

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

**THIRTEENTH CONGRESS**  
**First Regular Session**

**HOUSE BILL NO. 1070**

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**Introduced by Honorable Aquino, Agapito A.**

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**EXPLANATORY NOTE**

This house bill seeks to repeal Republic Act 2382 or the Philippine Medical Act of 1959. It is intended to become the new law regulating the practice of the medical profession, with the accompanying purpose of helping assure better availability of an improved health care system and globally competitive medical practitioners.

Among other things, this bill plans to:

- Reconstitute the current Board of Medical Examiners into a Professional Regulatory Board of Medicine under the Professional Regulatory Commission or PRC;
- Revamp the current Board of Medical Education, to reflect the significant changes in the structure of the government after RA2382 was enacted;
- Include psychiatry in the list of subjects covered by the medical licensure examinations;
- Mandate internship training as a requirement in the completion of a doctorate degree in medicine;
- Integrate the medical profession into one national organization; and
- Promote the Continuing Professional Education (CPE) program for the enhancement of the medical profession.

I would also like to note that this bill was already approved on third and final reading during the 12<sup>th</sup> Congress. However, lack of material time prevented the Senate from approving a counterpart measure, and thus pave the way for the necessary bicameral conference committee report and its proposed enactment into law. This bill is already a product of extensive debates and vital amendments, both in the committee and plenary levels. Speedy approval of this bill is therefore in order.

  
**AGAPITO A. AQUINO**

10           **SEC. 3. OBJECTIVES.** - This Act shall govern: (a) the standardization,  
11   upgrading, and regulation of medicine courses including internship training; (b) the

examination for registration and licensure of Physicians; (c) the supervision, control and regulation of the practice of medicine; (d) the integration of the medical profession; and (e) the development of the professional competence of physicians through continuing professional education in accordance with the guidelines set by the Professional Regulation Commission.

**SEC. 4. ENFORCEMENT.** - For the purpose of implementing the provisions of this Act, there shall be created the following: Board of Medical Education, hereinafter referred to as the Board, under the Commission on Higher Education (CHED); and the Professional Regulatory Board of Medicine, hereinafter referred to as the PRC Board, under the Professional Regulation Commission (PRC).

## **ARTICLE II - BOARD OF MEDICAL EDUCATION**

### **SEC. 5. COMPOSITION OF THE BOARD OF MEDICAL EDUCATION. -**

The Board of Medical Education shall be composed of the following:

- (a) Chairman of the Commission on Higher Education or his duly authorized representative as Chairman;
- (b) the Secretary of the Department of Health or his duly authorized representative as member;
- (c) the Chairman of the PRC Board of Medicine or his duly authorized representative as member;
- (d) the President of the Philippine Medical Association or his authorized representative as member; and
- (e) the President of the Association of Philippine Medical Colleges or his duly authorized representative as member.

1       **SEC. 6. COMPENSATION AND TRAVEL EXPENSES.** - The Chairman,  
2 members and Secretary of the Board shall receive reasonable per diems for every  
3 meeting attended: *Provided*, That, the number of meetings shall not exceed four times in  
4 a month. They shall likewise be entitled to travelling expenses in connection with their  
5 official duties. The grant of per diems and travelling expenses shall be at rates in  
6 accordance with existing accounting and auditing rules and regulations.

7       **SEC. 7. FUNCTIONS AND DUTIES.** - The Board of Medical Education shall  
8 have the following functions and duties:

- 9       (a) To determine and prescribe requirements for admission into a  
10       recognized college of medicine in accordance with the guidelines  
11       issued by the CHED;
- 12       (b) To determine and prescribe requirements for minimum physical  
13       facilities of colleges of medicine, to wit: buildings, including  
14       hospitals, equipment and supplies, apparatus, instruments, appliances,  
15       laboratories, bed capacity for instruction purposes, operating and  
16       delivery rooms, facilities for out-patient services, and others, used for  
17       didactic and practical instruction in accordance with modern trends;
- 18       (c) To determine and prescribe the minimum number and the minimum  
19       qualifications of teaching personnel including student-teacher ratio;
- 20       (d) To determine and prescribe the minimum required curriculum  
21       including internship leading to the degree of Doctor of Medicine;
- 22       (e) To authorize the implementation of experimental and medical  
23       curricula in a medical school that has exceptional faculty and  
24       instrumental facilities. Such an experimental curriculum may

prescribe admission and graduation requirements other than those prescribed in the act: *Provided, That, only exceptional students shall be enrolled in the experimental curriculum.*

(f) To select, determine and approve hospitals or some departments of the hospitals for training which comply with the minimum specific physical facilities as provided in subparagraph (b) hereof; and

(g) To promulgate, prescribe and enforce the necessary rules and regulations for the proper implementation of the foregoing functions.

