

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

FIFTEENTH CONGRESS

First Regular Session

House Bill No. 4638

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Introduced By HON. RODOLFO ANTONINO

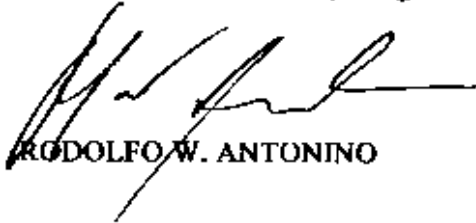
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EXPLANATORY NOTE

This bill was conceived in recognition of the role of our registered dietitian in human development and seeks to regulate and improve the practice of the profession. By doing so, promoting a healthy citizenry is encouraged, thereby contributing to the development of a stronger nation.

In order for our country to have a strong and healthy citizenry, the development and promotion of proper nutrition and dietetics should therefore be encouraged and sustained. Negative changes that affect the environment globally has affected the human species. Pollutants in the air and water, climate changes are just some of the elements that affect us humans physically. Coupled with poor nutrition, it certainly affects productivity among our workforce and affects learning ability among our youth. Improvement in the practice of proper nutrition and dietetics should therefore be implemented to counter this phenomenon.

The guidelines and regulations provided for in this act will effectively promote the efficient and effective practice of the profession. It hopes to put the country at par, if not internationally, at least with our Asian counterparts in terms of the practice of nutrition and dietetics. The immediate passage of this bill is therefore earnestly prayed for.



RODOLFO W. ANTONINO

Republic of the Philippines  
Congress of the Philippines  
Metro Manila

Fifteenth Congress 2010  
First Regular Session

House Bill No. **4638**

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Introduced by HON. RODOLFO ANTONINO

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**AN ACT REGULATING THE PRACTICE OF NUTRITION AND DIETETICS IN THE PHILIPPINES, REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1286, KNOWN AS THE "NUTRITION AND DIETETICS DECREE OF 1977", APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.**

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

**ARTICLE I**  
**TITLE**

*Section 1. Short Title.* - This Act shall be known as the "The Nutrition and Dietetics Law of 2010".

**ARTICLE II**  
**General Provisions**

**Sec. 1. Declaration of Policy.** - The State recognizes the important role of registered dietitians (RDs) in nation-building and human development through adequate nutrition. Towards this end, it promotes the sustained development of RD whose competence has been determined by honest and credible licensure examinations and whose standards of professional service and practice are internationally recognized and considered world-class brought about by regulatory measures, programs and activities that foster growth and advancement of the profession.

**Sec. 2. Objectives.** - This Act shall govern:

- (a) The examination, registration and licensure of nutritionist-dietitians;
- (b) The supervision, control, and regulation of the practice of nutrition and dietetics;
- (c) The development of the professional competence of nutritionist-dietitians through continuing professional education (CPE);
- (d) The integration of the nutrition-dietetics profession.

**Sec. 3. Definition of Terms.**

- (a) Profession is the science and art or discipline of nutrition and dietetics combined.
- (b) "Nutritionist-dietitian" refers to a registered and licensed person who holds a valid certificate of registration and a valid professional identification card issued by the Board and the Commission pursuant to this Act.
- (c) "Board" refers to the Professional Regulatory Board of Nutrition and Dietetics.
- (d) "Commission" refers to the Professional Regulation Commission created under R.A. No. 8981, known as the "PRC Modernization Act of 2000".
- (e) APO refers to the accredited professional organization of nutritionist-dietitians that the Board has accredited, subject to the approval by the Commission, as the one and only accredited national organization of nutritionist-dietitians.
- (f) "Nutrition" refers to the science of foods, the nutrients and other substances therein, their action, interaction and balance in relation to health and disease and the process by which the human being ingests, digests, absorbs, transports, utilizes and excretes food substances. Nutrition is also concerned with social, economic, cultural, political, and psychological implications of food and eating.
- (g) "Dietetics" refers to the promotive, preventive, therapeutic, and administrative aspects of the delivery of nutritional services in hospitals, foodservice institutions and other health care institutions/facilities. (define)

**Sec. 4. The Practice of Nutrition and Dietetics.** - A person is deemed to be in the practice of nutrition and dietetics within the meaning and intent of this law when he or she, for a fee, salary or other reward or compensation, paid to the individual or through another person or even without such rewards or compensation, renders or offers to render professional services in nutrition and dietetics.

