocation of resources or benefits or in access to services.



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- (iv) Gender Equity – is fairness and justice in the distribution of benefits and responsibilities between women and men, and often requires women-specific projects and programs to end existing inequalities.
- (v) Population Management – aims to achieve a balance between and among manageable population, adequate resources and health environment. It is a program that includes family formation, maternal and child health, family planning, child survival, mortality and morbidity, population distribution and urbanization, population structure and internal and international migration.
- (vi) Reproductive Health – the state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity in all matters relating to the reproductive system and processes.
- (vii) Reproductive Health Care – is the access to a full range of methods, techniques and services that contribute to the reproductive health and well-being by preventing and solving reproductive health problems. It also includes sexual health, the purpose of which is the enhancement of life and personal relations. The elements of reproductive health care includes:
 - a. Maternal, infant and child health and nutrition
 - b. Family planning information and services
 - c. Adolescent and youth health
 - d. Prevention of abortion and management of post-abortion complications
 - e. Prevention and management of reproductive tract infections (RTIs), HIV/AIDS and other sexually transmitted infections
 - f. Elimination of violence against women
 - g. Education and counseling on sexuality and sexual health
 - h. Treatment of breasts and reproductive tract cancers and other gynecological conditions
 - i. Male involvement and participation in reproductive health, *and*
 - j. Prevention and treatment of infertility and sexual dysfunction.



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- (viii) Reproductive Health and Sexuality Education – is the process of acquiring complete, accurate and relevant information on all matters relating to the reproductive system, its functions and processes, human sexuality, forming attitudes and beliefs about sex, sexual identity, interpersonal relationship, affection, intimacy and gender roles. It also includes developing the necessary skills to distinguish between facts and myths on sex and sexuality, and critically evaluate and discuss moral, religious, social and cultural dimensions of related sensitive issues such as contraception and abortion.
- (ix) Reproductive Rights – the rights of individuals and couples, subject to applicable laws, to decide freely and responsibly the number and spacing and timing of the children, to make other decisions concerning reproduction free of discrimination, coercion and violence to have the information and means to do so, and to attain the highest standard of sexual and reproductive health.
- (x) Reproductive Tract Infection – includes sexually transmitted diseases and other types of infections affecting the reproductive system.

Section 5. Strengthening the Implementing Structures and Support Mechanisms – The existing implementing structures of the provincial government relative to the planning, implementation, coordination, monitoring and evaluation of their respective programs and projects such as the Provincial Health Office (PHO), Provincial Population Office (PPO) and the Provincial Social Welfare and Development Office (PSWDO) including the appropriations and funding support thereof, shall be maintained or increased as the scope of their work and service coverage requires. The functions of these provincial agencies, relative to their respective mandates and responsibilities, shall:

- (i) Formulate relevant policies and programs on reproductive health care, population management and related social welfare services that shall be implemented in government and private institutions and facilities, rural health units and barangay health stations of local government units, population offices and social welfare offices, non-government organizations, business entities and enterprises, faith-based groups and other civil society groups.



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- (ii) Recommend to local executives or legislative bodies the enactment of legislations and adoption of measures that will facilitate the comprehensive and integrated implementation of the reproductive health care and population management programs' services.
- (iii) Strengthen the capacities of their service delivery facilities and service providers to ensure safe, high quality, accessible and affordable reproductive health services and commodities.
- (iv) Promote participatory approaches involving community-based sectors in policy formulation, advocacy work, service delivery, distribution and delivery of quality reproductive health and family planning information and services.
- (v) Coordinate with various sectors and agencies the implementation of the following Reproductive Health Care and Population Management Program Components:
 - a. Maternal, pre-natal and post-natal care, education and services;
 - b. Immunization and nutrition programs and services;
 - c. Reproductive and sexual health condition for women, men and youth;
 - d. Responsible Parenthood/parenting counseling services that include information on access to modern family planning methods and natural family planning services;
 - e. Promotion of male involvement and services addressing the reproductive health needs of the poor senior citizens, prostituted women, women and children in crisis situations and differently-abled persons; *and*
 - f. Perform other functions necessary to attain the purpose of this Ordinance.

Section 6. Creation of a Provincial Reproductive Health Care and Population Management Council (PRHCPMC) to convene on a semi-annual basis tasked to provide program support and exercise review functions on RHCPM plans and programs synchronization, assessment of program outcomes and policy recommendations. The PRHCPMC created under this Ordinance shall be composed of but not limited to the following:



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Chairperson -Provincial Governor
Vice Chairpersons-Provincial Health Officer
-Provincial Population Officer
Members -Chairperson, Sangguniang Panlalawigan,
Committees on Health; Social Welfare,
Women and Family Affairs; and Youth and
Sports
Provincial Social Welfare and Development
Officer
Provincial Planning and Development Officer
Provincial Employment and Services Officer
Department of Education
Representatives from non-government
organizations, private sectors, people's
organizations and inter-faith groups.