**SEC. 8. MINIMUM REQUIRED COURSE.** - Students seeking admission to a medical course must have a bachelor's degree in science or arts. The medical course leading to the degree of Doctor of Medicine shall be four (4) years including clinical internship and shall consist of the following subjects: Anatomy; Physiology; Biochemistry and Molecular Biology; Pharmacology and Therapeutics; Microbiology and Parasitology; Medicine; Psychiatry; Gynecology; Pediatrics and Nutrition; Surgery; Preventive Medicine and Public Health; Legal Medicine, Medical Jurisprudence, Medical Ethics and Economics: *Provided, That, the Board is authorized to modify, rearrange, add, recluster, and revise the above-mentioned subjects as the needs and demands of progress in the medical profession may require.*

**SEC. 9. ADMISSION REQUIREMENTS.** - The College of Medicine may admit any student who has not been convicted by final judgment by any court of any criminal offense involving moral turpitude and who presents: (a) a record showing completion of a bachelor's degree in science or arts; (b) a certificate of good moral character issued by two (2) former professors in the college offering the pre-medicine course(s); and (c) an authenticated birth certificate.

Nothing in this Act shall be construed to inhibit any College of Medicine from establishing, in addition to the present entrance requirements that may be deemed admissible.

**For the purpose of this Act, the term “College of Medicine” shall mean to include faculty of medicine, institute of medicine, school of medicine or other similar institution, offering a complete medical course leading to the degree of Doctor of Medicine or its equivalent course obtained abroad.**

Every College of Medicine must keep complete records of enrollment, grades, graduates and must publish each year a catalogue giving the following information:

- (1) date of publication; (2) calendar of academic year; (3) faculty roll indicating whether on full or part time basis; (4) requirements for admission; (5) grading system; (6) requirements for promotion; (7) requirements for graduation; (8) curriculum and description of course by department; and (9) number of students enrolled in each class in the preceding year.

## ARTICLE III

**THE PROFESSIONAL REGULATORY BOARD OF MEDICINE**

**SEC. 10. COMPOSITION OF THE BOARD.** - There is hereby created a Professional Regulatory Board of Medicine, hereinafter referred to as the PRC Board, under the administrative control and supervision of the Professional Regulation Commission, hereinafter referred to as the Commission, composed of a Chairman and five (5) members to be appointed by the President of the Philippines from among three (3) recommendees for each position, chosen and ranked by the Commission from a list of five (5) nominees for each position submitted by the integrated and accredited national organization of registered and licensed physicians; *Provided, That, the organization of*

1 physicians accredited by the Commission shall still nominate applicants before the  
2 integration and accreditation of the national organization of registered and licensed  
3 physicians.

4 **SEC. 11. POWERS AND DUTIES OF THE PRC BOARD.** - The PRC Board  
5 shall exercise executive/administrative, rule-making and quasi-judicial powers in carrying  
6 out the provisions of this Act. It shall be vested with the following specific powers,  
7 functions, duties and responsibilities:

8 (a) Supervise and regulate the practice of medicine in the Philippines;

9 (b) Determine and evaluate the qualifications of the applicants for  
10 registration with or without physician licensure examination and for  
11 issuance of special permits;

12 (c) Prepare the examination questions in accordance with Sec. 24 hereof or  
13 the modifications thereof, prescribe the syllabi of the subjects and their  
14 relative weights for the licensure examinations; formulate or adopt test  
15 questions and deposit them in a test question bank; draw the test  
16 questions at random through the process of computerization; conduct  
17 the examinations; correct and rate the examination papers and submit  
18 the examination results to the Commission within the period provided  
19 for by the rules of the Commission;

20 (d) Prescribe, amend or revise the requirements for the subjects in the  
21 physician licensure examination and their relative weights, subject to  
22 the approval of the Commission;

1 (e) Register successful examinees in the physician licensure examination  
2 and issue the corresponding certificates of registration/professional  
3 license;