**Scope of Practice.** - The practice of nutrition and dietetics may include, but not be limited to, the following areas:

- (a) Academe - teachers of nutrition, dietetics and foodservice courses.
- (b) Business and industry - professionals working in the business and industry doing work requiring nutrition and dietetics background; includes private practitioners and consultants in nutrition.
- (c) Food production and product development - professionals involved in developing and producing new food products following the principles of food and nutrition.
- (d) Foodservice - consultants and managers in food service establishments engaged in institutional food production, recipe development and standardization, implementation of food safety and sanitation practices, delivery and evaluation of services.
- (e) Hospital - clinical dietitians, therapeutic dietitians, administrative dietitians, food service managers and/or nutrition support unit heads in hospital settings.

- (f) Community and public health nutrition – professionals involved in food and nutrition policy formulation, community assessment, planning, implementation, monitoring, evaluation of nutrition programs and advocacy; consultants and technical advisers on nutrition.
- (g) Food and nutrition research – professionals involved in basic and applied food and nutrition research.
- (h) Wellness and sports nutrition – professionals and consultants involved in nutrition aspects in wellness and sports programs.

The Board subject to approval by the Commission may revise the scope of practice as the need arises.

### **ARTICLE III NUTRITION AND DIETETICS EDUCATION PROVISION**

**Sec 5. *Nutrition and Dietetics Education Program*** – The Nutrition and Dietetics education program shall provide sound general and professional foundation for the practice of nutrition.

The learning experiences shall adhere strictly to specific requirements embodied in the prescribed curriculum as promulgated by the Commission on Higher Education's policies and standards of Nutrition and Dietetics education.

**Sec 6. *Requirement for Inactive Nutritionist-Dietitians Returning to Practice*** – Nutritionist-Dietitians who have not actively practiced the profession for five (5) consecutive years are required to attend and pass a refresher's course and complete a related practicum both offered by an institution accredited by the APO. **PRBND, the Board subject to approval by the Commission.**

**Sec 7. *Qualifications of the Faculty*** – A member of the faculty in a college offering a program on nutrition and dietetics must:

- (a) Be a registered nutritionist-dietitian in the Philippines;
- (b) Have at least one (1) year of practice in a field of specialization;
- (c) Be a member of good standing of the accredited professional organization of nutritionist-dietitians; and
- (d) Preferably be a holder of master's degree in nutrition and dietetics, education, or other allied medical and health sciences conferred by a college or a university duly recognized by the Commission on Higher Education.

In addition to the aforementioned qualifications, the head of the ND program must have a master's degree in nutrition and dietetics. He/she must have at least five (5) years of experience in nutrition and dietetics.

### **ARTICLE IV PROFESSIONAL REGULATORY BOARD OF NUTRITION AND DIETETICS**

**Sec 8. *Creation and Composition of the Professional Regulatory Board of Nutrition and Dietetics.*** There is hereby created a Professional Regulatory Board of Nutrition and Dietetics, hereinafter-referred to as the Board, a collegial body under the administrative supervision and control of the Professional Regulation Commission (PRC), hereinafter-

referred to as the Commission, to be composed of a chairman and two (2) members appointed by the President of the Philippines from a list of three (3) recommendees for each position chosen and submitted by the Commission thereto from a list of five (5) nominees for every position endorsed by the accredited professional organization (APO).

**Sec. 9. Qualifications of Chairman and Members of the Board.** - The chairman or member shall, at the time of his/her appointment, possesses all the following qualifications.

- (a) A citizen and a resident of the Philippines,
- (b) At least 35 years of age,
- (c) Of good moral character,
- (d) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude,
- (e) A registered and licensed nutritionist-dietitian with a valid certificate of registration and a valid professional identification card,
- (f) A holder of a post-graduate degree in nutrition and dietetics or a related field as determined by PRC from an institution recognized by the Commission on Higher Education (CHED).
- (g) Have at least five years of continuous practice of the profession prior to his/her appointment,
- (h) A member in good standing of the APO,
- (i) Not a member of the faculty of any school, college or university where a regular/review course in nutrition and dietetics is offered at the time of appointment,
- (j) Not an owner or member/staff of any review school or center, and not have any direct or indirect pecuniary interest in any such institution, and
- (k) Not an officer, board member or trustee of the APO and APO foundation.

