



LEGAL SERVICE
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SUBJECT : Guidelines on the Medical Mission Services for Children

I. RATIONALE

The Convention on the Rights of the Child establishes that State Parties must ensure that all children – without discrimination in any form – benefit from special protection measures; access to the best health and medical care attainable and appropriate alternative family care for a child in need.

While medical care and treatment is already available in the Philippines, such would entail exorbitant fees from the clientele. The medical needs of the people is usually the least priority of the low income Filipinos.

Likewise, abandoned and neglected children under residential care are dependent on the scarce resources of the agency. It must be noted that although medical care of these children are attended and provided for by the Government Organizations/Non-Government Organizations (GOs/NGOs), they are not financially capable to shoulder the major medical/surgical interventions needed for children under serious medical condition.

Medical mission for children was pioneered by Chosen Children in cooperation with accredited foreign adoption agency for children legally cleared for adoption. The mission was able to help numerous children under the care of the Child Caring Agency (CCAs) to have a new lease in life and an opportunity to have a permanent family.

It is therefore, important to establish partnership with international agency/organization who are committed to provide care and treatment/rehabilitation to the increasing number of children in need of medical/surgical care/interventions and whose medical conditions cannot be treated, managed or responded to in the Philippines due to financial constraint. In so doing, it is critical to set standards to ensure that the children to be covered by medical mission are fully protected of their rights and given appropriate care and treatment/rehabilitation. Likewise, it is to allow a greater number of NGOs to participate and engage in the medical mission service for the best interest of children.

II. LEGAL BASES

1. Philippine Constitution

Section 3 (2)

The right of children to assistance, including proper care and nutrition, special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

2. The Child and Youth Welfare Code (PD 603)

Article VIII

In all questions regarding the care, custody, education and property of the child; his/her welfare shall be the paramount consideration.

3. R.A. 7610, Special Protection of Filipino Children Article 1, Section 2

It shall be the policy of the State to protect and rehabilitate children gravely threatened or endangered by circumstances which affect or will affect their survival and normal development and over which they have no control.

4. The Convention on the Rights of the Child

Article 3

State Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision

Article 24

State Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. State Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

III. DESCRIPTION

Medical Mission Services shall refer to the provision of medical/surgical care/therapy/intervention to children whose medical conditions cannot be treated, managed or responded to in the Philippines due to financial constraint. This service shall provide for the physical transfer of the child to another country wherein a sponsor or agency/hospital committed to provide free medical care and treatment. The child is to be cared for by a host family during the child's pre-operative, operative, and post operative stages.

IV. DEFINITION OF TERMS

1. Sponsor Agency – a local or foreign agency with a Memorandum of Agreement/Protocol entered into with the Department of Social Welfare and Development (DSWD) to assume responsibility for the welfare and medical expenses of a child entrusted to them under medical mission abroad.
2. Host Family – approved family to take custodial care of a child while he/she is undergoing medical treatment and recovery abroad.

Child Caring Agency – agency licensed and accredited by the DSWD to provide temporary residential care to abandoned/neglected children and those with special needs.

V. OBJECTIVES

To institutionalize a smooth and seamless mechanism of cooperation between and among the stakeholders in order to facilitate a systematic/structured delivery of medical mission services for concerned Filipino children. Recognizing the high level of urgency to children in need of medical mission, it aims to achieve the following objectives:

1. Provide immediate medical/surgical needs of the child/ren who is/are under the care of the Department or its licensed/accredited residential centers thru the sponsorship of an agency/individual in a foreign country when medical services are not locally accessible due to financial limitations;
2. Provide protection and promote the rights and welfare of the child while under medical mission care;
3. Ensure the best welfare and appropriate care in a family environment for child/ren who is/are under medical mission.
4. Define the roles and responsibilities of the program's stakeholders for the best interest of the child/ren.