4 (f) Issue special/temporary permits to foreign physicians to practice  
5 medicine for specific projects and for a specific duration of time;

6 (g) Look into the conditions affecting the practice of medicine, adopt  
7 measures for the enhancement of the profession and the maintenance of  
8 a high professional, technical, and ethical standards, recommend to  
9 CHED the opening or closure of a College of Medicine and conduct  
10 ocular inspection of places where physicians practice their profession;

11 (h) Monitor the performance of medical schools and their compliance  
12 with the rules and regulations of the Board of Medical Education;

13 (i) Promulgate rules and regulations, and a Code of Ethics for Physicians,  
14 administrative policies, orders, and issuances to carry out the  
15 provisions of this Act;

16 (j) Investigate violations of the Act and the rules and regulations, code of  
17 ethics, administrative policies, orders and issuances promulgated by  
18 the PRC Board. The rules on administrative investigation promulgated  
19 by the Commission shall govern such investigation;

20 (k) Issue *subpoena* or *subpoena duces tecum* to secure the attendance of  
21 respondents or witnesses or the production of documents relative to the  
22 investigation conducted by the PRC Board;

23 (l) Delegate to the Chairman, Vice-Chairman, Member of the PRC Board,  
24 or a Commission Attorney the hearing of an administrative case. If the

1 case is technical in nature or is strictly the practice of the  
2 profession, the investigation shall be presided by the Chairman, Vice-  
3 Chairman or a Member of the Board with assistance of a PRC  
4 attorney;

5 (m) Render decision, order or resolution on preliminary investigation or  
6 inquiry against violators of this Act, Rules and Regulations or any  
7 policy on undocketed cases and on docketed administrative cases  
8 against examinees or registrants which shall become final and  
9 executory unless appealed to the Commission within fifteen days from  
10 receipt of the copy thereof. The decision of the Commission may be  
11 appealed to the Court of Appeals in accordance with the procedures  
12 provided in the Rules of Court;

13 (n) After due notice and hearing, cancel examination papers and/or bar any  
14 examinee from future examination; refuse or defer his registration;  
15 reprimand the registrant with stern warning; suspend him from the  
16 practice of the profession; revoke his certificate of registration; cancel  
17 special/temporary permit; remove his name from the roll of physicians  
18 for continuous non-payment of annual registration fees and non-  
19 compliance with Continuing Professional Education (CPE)  
20 requirements; reinstate or reenroll his name in the said roll; reissue or  
21 return his certificate of registration and professional license. A decision  
22 of suspension, revocation of the certificate of registration or removal  
23 from the roll by the PRC Board as provided herein may be appealed  
24 initially to the Commission within fifteen (15) days from receipt

thereof. The decision of the Commission may be appealed to the Court of Appeals in accordance with the procedures provided in the Rules of Court.

(o) Administer oaths in connection with the administration, implementation, or enforcement of this Act;

(p) Prosecute or institute criminal action against any violator of this Act and/or the rules and regulations of the Board;

(q) Adopt an official seal;

(r) Coordinate with the Board of Medical Education in prescribing, amending and/or revising the courses;

(s) Assist the Commission in the implementation of its prescribed guidelines and criteria on the CPE for registered/licensed physicians; and

(t) Perform such other functions and duties as may be necessary to effectively implement this Act.

The policies, resolutions, and rules and regulations, issued or promulgated by the PRC Board shall be subject to the review and approval by the Commission; however, the PRC Board's decisions, resolutions or orders which are not interlocutory, rendered in an administrative case, shall be subject to review only if on appeal.

**SEC. 12. QUALIFICATIONS OF PRC BOARD MEMBERS. - Each PRC**

**Board member must, at the time of his appointment:**

(a) Be a natural born Filipino citizen and a resident of the Philippines for at least ten (10) consecutive years;

(b) Be at least forty (40) years old;

1 (c) Be a holder of a valid certificate of registration/professional license as  
2 a physician and a practitioner for at least ten (10) years;

3 (d) Be a bonafide member of the integrated and accredited national  
4 organization of Physicians;

5 (e) Have not been convicted by final judgment by a competent court of a  
6 criminal offense involving moral turpitude;

7 (f) Have at least two (2) years experience as faculty member in a college  
8 of medicine;

9 (g) Not be a member of the faculty in an institute, school or college of  
10 medicine or not have a pecuniary interest, direct or indirect, in the  
11 institution which offers and operates the course of degree of Doctor of  
12 Medicine; and not be connected with a review center/school/group or  
13 association where review classes or lectures in preparation for the  
14 Physician Licensure Examination are being offered or conducted; and

15 (h) Not be an officer of the accredited organization of physicians or the  
16 integrated and accredited national organization of registered and  
17 licensed physicians.