**Sec. 10. Term of Office.** - The chairman and members of the Board shall hold office for a term of three (3) years from date of appointment or until their successors shall have qualified and been appointed. They may be reappointed to the same office for another term of three (3) years immediately after the expiry of their term; provided, the holding of such position or office shall not be more than two (2) terms or not more than six (6) years. Vacancy of the position of the chairman shall be occupied in acting capacity or as officer-in-charge by the most senior member until the chairman shall have been appointed. The chairman and the members shall duly take their oath of office.

**Sec. 11. Compensation, Allowances and other Benefits.** - The chairperson and members of the Board shall receive compensation, allowances, and other benefits comparable to those that the chairperson and members of other professional regulatory boards under the Commission enjoy as provided for in the General Appropriations Act.

**Sec. 12. Powers, Functions, Duties, and Responsibilities of the Board.** - The Board shall exercise executive/ administrative, rule-making, and quasi-judicial powers in carrying out the provisions of this Act. It shall be vested with the following specific powers, functions, duties, and responsibilities:

*Regulatory functions:*

- (a) Issue and promulgate the rules and regulations implementing the provisions of this Act;
- (b) Adopt and promulgate the Code of Ethics, the Code of Good Governance, and the Code of Technical Standards for the Practice of Nutrition and Dietetics;
- (c) Adopt an official seal of the Board;
- (d) Prescribe and promulgate guidelines on the Continuing Professional Education (CPE) for nutritionist-dietitians in consultation with the APO;
- (e) Enter together with the Commission into a Memorandum of Agreement with the CHED in ensuring that all higher educational instructions and offerings of degree, course or program comply with the policies, standards, and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library, and facilities;

#### *Licensure Functions*

- (f) Prescribe and promulgate the tables of specifications syllabi for the subjects in the licensure examination/s in consultation with the academe and the Commission on Higher Education (CHED);
- (g) Prepare questions for the subjects in the licensure examinations, give and correct the said examinations, and release their results;
- (h) Evaluate and approve applications for licensure examination/s;
- (i) Issue, suspend, revoke or reinstate the Certificate of Registration for the practice of the nutrition and dietetics;
- (j) Register with or without licensure examination/s qualified persons for the practice of nutrition and dietetics and issue thereto Certificates of Registration and professional identification cards;
- (k) Administer oaths in the performance of its functions;
- (l) Monitor the conditions affecting the practice of nutrition and dietetics as may be deemed proper for the maintenance of professional, ethical and technical standards
- (m) Reissue or reinstate revoked/suspended certificate of registration and unexpired professional identification card to respondent's holder thereof; Provided, the revoked certificate of registration shall only be reissued after the lapse of the period provided in this Act; Provided, further, the Board shall issue a resolution thereon subject to approval by the Commission, after he/she shall have established his/her fitness to practice anew his/her nutrition and dietetics and, provided, furthermore, the suspended certificate of registration shall only be reissued upon the period imposed in the decision of the Board;

#### *Administrative Functions*

- (n) Hear and investigate cases on violations of this Act, its implementing rules and regulations, the Code of Ethics, the Code of Good Governance, the Code of Technical Standards for the practice of profession, and other policies; and for this purpose, to issue summons, subpoena and subpoena duces tecum to alleged violators and/or witnesses to compel their attendance in such hearings or investigations;

