

Republic of the Philippines
House of Representatives
Quezon City

FIFTEENTH CONGRESS
First Regular Session

H.B. NO. **2039**

Introduced By: HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

EXPLANATORY NOTE

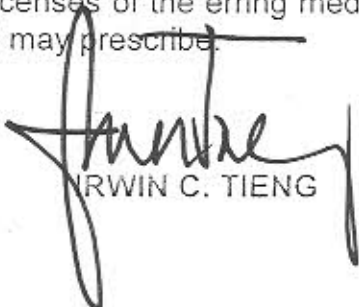
The Philippine Medical Association, Inc. (PMA), an association of physicians licensed to practice medicine in the country, has been in existence since 1903, but has not been integrated since then. It is about time to unify the members to organize and fortify their action and participation so that the objectives of the medical profession may be readily achieved. Thus, the complete unification of the profession is necessary, but it could not be possible unless it is dictated by the State, through its police power. This means that the State has the power to promulgate such laws that may promote public health, safety, morale and the general prosperity and welfare of its inhabitants.

As provided in the Code of Ethics of the Medical Profession in the Philippines, the primary objective of the practice of medicine is service to mankind irrespective of race, creed, or political affiliation. It further states that in its practice, reward or financial gain should be a subordinate consideration. In fact, he well deserves to be called a "friend of man".

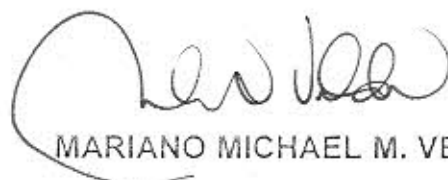
Medical practice, like the legal profession, is not a business. It is a privilege and not a right. It is a privilege vested with public interest. Medical practitioners play an essential role in the safeguard and maintenance of public health and safety. However, it cannot be denied that there are practitioners who, for selfish motives, resort to medical malpractice, contrary to what they have pledged during their oath upon passing the Medical Board Examinations.

This Bill seeks to provide an official unification of all the medical practitioners in the Philippines. This requires membership and financial support of every physician as conditions sine qua non to the practice of medicine and to the retention of his name in the list of licensed physicians in good standing. In so doing, the members will be guided of their responsibilities, at the same time, the public will have another venue in which to air their grievances.

Early passage of this Bill is earnestly sought in order that the Integrated Professional Medical Association of the Philippines will have the power to hear and decide cases filed before it for the suspension and/ or revocation of the licenses of the erring medical practitioners, subject to such rules and regulations it may prescribe.



IRWIN C. TIENG



MARIANO MICHAEL M. VELARDE

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AN ACT
PROVIDING FOR THE INTEGRATION OF THE PHILIPPINE MEDICAL
ASSOCIATION, AND FOR OTHER RELATED PURPOSES THEREOF

Be it enacted by the House of Representatives and Senate in Congress assembled.

Section 1. Short Title. – This Act shall be known as "*The Integrated Professional Medical Association of the Philippines Act 2007*".

Section 2. Declaration of State Policy. – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them.

Integrating or unifying all the licensed medical practitioners into one national organization, like the legal profession, is a way of recognizing the social function of the medical profession, while protecting the well-being of the public.

Section 3. Integration. – The Philippine Medical Association, Inc. (PMA) shall be organized into a national organization of all licensed medical practitioners and shall be known as the Integrated Professional Medical Association of the Philippines (IPMAP).

Section 4. Membership. – All those who passed the Medical Board Examinations and registered with the Professional Regulation Commission (PRC) shall be required to be members of the IPMAP. Their membership is a condition sine qua non to their practice of medicine. They shall also be required to pay a reasonable annual membership fee as financial support to the organization.

Section 5. Organization. – The existing organizational structure of the PMA as a non-stock, non-profit corporation duly registered with the Securities and Exchange Commission (SEC), its specialty societies and component medical societies shall be retained upon integration.

Section 6. Powers and Duties. – In addition to the powers and duties of the existing PMA, the IPMAP shall have the power to receive and hear complaints against its members. It shall prescribe rules and regulations for the conduct of its proceedings so as not to prejudice the rights of both the members

and complainants.

Section 7. *Grounds.*- Any person may file a verified complaint before the IPMAP for the suspension and revocation of the certificate or registration of a member on the following grounds:

- a. Gross negligence, ignorance or incompetence in the practice of his/ her profession resulting to death or 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 certificate of registration and professional license and/ or renewal thereof;
- f. Addiction to alcoholic beverages or any habit-forming drug, rendering him incompetent to practice his or her profession, or to any form of gambling;
- g. False or extravagant or unethical advertisements;
- 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; or
- l. Violation of the Code of Ethics of the PMA

Section 8. *Penalties.* - The IPMAP, considering the rights of the members as the respondents, in addition to the criminal and administrative sanctions imposable for violations of existing laws, may suspend or revoke the licenses of its members, subject to the rules and regulations it may prescribe.

Sections 9. *Implementing Rules and Regulations.* - The IPMAP, in coordination with the PRC, shall prescribe the rules and regulations for the proper implementation of this Act, guided by the Medical Act of 1959, as amended by R.A. 2382, R.A. 4224, and as further amended by R.A. 5946.

Section 10. *Separability Clause.*- The provisions of this Act are hereby declared separable and in the event that any such provision is declared unconstitutional, the other provisions shall remain in force and effect.

Section 11. *Repealing Clause.* - All other laws, decrees, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 12. *Effectivity.* - This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or at least in two (2) newspapers of general circulation.

Approved,