18 **SEC. 13. TERM OF OFFICE.** - The Members of the PRC Board shall hold  
19 office from the date of their appointment for a term of three (3) years or until their  
20 successors shall have been appointed and qualified. They may, however, be reappointed  
21 for another term after expiry of their first term. Appointments to fill up vacancies created  
22 by causes other than through expiration of regular terms shall be for the unexpired period  
23 only. Each member shall take an oath of office before entering upon the performance of  
24 his duties. The incumbents whose terms have not yet expired or who are serving in a

1 hold-over capacity at the effect of this Act, shall be allowed to serve the unexpired  
2 portions of their terms and may appointed under this Act.

3 **SEC. 14. COMPEITION OF PRC BOARD MEMBERS.** - The  
4 Chairman, Vice-Chairman and Members of the PRC Board shall receive compensation  
5 and allowances comparable to the compensation and allowances received by the  
6 Chairman and Members of Professional Regulatory Boards.

7 **SEC. 15. REMOVAL OF PRC BOARD MEMBER.** - The President, upon  
8 recommendation of the Commission after due investigation, may remove any member  
9 of the PRC Board on the following grounds:

10 (a) Neglect of duty or incompetence;

11 (b) Unprofessional, unethical or dishonorable conduct;

12 (c) Manipulation or rigging of the Physician Licensure Examination's results,  
13 providing secret information, or disclosure of the examination questions prior  
14 to the conduct of the said examination, or tampering of the grades therein; or

15 (d) Final conviction by the court of criminal offenses involving moral  
16 turpitude.

17 **SEC. 16. ADMINISTRATIVE MANAGEMENT, CUSTODY OF**  
18 **RECORDS, SECRETARIAT AND SUPPORT SERVICES.** - The PRC Board shall  
19 be under the administrative and executive management of the Commission, with the  
20 Commission Chairman as the Chief Executive Officer thereof. All records of the PRC  
21 Board shall be under the custody of the Commission.

22 The Commission shall designate the Secretary of the PRC Board and shall provide  
23 the Secretariat and other support services to implement the provisions of this Act.

**SEC. 17. IMPLEMENTING RULES AND REGULATIONS.** - The PRC

Board, with the approval of the Commission, shall prescribe, issue and promulgate Rules and Regulations and Code of Ethics for Physicians, implementing and carrying out the provisions of this Act, which shall be effective fifteen (15) days following the completion of its publication in the *Official Gazette* or a major daily newspaper of general circulation in the Philippines, whichever comes earlier.

**SEC. 18. ANNUAL REPORT.** - The PRC Board shall, on or before the end of

January of the following year, submit its annual report of accomplishments on programs, projects, and activities for the previous calendar year together with its appropriate recommendations on issues or problems affecting the practice of medicine, to be submitted to the Commission.

**ARTICLE IV**

**EXAMINATION, REGISTRATION AND LICENSURE**

**SEC. 19. PREREQUISITE TO THE PRACTICE OF MEDICINE.** - No

person shall engage in the practice of Medicine in the Philippines unless he holds:

(a) a valid certificate of registration/professional license; or

(b) a valid special/temporary permit issued by the Board of Medicine

subject to approval by the PRC, or unless he is exempted by this Act

from holding any of the foregoing licenses.

**SEC. 20. EXAMINATIONS REQUIRED.** - All applicants for registration,

before they can be issued a certificate of registration/professional license as a physician,

shall be required to pass a written technical licensure examination for physicians as

provided for in this Act, subject to payment of the fees prescribed by the Commission.

