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TRANSFERRING THE OPERATION OF THE GOVERNMENT’S DRUG TREATMENT AND REHABILITATION CENTERS AND PROGRAM NATIONWIDE TO THE DEPARTMENT OF HEALTH

EXECUTIVE ORDER NO. 273, January 20, 2004

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WHEREAS, in line with the priority concern of the current Administration to remove the scourge of dangerous drugs in the country, the 12th Congress enacted and the President signed into law Republic Act (R.A.) 9165, also known as the Comprehensive Dangerous Drugs Act 2002 reputed to be one of the strictest laws against dangerous drug abuse in Asia;

WHEREAS, the said law delineated the functions and roles of various agencies in the government in its campaign against dangerous drugs;

WHEREAS, there are over 6,000 institutionalized drug dependents in treatment and rehabilitation centers out of the estimated 1.8 million chronic drug users nationwide;

WHEREAS, there is a need to improve and further strengthen treatment and rehabilitation centers to accommodate the growing need brought about by the improved apprehensions and law enforcement by the present Administration;

WHEREAS, R.A. 9165 tasked the Department of Health (DOH) to "oversee and monitor the integration, coordination and supervision of all drug rehabilitation, intervention, after-care and follow-up programs, projects and activities as well as the establishment, operations, maintenance and management of privately-owned drug treatment rehabilitation centers and drug testing networks and laboratories throughout the country in collaboration with the DSWD and other agencies";

WHEREAS, R.A. 9165 further mandates that the existing treatment and rehabilitation centers for drug dependents operated and maintained by the National Bureau of Investigation (NBI) and Philippine National Police (PNP) shall be operated, maintained and managed by the DOH in coordination with other concerned agencies; and

WHEREAS, a Joint Executive, Legislative, Private Sector Initiative letter, dated December 10, 2003 and signed by the Speaker of the House of Representatives, both the House and Senate Chairmen of the Oversight Committee on Dangerous Drugs, DILG Secretary and OIC Chair of the Dangerous Drugs Board, the DOH Secretary, and a representative of the Private Sector, was sent to the President expressing support and the need to improve treatment and rehabilitation efforts;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

> SECTION 1. Transfer of PNP and NBI Treatment and Rehabilitation Centers to DOH - The existing government drug treatment and rehabilitation centers (TRC's), including the PNP TRCs in Bicutan, Iloilo, Albay, Cebu and NBI TRCs in Tagaytay, Cagayan de Oro and Cebu, along with the corresponding logistics (Maintenance Operating and Other Expenses, Personnel Services and equipment) are hereby transferred to the

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DOH.

SECTION 2. Transition Committee - A Transition Committee shall be created to assist the DOH in implementing this Order. The Committee shall be composed of the DOH as Chair and the following as members; Department of Interior and Local Government, Department of Justice, Department of Budget and Management and the Private Sector Representative of the Dangerous Drugs Board.

The Transition Committee shall ensure among others, the actual resource transfer from PNP and NBI to the DOH, including newly constructed buildings. The Committee shall ensure that no personnel shall be displaced, nor shall there be diminution of their salaries and benefits, and that affected personnel shall be given the option to stay with their mother units. The Committee shall ensure the smooth turn-over/transition of administration and control of the above identified areas to the DOH.

SECTION 3. Funding - An initial amount of P350 Million from the P1 Billion standby fund for Anti-Dangerous Drugs Campaign shall be allotted to the DOH for it to immediately assume the mandate to operate existing government TRCs in 2004 and improve treatment and rehabilitation programs. The current allotment for TRCs operated and maintained by the PNP and NBI shall be transferred to the DOH in the General Appropriations Act (GAA) FY 2005. The Department of Budget and Management shall help identify the specific allotments which include Personnel Salaries and Maintenance, Operating and Other Expenses.

The Department of Budget and Management shall provide for an additional P300 Million to be included in the GAA FY 2005 for the DOH to hire additional personnel, train/improve capability of existing personnel, modernize/expand existing facilities and establish more TRCs specially in regions where there are none.

SECTION 4. Separability Clause - In the event that any provision hereof is declared invalid by any competent court or tribunal, the other provisions hereof shall remain unaffected, and shall remain in full force and effect.

SECTION 5. Effectivity - This Executive Order shall take effect immediately.

Adopted: 20 Jan. 2004

By the President:

(SGD.) ALBERTO G. ROMULO
Executive Secretary

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