- (o) Delegate the hearing or investigation of cases against the alleged violators; Provided, hearing or investigation of cases wherein the issue or question involved strictly concerns the technical practice of nutrition and dietetics shall be presided over by at least one (1) member of the Board assisted by a Legal or Hearing Officer of the Commission;
- (p) Endorse cases involving criminal violations of this Act and other laws, its rules and regulations, and other policies to the Prosecution Office for investigation;
- (q) Decide administrative cases against examinees or registered Nutritionist-Dietitians; Provided, if they are guilty, to cancel their examination papers and/or debar them from taking another licensure examination, or to revoke/suspend their certificate of registration; Provided, further, the effectivity of the penalty shall only commence from the date of surrender of the said certificates together with the professional identification cards; Provided, furthermore, the decision of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;
- (r) Conduct through the Legal or Hearing Officers summary proceedings on minor violation of this Act, its IRR, any of the Codes afore-mentioned, the General Instructions to Examinee committed by examinees, and to render summary judgment thereon which shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;
- (s) Prepare an annual report of accomplishments, programs, projects, and activities of the Board during the year of submission to the Commission after the close of each calendar year and to make appropriate recommendations on issues or problems affecting the profession to the Commission; and
- (t) Discharge other implied, incidental, necessary powers, duties, functions, and responsibilities for the effective carrying out of the provisions of this Act and its policies or measures and the achievement of its objectives.

**Sec. 13. Grounds for Removal or Suspension of Board Chairpeman/Member.** - The President of the Philippines, upon the recommendation of the Commission, after giving the chairman or the member of the Board an opportunity to defend himself/herself in an administrative investigation conducted by the Commission, may remove or suspend him/her on any of the following grounds:

- (a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty;
- (b) Violation of any of the causes/grounds/ and the prohibited acts provided in this Act and the offenses in the Revised Penal Code, the Anti-Graft and Corruption Practices, and other laws;
- (c) Manipulation or rigging of the results of the licensure examination for nutritionist-dietitians, disclosure of secret and confidential information on the examination questions prior to the conduct thereof, or tampering of grades.

The Commission, in the conduct of the investigation, shall be guided by Sec. 7 (s) of R.A. No. 8981, the rules on administrative investigation, and the applicable provisions of the New Rules of Court.

**Sec. 14. *Supervision of the Board, Custodian of its Records, Office of the Secretary, Professional Regulatory Boards (PRBs) and Support Services.*** - The Board shall be under the administrative supervision of the Commission. The Commission shall keep all records of the Board including applications for examination, examination papers and results, minutes of deliberation, and administrative cases. The Commission shall designate the Secretary of the Board who shall be a staff member in the Office, Secretary, Professional Regulatory Boards and shall provide the other support services to the Board in order to implement the provisions of this Act.

## **ARTICLE V**

### **EXAMINATION, REGISTRATION, CERTIFICATION, AND LICENSURE**

**Sec. 15. *Passing of Licensure Examination Requirement.*** - Except as otherwise specifically allowed under this Act, applicants for registration for the practice of nutrition and dietetics shall be required to pass a Board licensure examination for ~~nutritionist-dietitians~~ as provided for in this Act in such places and dates as the Commission may designate in the Resolution thereof on the Master Schedules for all licensure examinations in accordance with Sec. 7 (d) of R.A. No. 8981.

**Sec. 16. *Qualifications of Applicants.*** - An applicant for the licensure examination for nutritionist-dietitian shall satisfactorily prove that he/she possesses the following qualifications:

- (a) Citizen of the Philippines or a foreign citizen whose country/state has a reciprocity with the Philippines in the practice of nutrition and dietetics;
- (b) Of good moral character;
- (c) A holder of a bachelor's degree in nutrition and dietetics or its equivalent duly recognized or accredited by the CHED and conferred by a school/college/university duly authorized by the government.
- (d) Not convicted of an offense involving moral turpitude by a court of competent jurisdiction.

**Sec. 17. *Subjects for Licensure Examination.*** - The licensure examination/s for nutritionist-dietitian shall include, but not be limited to the following:

- (a) Medical Nutrition Therapy
- (b) Foods and Foodservice Systems
- (c) Community and Applied Nutrition

The Board, subject to approval by the Commission, may revise or exclude any of the subjects and their tables of specifications syllabi, and add new ones as the need arises to conform to technological changes brought about by continuing trends in the profession.

**Sec. 18. Rating in the Licensure Examination.** - To pass the licensure examination for nutritionist-dietitian, a candidate must obtain a general or weighted average rating of seventy five percent (75%), with no rating below fifty per cent (50%) in any subject, *Provided*, that an applicant who fails to obtain a passing average but who obtained at least seventy five percent (75%) in each of at least one-half of the total subjects given in the examinations, may be permitted to take within two (2) years from the date of his/her examination, another examination, on the subjects in which he/she obtained a grade below seventy five percent (75%). Should the examinee fail in the set of subjects repeated in the second examinations, he shall be required to take all the subjects in the next examinations.

