

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Diliman, Quezon City

Thirteenth Congress
Second Regular Session

HOUSE BILL NO. 4988



Introduced by **HON. ANTONIO P. YAPHA, JR., MD**

There is no integrated professional medical organization. There exists the Philippine Medical Association, Inc., PMA an organization of doctors licensed to practice medicine.

The PMA is one of the most prestigious organizations in the Philippines, the umbrella organization of the medical profession of the country. It is duly registered with the Securities and Exchange Commission as a non-stock, non-profit organization and is the mother association of all medical organizations in the Philippines. It was founded September 15, 1903, at a time when the country was under American rule. The Philippine Medical Association brings together the entire medical profession under one roof to serve as an authoritative source of information on health, disease and medical practice. It is responsible for the Training of Specialist through its Specialty Societies. It is responsible for the sustained excellent quality healthcare delivery through its continuing medical education, formulation of clinical practices, guidelines, directly or through the specialty societies. It polices its ranks through the rigid Code of Ethics of the medical profession.

The PMA has eight Specialty Divisions and 30 Specialty Societies with their respective affiliates and Sub-Specialty Societies. The PMA has eight specialty divisions such as Pathology, Radiology, Anesthesiology, Surgery, Physicians, Pediatrics, Obstetrics and Gynecology and Family Medicine. All of these specialty divisions have sub-specialty societies. There are 28,000 physicians who are members of the PMA. Membership in the Philippine Medical Association is coursed through the Component Societies, which is the basic unit of the Association, equitably distributed in all regions of the country. All provinces and cities in the Philippines have component societies more popularly known as medical societies. A group of these medical societies form a region or regional council. The Board of Governors exercise control and supervision over the regional councils and the component societies. The Board of Governors has the power to realign regions and component societies and further the power to create new component society or delist existing one.

Aside from its by-laws, duly registered with the Securities and Exchange Commission, the PMA has codes governing its affairs and the conduct of its members. Among its codes are the Administrative Code, the Code of Continuing Medical Education, Code of Ethics, the Election Code and Mutual Aid Code and Guidelines of Protocol and Procedures and Guidelines on Affiliate Societies.

For the benefit of its members, the PMA and its specialty societies conducts periodically seminars, workshops and conventions educating its members on the latest medical technology and medicine. Its specialty societies determine who are the specialists in several fields of medicine.

There is no other medical organization that possesses the breadth, composition, membership and nationwide coverage of the PMA. In almost all matters affecting health or the medical profession, the government seeks the advice of the PMA. This bill will put the PMA as a partner of the Government in the improvement of the health care delivery system to include the alleviation of the Exodus of Doctors to foreign lands.

Further, this bill will rid the medical profession of so-called misfits found to be negligent in their practice. The negligent acts of doctors led to a spate of incidents wherein patients either dies, were maimed, scarred or suffered physical injuries.

Under present laws, a patient has three options to remedy or punish such negligent acts, one is filing of a criminal action under the Revised Penal Code under Article 365 (reckless imprudence), the second is the filing of a civil case for the recovery of damages and the third is the filing of a case before the Professional Regulations Commission for the revocation of the license of the doctor.

All the options currently available are disadvantageous to a patient for the following reasons:

- a) court or administrative actions are time consuming as the courts and the PRC are clogged with other cases
- b) filing of such actions are financially burdensome on the patient
- c) court or administrative actions are mired in technicalities especially those concerning evidence, the presentation and weighing of which must adhere to the strict technical rules of procedures and evidence

This bill seeks to provide a patient with a fourth option, that of filing a case with an integrated professional medical organization. If the bill is passed, the medical profession, just like the legal profession, will be integrated into one accredited organization. No doctor can practice his profession unless he becomes a member of such integrated professional organization. An aggrieved patient may now seek the revocation of membership of the doctor from the integrated weight since the livelihood of the doctor depends on his continued membership in the organization.

The bill acknowledge the Philippine Medical Association as the integrated professional medical organization and all the physicians wanting to practice medicine will be required to become members of the PMA. Physicians who are not members of the PMA can not practice medicine in the Philippines. If the Bill is passed into a law, we will be creating a professional medical organization already in place without the government spending a single centavo.

Early approval of this bill is earnestly recommended.


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**AN ACT ACCREDITING THE PHILIPPINE MEDICAL ASSOCIATION AS
THE INTEGRATED PROFESSIONAL MEDICAL ORGANIZATION IN THE
PHILIPPINES**

*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

SECTION 1. Title. - This Act shall be known and cited as the
"INTEGRATED PROFESSIONAL MEDICAL ORGANIZATION ACT OF
2005".

SECTION 2. The Philippine Medical Association, Inc. which is
recognized by PRC shall be the only Integrated Professional Medical
Organization in the Philippines.

SECTION 3. Membership - All physicians duly registered by the
Professional Regulations Commission shall become members of the Philippine
Medical Association, Inc. No license to practice medicine or any renewal thereof
shall be issued by the Professional Regulations Commission to any physician is a
member in good standing of the Philippine Medical Association.

SECTION 4. Organization - The organizational structure of the
Philippine Medical Association, Inc. including the specialty division, sub-
specialty societies and component medical societies and as a non-stock, non-
profit corporation duly registered with the Securities and Exchange Commission
shall be retained.

SECTION 5. Rules and Regulations - The Philippine Medical
Association shall prescribe rules and regulations to implement the integration.

SECTION 6. Complaints - The Philippine Medical Association shall hear
complaints against its members. The Philippine Medical Association shall
prescribe its rules to govern the conduct of its proceedings and rules of its
procedures. The rules shall be liberally construed and the technical rules of
procedures on evidence shall not be strictly applied.

SECTION 7. Grounds - A person may file a verified complaint before the
Philippine Medical Association against a PMA member based on the following
grounds:

- a) gross negligence, ignorance or incompetence in the practice or his/her profession resulting to death, physical injury to a person
- b) conviction by a court of competent jurisdiction of any criminal offense involving moral turpitude;
- c) immoral or dishonorable conduct;
- d) insanity
- e) fraud in the acquisition of the certificate of registration, and professional license or renewal thereof;
- f) addition to alcoholic beverages or to any habit-forming drug rendering him or incompetence to practice his or her profession;
- g) false or extravagant or unethical advertisement;
- h) performing or aiding in any criminal abortion;
- i) knowingly issuing any false medical certificate;
- j) issuing any statement or spreading any news or rumor which is derogatory to the character and reputation of another physician without justifiable motive.
- k) aiding or acting as a dummy of unqualified or unregistered person to practice medicine.
- l) Violation of the Code of Ethics of the PMA

SECTION 8. Penalties – The Philippine Medical Association, depending on the circumstances and its rules, may mete penalties of reprimand, suspension or expulsion. All cases filed or pending under this act shall not be discussed or taken in any forum until after the same shall have been decided with finality including the state of appeal.

SECTION 9. Implementing Rules – The Philippine Medical Association shall promulgate the implementing rules and guidelines of this act within 60 days after the enactment of this act.

SECTION 10. Separability Clause – If any provision of this Act is declared unconstitutional or not valid, other provisions not affected herein shall remain in full force effect.

SECTION 11. Repealing Clause – Provisions on the integration of professionals/professions in the professional regulatory laws and all provisions of laws, decrees, order, rule and regulations that are inconsistent within this act are hereby repealed and/or modified accordingly.

SECTION 12. Effectivity – This Act shall take effect fifteen (15) days its publication in the Official Gazette or in any major leading newspaper of national circulation, whichever is earlier.