**SEC. 21. QUALIFICATION OF APPLICANT FOR EXAMINATION. -**

Every applicant for examination, prior to admission to the examination, shall establish to the satisfaction of the PRC Board that he has the following qualifications:

(a) He is a citizen and resident of the Philippines or a foreign citizen whose country/state has reciprocity with the Philippines in the practice of Medicine;

(b) He is mentally, emotionally and physically sound;

(c) He has not been convicted in a final judgment by a court of any criminal offense involving moral turpitude;

(d) He is a holder of a degree of Doctor of Medicine conferred by a College of Medicine established in the Philippines and duly recognized by the Commission on Higher Education (CHED) or of a degree conferred by a College of Medicine abroad and accredited by CHED as substantially equivalent to the degree of Doctor of Medicine offered by a Philippine College of Medicine; and

(e) He has completed one year of post graduate internship in a Philippine hospital or a training abroad accredited as equivalent to such internship by the PRC Board.

**SEC. 22. VENUE AND SCHEDULE OF EXAMINATIONS. -** The PRC

Board shall give examinations for the registration of Physicians at least once a year on a date to be determined by it in the City of Manila or other places after giving not less than ten (10) days of notice to each candidate who has filed his name and address with the Secretary of the PRC Board.

**SEC. 23. REGISTRATION, ISSUANCE OF CERTIFICATE OF  
REGISTRATION/ PROFESSIONAL LICENSE, AND PROFESSIONAL  
IDENTIFICATION CARD, AND NON-REGISTRATION. - All successful  
examinees, who shall automatically be members of the duly recognized integrated and  
accredited national organization, and who, upon compliance with all legal requirements  
and payment of fees prescribed by the Commission, shall be registered and issued with  
certificates of registration/professional license.**

**The certificate of registration shall bear the registration number and date of  
issuance and the signatures of the Commission Chairman and the members of the PRC  
Board stamped with the seal of the Commission and the PRC Board, certifying that the  
name of the person stated therein appears in the Registry/Roll of Physicians under the  
custody of the Commission; that he has met or complied with all the legal requirements  
for registration as a physician; that he is entitled to exercise all the privileges appurtenant  
to the practice of his profession: *Provided*, That, he does not violate this Act, the Rules  
and Regulations, Code of Ethics for Physicians, and other regulatory policies of the  
Commission and the Board.**

**The Professional Identification Card shall bear the name of the registered/licensed  
physician, his registration number and date of issuance, and its date of expiry, and shall  
be an evidence that he can lawfully practice his profession.**

**A successful examinee who has been convicted in final judgment by a court of a  
criminal offense on moral turpitude, found guilty by the PRC Board for dishonorable or  
immoral conduct, or declared by the court to be of unsound mind shall not be registered.  
The decision of the PRC Board, finding the examinee guilty for dishonorable or immoral  
conduct, may be appealed by the examinee to the Commission and/or to the Court**

of Appeals. The facts and the reasons for refusal to register shall be in writing, communicated to the examinee, and duly incorporated in the records of the Commission.

**SEC. 24. SCOPE OF EXAMINATION.** - The Physician Licensure Examinations shall cover the following individual or combined/clustered subjects with equal weights for each one final examination after completion of internship:

(1) Anatomy; (2) Physiology; (3) Biochemistry and Molecular Biology; (4) Pharmacology and Therapeutics; (5) Microbiology and Parasitology; (6) Medicine; (7) Pediatrics and Nutrition; (8) Pathology; (9) Obstetrics and Gynecology; (10) Surgery, Ophthalmology, Otolaryngology and Otorhinolaryngology; (11) Preventive Medicine and Public Health; (12) Legal Medicine, Code of Ethics for Physicians, and Jurisprudence on the Practice of Medicine; and (13) Psychiatry.

When an urgent and important need arises to conform to technological and modern changes, the PRC Board may recluster, rearrange, modify the foregoing subjects, add to or exclude any subject, or prescribe the number of final examination(s) per year in consultation with the Technical Panel and after approval by the Commission. The PRC Board Resolution thereon shall be officially published in the *Official Gazette* or major daily newspapers of general circulation and also circularized and disseminated to all colleges of Medicine.

Each of the thirteen (13) subjects shall have its syllabus or table of specification. The PRC Board shall apply the syllabi only after necessary consultation with the concerned academe, approval by the Commission, publication of its Board Resolution pursuant to legal requirements, dissemination to all colleges of Medicine, and a lapse of at least three (3) months from its effectivity. Each syllabus shall be subject to modification or amendment, as the need arises.