VI. POLICIES

1. The child's best welfare and interest shall be the paramount consideration in the conduct of the medical mission.
2. Appropriate measures shall be taken in order to protect Filipino minors against exploitation, abuse and other conditions prejudicial to their physical, mental, emotional, social and moral development.
3. The Department shall accredit medical mission services being implemented by child welfare agency/sponsoring agency operating in the Philippines.

4. The Department shall only approve a medical mission case to be sponsored by an agency/organization which has forged a Memorandum of Understanding with the Department and is willing to adhere to the Protocol established for the purpose.
5. The Department shall create a Committee on Medical Mission Services, which shall compose of the head or representatives of the Social Technology Bureau; ICAB; DSWD-Field Office; Association of Child Caring Agency of the Philippines (ACCAP) which shall review the credentials of the sponsoring agency and review and approve the credentials of the escort.
6. The Department is the authority to facilitate smooth implementation of the medical mission services in cooperation with the partner agencies.
7. The Intercountry Adoption Board (ICAB) and partner agencies have the responsibility to implement R.A. 8043, Intercountry Adoption Law vis-à-vis children in need of the services. The medical mission shall not exempt any child to be covered by R.A. 8043.
8. All participating agencies/organizations shall strictly comply with the existing ethical standards/policies and procedures governing medical mission service.
9. The participating agency/organization/host family shall observe the principles of confidentiality of matters related to the medical mission case.
10. The agency/organization who shall sponsor the medical mission shall be held responsible and accountable for the welfare of the child while he/she is in a foreign country to undergo treatment/rehabilitation.
11. The medical mission escort shall meet the minimum qualifications enumerated in the protocol.
12. The in-country travel cost of the child and escort shall be shouldered by the child-caring agency who has the custody of the child.
13. A comprehensive report shall be submitted to the Social Technology Bureau for monitoring and/or research.

VIII CHILDREN ELIGIBLE OF THE MEDICAL MISSION

A child eligible for medical mission is one who suffers from life threatening conditions or physical/developmental disability affecting the child's functioning and quality of life and where such conditions cannot be treated and managed by the present custodian in the Philippines due to financial incapability, to wit:

1. Child under the temporary care and/or protective custody of the Department or its licensed/accredited GOs/NGOs residential centers and foster homes.

2. Child voluntarily or involuntarily committed to the Department either through a deed of voluntary commitment executed by parent/s relinquishing parental authority or through the Declaration of Abandonment issued by the appropriate Court.
3. Child living with primary caregivers in the community who are financially handicapped.

VIII ESCORT

A. Selection

Upon travel for medical treatment, the child shall be escorted by a representative from the child caring agency who has custody of the child and shall be approved by the Department based on the following:

- must be a registered social worker or other professionals (e.g. nurse, physician)
- must be known to the child
- must be employed for at least three (3) years of service with the present agency
- with experience and training in handling cases of children in need of special protection
- proficiency in English both in written and oral
- officially nominated by the agency and recommended by the Committee on Medical Mission Services
- with a valid passport

A child with parent/s may be accompanied by his/her parent/s for treatment abroad when sponsor agency is agreeable to shoulder the travel cost or if funds are available from other sources.

B. Roles and functions of the Escort:

- a. Act as guardian of the child while he/she is in transit from the Philippines to place of destination.
- b. Ensure the safety and care of the child throughout the travel.
- c. Cooperate with the sponsor agency for the smooth transfer of child to the host family and to discuss the needs of the child
- d. Ensure proper care and adjustment of the child with his/her new environment.
- e. Submit a comprehensive report to the DSWD and Child Caring agency concerned upon the escort's return to the Philippines.

IX. DOCUMENTARY REQUIREMENTS

The following documents whichever is applicable:

A. Child in Residential Homes

- 1) Certificate of Live Birth or Foundling Certificate in Security Paper (SECOPA)
- 2) Deed of Voluntary Commitment or Declaration of Abandonment (DVA) for child, if appropriate
- 3) Psychological Evaluation Report, if appropriate
- 4) Medical Evaluation Reports to include the medical diagnosis, prognosis and recommendations for the needed medical interventions.
- 5) Medical clearance from attending physician
- 6) Updated Child Study Report with photo of child (whole body picture)
- 7) Passport photo 4.5 cm x 3.5 cm (8 pcs.)

