Holland & Knight

Republic Releases Comprehensive Care Law for People with Autism Spectrum Disorder

By Tinoco Travieso Planchart & Nuñez

The Comprehensive Care Law for People with Autism Spectrum Disorder (ASD) was published on April 24, 2023, in the *Official Gazette* No. 6744 Extraordinary of the Bolivarian Republic of Venezuela.

The purpose of the Law is to guarantee comprehensive care for people with ASD, complementing the existing regulations on the matter.

The Law is intended to:

- 1. guarantee and promote early and timely comprehensive diagnosis of people with ASD
- 2. promote awareness, education and training to families, communities and institutions, on the conditions of people with ASD
- guarantee the protection of people with ASD in situations of abuse, sexual exploitation, slavery, servitude and forced labor, as well as their personal integrity and any infringement or violation of their rights
- 4. promote the inclusion, integration, protection and social security of people with ASD
- 5. guide the processes of comprehensive education, training and job training of people with ASD, among others

The Law defines ASD as a disturbance in multiple areas of development, from mild to severe in communication and social interaction and presence of persistent, restricted, stereotyped behaviors, interests and activities, as well as different sensory processing styles.

The Law establishes various principles such as:

- Equality and Non-Discrimination: Have the right to the benefits of this Law in conditions of equality, without discrimination based on race, sex, creed, social condition, thought, conscience, political opinion, culture, language, ethnic, social or national origin, sexual orientation, identity and expression of gender, age, economic position, disability, health condition or, in general, those that have the purpose or result of nullifying or impairing the recognition, enjoyment or exercise in equal conditions of the rights, guarantees and duties of the people.
- Gender Equality and Equity: Gender equality and equity must be applied, respecting diversity for the recognition and subsequent elimination of discriminatory barriers.
- Stewardship: The state, families and society are co-responsible for the defense and guarantee
 of the rights of people with ASD, so they will ensure their comprehensive protection, taking into
 account the decisions and actions that concern them.

Holland & Knight

- Family Protection: All families of people diagnosed with ASD have the right to their protection, comprehensive care and to be informed and trained on the matter.
- **General Interest and Public Order:** This Law is of general interest, and consequently, its provisions are of public order.

The Law consecrates the right to health of people with ASD as a fundamental human right, guaranteed by the Social State, Law and Justice, based on what is established in the Constitution and the law. In addition, the Law establishes and guarantees comprehensive care for people with ASD, in specialized institutions designated for this purpose, through individualized treatment and a multidisciplinary approach that warrants it, in terms of treatment of the medical conditions associated with the disorder (neurological, gastrointestinal, immunological, and metabolic), as well as the areas of neurodevelopment with language, occupational and sensory integration therapies, psychoeducational (psychopedagogy, psychology), psychosocial (specialist teacher and social work) and other associates.

Validity: This Law entered into force from its publication in the Official Gazette as of April 24, 2023.

Learn more about our Venezuela Focus Team.

Information contained in this newsletter is for the general education and knowledge of our readers. It is not designed to be, and should not be used as, the sole source of information when analyzing and resolving a legal problem, and it should not be substituted for legal advice, which relies on a specific factual analysis. Moreover, the laws of each jurisdiction are different and are constantly changing. This information is not intended to create, and receipt of it does not constitute, an attorney-client relationship. If you have specific questions regarding a particular fact situation, we urge you to consult the authors of this publication, your Holland & Knight representative or other competent legal counsel.