1       **SEC. 25. RATING IN THE EXAMINATION.** - To pass the Physician  
2   **Licensure Examination**, an examinee must obtain a general average rating in all thirteen  
3   (13) subjects of no less than seventy-five per cent (75%) with no rating in any subject  
4   below fifty per cent (50%). However, an examinee who has obtained a general average  
5   rating in all thirteen (13) subjects of no less than seventy-five per cent (75%), with a  
6   grade of below fifty per cent (50%) in any subject/s must retake the same subject/s within  
7   one year from the date of his last examination and must obtain a grade of no less than  
8   seventy-five per cent (75%) in each subject retaken in order to pass the said examination.

9       **SEC. 26. REPORT AND PUBLICATION OF THE RESULTS OF**  
10   **EXAMINATION.** - The PRC Board shall report the rating of each examinee to the  
11   Commission within ten (10) days from the last day of examination. The official results  
12   of the examination, containing the list of topnotcher examinees without indication of their  
13   respective schools/colleges, and the names of the schools/colleges obtaining top  
14   percentages of successful graduate examinees shall be published by the Commission in a  
15   major daily newspaper of general circulation.

16       The Report of Rating of every examinee shall be mailed to his given address  
17   using the mailing envelope he submitted during the examination.

18       **SEC. 27. OATH.** - All successful examinees shall be required to take their oath  
19   before the PRC Board or any official authorized by the Commission to administer oath  
20   before they are issued with their certificates of registration/professional license or before  
21   they start the practice of their profession.

**ARTICLE V**

**REGULATION OF THE PRACTICE OF THE MEDICAL PROFESSION**

**SEC. 28. ACTS CONSTITUTING PRACTICE OF MEDICINE.** - A person shall be considered as engaged in the practice of Medicine who shall:

(a) for compensation, fee, salary or reward in any form paid to him directly or through another, even without the same, physically examine any person and diagnose, treat, operate or prescribe and dispense any remedy for human disease, injury, deformity, physical, mental, psychical condition or any ailment, real or imaginary, regardless of the nature of the remedy for treatment administered, prescribed or recommended; or

(b) by means of signs, cards, advertisements, written or printed matter; or through the radio, television or any other means of communication, either offer or undertake by any means or method to diagnose, treat, operate or prescribe and dispense any remedy for any human disease, injury, deformity, physical, mental or psychical condition; or

(c) who shall use M.D. after his name.

**SEC. 29. REVOCATION OF THE CERTIFICATE OF REGISTRATION/ PROFESSIONAL LICENSE.** - The PRC Board shall have the power, upon proper notice and hearing, to revoke the certificate of registration of a physician, suspend him from the practice of his profession or reprimand him, or to cancel the special/temporary permit issued to a foreign physician, for any of the following grounds/causes:

(a) Final conviction by a court of competent jurisdiction of any criminal offense involving moral turpitude;

- 1       (b) Immoral or dishonorable conduct;
- 2       (c) Insanity;
- 3       (d) Fraud in the acquisition of certificate of registration and professional
- 4       license or temporary/special permit;
- 5       (e) Gross negligence, ignorance or incompetency in the practice of his
- 6       profession, resulting in an injury or death of the patient;
- 7       (f) Addiction to alcoholic beverages or to any habit-forming drug
- 8       rendering him incompetent to practice his profession, or to any form
- 9       of gambling;
- 10      (g) False or extravagant or unethical advertisements wherein other things
- 11      than his name, profession, limitation of practice, clinic hours, office
- 12      and home address are mentioned;
- 13      (h) Performance of, or aiding in any criminal abortion;
- 14      (i) Issuance of any false medical certificate;
- 15      (j) Issuance of any statement or spreading any news or rumor which is
- 16      derogatory to the character and reputation of another physician
- 17      without justifiable move;
- 18      (k) The aiding or acting as dummy for unqualified or unregistered person
- 19      to practice medicine;
- 20      (l) Violation of any provision of the Code of Ethics for Physicians as
- 21      prescribed by the organization of physicians accredited by the
- 22      Commission or by the integrated and accredited national organization
- 23      of physicians, and adopted and promulgated by the PRC Board
- 24      subject to the approval of the Commission;

1 (m) The practice of profession during the period of his suspension from  
2 the practice thereof;

3 (n) Refusal to attend to a patient in danger of death if there is no risk to  
4 his life;

5 (o) Expulsion or termination of membership in the integrated and  
6 accredited national organization of physicians; and

7 (p) Violation of this Act, the Rules and Regulations and other policies of  
8 the PRC Board and the Commission issued pursuant to this Act.