- 8) Special Power of Attorney executed by the parents or legal guardian of the child in favor of the DSWD and the Sponsor Agency allowing them to bring the child abroad to exercise custody over the child including the right to make a medical decision for the purpose to obtain medical treatment abroad.

- 9) Affidavit of Informed Consent

B. Child in Community

- 1) Special Power of Attorney executed by the parents or legal guardian of the child in favor of the DSWD and the Sponsor Agency allowing them to bring the child abroad to exercise custody over the child including the right to make a medical decision for the purpose to obtain medical treatment abroad
- 2) Affidavit of Informed Consent
- 3) Certificate of Live Birth (SECOPA)
- 4) Psychological Evaluation Report, if appropriate
- 5) Medical Evaluation Reports to include the medical diagnosis, prognosis and recommendations for the needed medical interventions.
- 6) Medical clearance from attending physician
- 7) Updated Child Study Report with photo of child (whole body picture)
- 8) Passport photo 4.5 cm x 3.5 cm (8pcs.)

C. Sponsor Agency/Organization

1. Foreign

- Profile of the agency/organization to include background or history, registration, license or accreditation by the state/country brief introduction of the agency's programs and service and previous experiences in handling medical mission cases of Filipino children.
- Profile of the concerned medical facility indicating the track record in handling medical mission cases of Filipino children or from other countries.
- Acceptance from the hospital who shall provide treatment and services for the child.

- Joint Affidavit of Undertaking with host family for the care and custody of the child while in a foreign country undergoing treatment.
 - Report on child's progress
 - Letter of acceptance from the host inclusive of their responsibilities towards the child.
2. Local
- Profile of the agency/organization to include background or history, registration, license or accreditation by the state/country brief introduction of the agency's programs and service and previous experiences in handling medical mission cases of Filipino children.
 - List of partner agencies abroad to whom the children will be referred for medical mission
 - Declaration of capability to underwrite the costs e.g. transportation, accommodation, and other incidental expenses of child and his/her escort going to and from place of destination.

IMPLEMENTING PROCEDURES

A. Assessment/Identification of Child

1. The DSWD or licensed/accredited CCAs responsible for the care of the child shall submit to the DSWD - Field Office the pertinent supporting documents of children who are recommended for medical mission.
2. The DSWD Field Office shall review and ensure that supporting documents are in order.
3. Upon determination that the child is qualified for medical mission, the DSWD Field Office shall coordinate with the Social Technology Bureau (SOCTECH) for endorsement to a sponsoring Medical Mission organization which has a Memorandum of Understanding with the Department for final approval.

B. Processing of Documents/Clearances

1. The DSWD Social Technology Bureau shall notify the GO/NGO CCAs the approval of the sponsoring agency.
2. The GO/NGO CCA with the assistance of the Field Office shall secure the travel documents of the child.
3. The Social Technology Bureau shall forward the supporting documents of the child to the sponsoring agency to facilitate travel of the child.

C. Placement with a Host Family

1. The sponsoring agency shall coordinate with the approved host family for the child/ren to be placed with them under medical mission.
2. The sponsoring agency shall notify the SocTech of the approved host family for the child.
3. The sponsoring agency with Memorandum of Understanding with DSWD shall monitor the child before, during and after undergoing treatment and to submit to DSWD – Social Technology Bureau status reports.

D. Return to the Philippines

1. The sponsoring agency shall coordinate with Social Technology Bureau the return of the child
2. The sponsoring shall make the necessary arrangements to escort the child home.
3. The SocTech to coordinate with concerned FO/agency for the placement of child.