Section 7. Sustaining the deployment of community-based volunteers such as the Barangay Health Workers for the health programs, the Barangay Service Point Officers for the population/family planning program and the Barangay Nutrition Scholars for the nutrition program. Resources shall be provided for their continuing capability building to ensure performance of their defined functions and incentives or monthly allowance of Fifty Pesos (P50.00) shall be granted to these community volunteers.

Section 8. Reproductive and Sexuality Education – Mandatory reproductive health and sexuality education shall be provided to in-school and out-of-school youth in Pangasinan Province in collaboration and partnership with the Department of Education and barangay councils.

- (i) Reproductive and sexuality education in an appropriate manner shall be taught by adequately trained teachers starting from Grade V up to college level and shall commence at the start of the school year immediately following the effectivity of this Ordinance.
- (ii) The Department of Education which was mandated by the national government to design the curriculum shall inform both public and private schools on the availability of the following topics/subjects formulated using their approved protocols and guidelines:



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- a. Reproductive Health
 - b. Reproductive Health Care and Services
 - c. Attitudes, beliefs and values on sexual development, sexual behavior and sexual health
 - d. Family planning and the desired spacing of children
 - e. Natural family planning or modern family planning methods to achieve desired family size
 - f. Risks and complications of premarital sex, mistimed or unplanned pregnancies *and*
 - g. Prevention and treatment of HIV/AIDS and other sexually diseases
- (iii) Relative to the implementation of the RHPM programs and projects by the mandated local agencies, they shall coordinate with the provincial and municipal offices of their respective sector and in the case of the Sangguniang Kabataan, coordination shall be made with their municipal or local chapters in organizing RH and Sexuality Education classes for out-of-school youths.
- (iv) The Provincial Social Welfare Office and Provincial Population Office, in coordination with the Sangguniang Kabataan, shall provide training to peer councilors for counseling services addressing the reproductive health problems of the youth.

Section 9. Responsible Parenthood Counseling. It is mandatory by agencies concerned to provide Responsible Parenting/ Responsible Parenthood Counseling services to and the following persons to undergo such counseling:

- a. Future spouses
- b. Unwed/single/solo parents. Live-in partners of common law spouses who intend to register their illegitimate child
- c. Government employees, provincial, municipal, barangay or national employees situated in the province shall be provided access to RP counseling services
- d. Couple whose spouse is detained at the provincial or municipal and city jails *and*
- e. Applicants for employment in the provincial government of Pangasinan.



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Section 10. Enforcement of existing laws and practices related to Responsible Parenthood and Reproductive Health Care Services.

- a. Enforcement of the pre-marriage counseling for couples applying for marriage licenses. The provincial government shall strengthen the Provincial Pre-Marriage Management and Training Team and the funding needed to carry-out their tasks in training municipal PMC teams, monitoring and evaluating the conduct of PMC classes to ensure that RH Care are included in the PMC manual.
- b. For married couples including unwed/single/solo parents, common law spouses.
 - (i) Barangay Health Workers and/or Barangay Service Point Officers shall be trained on Responsible Parenthood and Reproductive Health Care (RP-RHC) and with the technical assistance of rural health midwives, population officers or workers and social welfare officers or workers, shall organize the conduct of RP-RHC classes in their respective municipalities and barangays.
 - (ii) The RP-RHC provincial teams and their municipal counterparts shall utilize a value oriented approach and focus in the counseling sessions with the view of encouraging unwed parents and common law spouses to legitimize their union thru marriage.

Section 11. Implementing Rules and Regulations. Within thirty (30) days from the effectivity of this Ordinance, the Provincial Health Office, Provincial Population Office, Provincial Social Welfare Office, Provincial Planning and Development Office, in coordination with the Provincial Health Board, shall jointly promulgate, after thorough consultations with other concerned agencies and multi-sectoral non-government agencies, the rules and regulations for the effective implementation of this Ordinance and shall ensure the full dissemination of the same to the public.

Section 12. Appropriation. A minimum amount of Five Hundred Thousand Pesos (P500,000.00) will be taken from the General Fund of the Annual Appropriations of the Provincial Government for fiscal year 2007 to carry out the provisions of this Ordinance.



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Section 13. Separability Clause. If any part, section or provision of this Ordinance is held invalid, unconstitutional, other provisions not affected thereby shall remain in full force and effect.

Section 14. Repealing Clause. All other laws, decrees, issuances, rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

Section 15. Effectivity. This Act shall take effect immediately upon its approval.


ATTY. VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


VICE GOVERNOR OSCAR B. LAMBINO
Presiding Officer

APPROVED:


VICTOR E. AGBAYANI
Governor