9 **SEC. 30. RIGHTS OF RESPONDENTS.** - The respondent physician shall be  
10 entitled to be represented by counsel or be heard in person, to have a speedy and public  
11 hearing, to confront, and to cross-examine witnesses against him, and to all other rights  
12 guaranteed by the Constitution provided for in the Rules of Court.

13 **SEC. 31. APPEAL FROM JUDGMENT.** - The decision of the PRC Board  
14 shall automatically become final fifteen (15) days after the date of its promulgation unless  
15 the respondent, during the same period, has appealed the said decision of the  
16 Commission. If the final decision is not satisfactory, the respondent may appeal the  
17 decision to the Court of Appeals.

18 **SEC. 32. REISSUANCE OF REVOKED CERTIFICATE OF**  
19 **REGISTRATION AND PROFESSIONAL LICENSE AND REPLACEMENT OF**  
20 **LOST CERTIFICATE OR PROFESSIONAL LICENSE.** - After two (2) years and  
21 after due consultation with the integrated and accredited national organization of  
22 physicians, the PRC Board may order the reinstatement of any physician whose  
23 certificate of registration has been revoked, if the respondent has acted in an exemplary  
24 manner in the community.

A new certificate of registration/professional license that has been lost, destroyed or mutilated may be issued, subject to the rules of the Commission.

**SEC. 33. INDICATION OF CERTIFICATE OF REGISTRATION/PROFESSIONAL LICENSE NUMBER AND PROFESSIONAL TAX RECEIPT. -**

A registered and licensed physician shall indicate his certificate of registration/professional license number with date of issuance, the expiry date, and the professional tax receipt number, if required, on the prescription and other documents he signs, uses or issues in connection with the practice of his profession.

**SEC. 34. PERSONS EXEMPTED FROM HOLDING VALID CERTIFICATE OF REGISTRATION/PROFESSIONAL LICENSE OR SPECIAL TEMPORARY PERMIT. -** The preceding section shall not be construed to affect

(a) any medical student duly enrolled in an approved medical college or school, or graduate under training, serving without any professional fee in any government or private hospital: *Provided*, That, he renders such service under the direct supervision and control of a registered/licensed physician; (b) any legally registered/licensed dentist engaged exclusively in the practice of dentistry; (c) any duly registered masseur or physiotherapist: *Provided, further*, That, he applies massage or other physical means upon written order or prescription of a duly registered/licensed physician: *Provided, furthermore*, That, such application of massage of physical means shall be limited to physical or muscular development; (d) any duly registered/licensed optometrist who mechanically fits or sells lenses, artificial eyes, limbs, or other similar appliances or who is engaged in the mechanical examination of the eyes for the purpose of constructing or adjusting eyeglasses, spectacles and lenses; (e) any person who renders any service gratuitously in cases of emergency, or in place where the services of a duly registered physician, nurse or

1 midwife are not available; (f) any person who administers or recommends any household  
 remedy as per classification of existing pharmacy laws; (g) any clinical psychologist, or  
 3 mental hygienist, in the performance of his duties with regard to patients with psychiatric  
 4 problems: *Provided, finally,* That, such performance is done with the prescription and  
 5 direct supervision of a duly registered/licensed physician; and (h) prothetist who fits  
 6 artificial limbs under the supervision of registered/licensed physicians.

7 **SEC. 35. INTEGRATION OF THE PROFESSION.** - The profession shall be  
 8 integrated into one national organization of registered/licensed physicians to be duly  
 9 recognized and accredited by the PRC Board and the Commission. A physician duly  
 10 registered/licensed by the PRC Board and the Commission shall automatically become a  
 11 member of the said organization and shall receive the benefits and privileges appurtenant  
 12 thereto upon payment of required fees and dues. Membership in the integrated  
 13 organization shall not be a bar to membership in any other association of physicians.

14 **SEC. 36. CONTINUING MEDICAL EDUCATION.** - The PRC Board shall  
 15 implement the continuing medical education among practicing physicians in consonance  
 16 with the guidelines of the Continuing Professional Education (CPE) of the Commission.  
 17 Exemption from the CPE program may be applied for upon reaching the age of 65.