XII ROLE DELINEATION AND RESPONSIBILITIES

The following shall be the roles and responsibilities of all agencies/organization/ individuals involved in the medical mission service

A. Department of Social Welfare and Development (DSWD)

Social Technology Bureau

1. Formulate guidelines governing the implementation of the medical mission involving Filipino minor/s sponsored for treatment abroad.
2. Establish a composite team from the staff of the Bureau/ICAB/Field Office and ACCAP as may be necessary to review the credentials of the identified escort for approval by the Secretary of the DSWD.
3. Ensure that all person/agencies involved in the Medical Mission are competent and licensed/accredited by the Department and shall act in conformity with applicable laws in the country.
4. Provide technical assistance to Field Office involved in the preparation/processing of documentary requirements for eligible minors under Medical Mission.
5. Monitor through the sponsoring organization the progress of the medical condition and temporary placement of the child.
6. Formulate the criteria for children eligible to be considered under the medical mission.

7. Facilitate the required documents relative to the travel of the child (e.g. passport, visa) in coordination with HRMDS.

Human Resource Management and Development Service

1. Process the application with the Department of Foreign Affairs to secure the passport of child/ren.
2. Process the application of child/ren with the appropriate Embassy for his/her visa.
3. Assist the Social Technology Bureau in processing the necessary travel documents of the child.

DSWD – Field Office

1. Identify/nominate children eligible for medical mission services
2. Coordinate with the Social Technology Bureau, Child Caring Agencies (CCAs) relative to the cases of children.
3. Assist the CCAs in the preparation/processing of documents of the child
4. Issues travel clearance to children travelling abroad for medical treatment/surgery.

Sponsor Agency / Organization

A. Foreign

1. Coordinate/write to the Embassy/Consulate in Manila indicating the following:
 - 1.1. Request for the issuance of the medical visa of the child/ren to include:
 - a) Name and current whereabouts of the child/ren.
 - b) Name, designation and address of escort.
 - c) Host agency/family guaranteeing that the child will receive free care while in the foreign country (e.g. USA) at no cost to the orphanage and with the use of no public funds.
 - 1.2. Regular supervision and monitoring of the child/ren's stay in the foreign country and the corresponding periodic reporting of same to DSWD – Social Technology Bureau
2. Monitor the placement of the child/ren with the host family while on medical mission and provides periodic reports to DSWD – SocTech on the child's/ren's condition and circumstances.
3. Responsible for submitting to the DSWD – SocTech any medical or updated reports on the child while undergoing treatment and after the treatment.

4. Duly inform the host family of the periodic visits which have to be made by the sponsor agency on the host family's home in order to monitor the child's and family's physical, psychological and social functioning.
5. Underwrite the cost associated with the medical mission of the child and escort inclusive of accommodations and airfare to country and return to the Philippines.

B. Local

1. Underwrite the cost of the travel expenses or provide free tickets to children on medical mission including his/her escort.
2. Link GO/NGO child caring agencies/institutions to sponsor agencies they have identified abroad.
3. Identify/nominate children from the community or GO/NGO child caring agencies who are eligible for medical mission service.
4. Facilitate the processing of the travel documents of child/or escort whenever necessary
5. Underwrites the cost in the processing of travel documents (e.g. passport fee, visa fee, travel tax, airport tax)

C. GO/NGO Child Caring Agency (CCA)

1. Identify/nominate children eligible for medical mission service.
2. Prepare the child/ren physically/psychologically prior to their travel abroad for medical mission.
3. Identify/recommends to the Committee on Medical Mission Services a short list of possible escort of child abroad with written justification.
4. Shoulder the cost of local transportation and board/lodging of child and escort in Manila if he/she comes from the region.

D. Committee on Medical Mission Services

1. Review and recommend for approval of the Department the credentials of the sponsoring agency.
2. Review and approve the credentials of the identified escort.

Issued in Quezon City, this 24th day of November 2004.


CORAZON JULIANO SOLIMAN
Secretary

Department of Social Welfare and Development

A CERTIFIED COPY:


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