18 **SEC. 37. AUTOMATIC REGISTRATION OF PHYSICIANS.** - All  
 19 physicians whose names shall appear in the Registry/Roll/Roster of Physicians at the time  
 20 of the effectivity of this Act shall automatically be registered by the PRC Board and the  
 21 Commission as physicians and thereafter by the integrated and accredited national  
 22 organization of registered and licensed physicians as its *bona fide* members pursuant to  
 23 Section 35 of this Act.

**ARTICLE VI****PENAL PROVISIONS**

**SEC. 38. PENALTIES.** - Any person who shall practice or offer to practice Medicine in the Philippines without a valid certificate of registration/professional license, or a valid temporary/special permit in accordance with the provision of this Act, or any person presenting or attempting to use as his own the certificate of registration/professional license or temporary/special permit of another or any person who shall give any false or forged evidence of any kind to the PRC Board or to the Commission in obtaining a certificate of registration/professional license or temporary/special permit or any person who shall impersonate a registrant using the same name, or any registered/licensed physician who shall abet or assist the illegal practice of a person who is not lawfully qualified to practice medicine, or any person who shall attempt to use a revoked or suspended certificate of registration/professional license or professional identification card, or a cancelled special/temporary permit, or any person who shall use or advertise any title of description tending to convey the impression that he is a registered licensed physician, or any person who shall violate any of the provisions of this Act and of the rules and regulations and the code of ethics shall, upon conviction by the court, suffer the penalties of imprisonment of not less than one (1) year nor more than five (5) years or a fine of not less than Fifty Thousand Pesos (P50,000.00) nor more than Two Hundred Thousand Pesos (P200,000.00), or both upon discretion of the court.

**SEC. 39. INJUNCTIONS.** - The PRC Board may file an action to enjoin any person illegally practicing Medicine from the performance of any act constituting the practice of Medicine if the case so warrants until the necessary certificate therefor is secured.

Any such person who, after having been so enjoined, continues on the illegal practice of Medicine shall be punished for contempt of court. The said injunction shall not relieve the person from criminal prosecution and punishment as provided in the preceding section.

## ARTICLE VII

### FINAL PROVISIONS

**SEC. 40. ENFORCEMENT.** - The Commission shall be the enforcement agency of the PRC Board. As such, the Commission shall implement the concerned provisions of this Act, enforce its implementing rules and regulations as adopted by the PRC Board, assist the PRC Board in the investigation of complaints against violators of this Act, its rules and regulations, Code of Ethics for Physicians and other policies of the PRC Board.

The Commission or the PRC Board shall call upon or request any department, instrumentality, office, bureau, institution or agency of the Government, including local government units to render such assistance as it may require, or to coordinate or cooperate in order to carry out, enforce or implement the professional regulatory policies of the Government or any program or activity it may undertake.

**SEC. 41. APPROPRIATIONS.** - The Chairpersons of the Commission on Higher Education and the Professional Regulation Commission shall immediately include in their programs the implementation of this Act, the funding of which shall be charged against their current years' appropriations and thereafter in the Annual General Appropriations Act.

**SEC. 42. IMPLEMENTING RULES AND REGULATIONS.** - Within ninety (90) days after the approval of this Act, the Professional Regulation Commission,

1 together with the PRC Board and the accredited and integrated professional medical  
2 association, the Department of Budget and Management and the Commission on Higher  
3 Education shall prepare the necessary rules and regulations, including a Code of Ethics  
4 for Physicians, needed to implement the provisions of this Act.

5 **SEC. 43. SEPARABILITY CLAUSE.** - If any clause, provisions, paragraphs  
6 or part hereof shall be declared unconstitutional or invalid, such judgment shall not  
7 affect, invalidate, impair any other part thereof, but such judgment shall be merely  
8 confined to the clause, provision, paragraph or part directly involved in the controversy in  
9 which such judgment has been rendered.

10 **SEC. 44. REPEALING CLAUSE.** - Republic Act No. 2382 known as "The  
11 Medical Act of 1959" as amended by Republic Act Nos. 4224 and 5946, all laws  
12 amending the said Act, all other laws, decrees, executive orders, and other administrative  
13 issuances and parts thereof which are inconsistent with the provisions of this Act are  
14 hereby modified, amended, superseded or repealed accordingly.

15 **SEC. 45. EFFECTIVITY.** - This Act shall take effect after fifteen (15) days  
16 following the completion of its publication in the *Official Gazette* or any major daily  
17 newspaper of general circulation in the Philippines, whichever comes earlier.

18 Approved,