**Sec. 19. Report of Rating.** - The Board shall submit to the Commission the ratings obtained by the candidate not later than ten (10) days after the last day of the examination, unless it is extended for a valid cause.

**Sec. 20. Oath.** - All successful candidates in the licensure examination shall take their oath of profession before the chairman or any member of the Board; or any authorized officer of the Commission, prior to entering the practice of nutrition and dietetics.

**Sec. 21. Issuance of Certificate of Registration and Professional Identification Card.** - A certificate of registration shall be issued to those who are registered subject to payment of fees prescribed by the Commission. *Provided further* that holders of Doctor of Philosophy in Nutrition and Dietetics, Community Nutrition, Public Health Nutrition, or Institutional Management with at least 3 years practice in the Philippines shall be allowed to register without examination. It shall bear the signature of the chairperson of the commission and the chairperson and members of the board, indicating that the person named therein is entitled to the practice of the profession with all the privileges appurtenant thereto. Until withdrawn, revoked, or suspended in accordance with this Act, the certificate of registration shall remain in full force and effect.

A professional identification card bearing the registration number and date, its validity and expiry duly signed by the Chairperson of the Commission shall likewise be issued to every registrant who has paid the prescribed fee. It shall be reissued after every three (3) years upon payment of the prescribed fees therefor and compliance with the CPE requirement.

**Sec. 22. Automatic Registration of Nutritionist-Dietitians.** - All nutritionist-dietitians whose names appear at the roster of nutritionist-dietitians shall be automatically or *ipso facto* registered as nutritionist-dietitians under this Act upon its effectivity. *Provided further* that holders of Doctor of Philosophy in Nutrition and Dietetics, Community Nutrition, Public Health Nutrition, or Institutional Management with at least 3 years practice in the Philippines shall be allowed to register without examination upon payment of the prescribed fees.

**Sec. 23. Refusal to Register.** - The Board shall not register any successful examinee who has been:

- (a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction,
- (b) Found guilty of immoral or dishonorable conduct by the Board,
- (c) Summarily adjudged guilty for violation of the General Instructions to Examinees by the Board, and

- (d) Declared of unsound mind by the court of competent jurisdiction.

In refusing such registration, the Board shall give the applicant a written statement setting forth the reasons therefore and shall file a copy thereof in its records.

**Sec. 24. Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary/Special Permit.** - The Board shall have the power, upon notice and hearing, to revoke or suspend the certificate of registration of a RND or to cancel a temporary/special permit granted to foreign nutritionist-dietitian, for violation of any of the causes in the preceding Section except (c) and of the following grounds:

- (a) Violation of a provision of this Act, its IRR, Code of Ethics, Code of Good Governance, standards for the practice of nutrition and dietetics, policy, and measures of the Board and/or the Commission;
- (b) Perpetration or use of fraud in obtaining his/her certificate of registration, professional identification card, temporary/special permit;
- (c) Gross incompetence, negligence or ignorance resulting in death, injury or damage;
- (d) Neglect or failure to pay the annual registration fees for five (5) consecutive years;
- (e) Aiding or abetting the illegal practice of a non-registered and licensed person by allowing him/her to use his certificate of registration and/or professional identification card or his/her special/temporary permit;
- (f) Illegally practicing the profession during his/her suspension from the practice thereof;
- (g) Addicted to a drug or alcohol abuse impairing his/her ability to practice his/her profession or declared with unsound mind by a court of a competent jurisdiction;

The Board shall periodically evaluate the aforementioned grounds and revise or exclude or add new ones as the need arises subject to approval by the Commission.

Any person, firm or association may file charge/s in accordance with the provision of this Section against any registrant, or the Board may investigate violation of any of the above-mentioned causes. Affidavit-complaint shall be filed together with the affidavits of witnesses and other documentary evidence with the Board through the Legal and Investigation Office. The *motu proprio* move to conduct an investigation shall be embodied in a formal charge to be signed by at least majority of the members of the Board. The rules on administrative investigation issued by the Commission shall govern the hearing or investigation subject to applicable provisions of this Act, R.A. No. 8981 and the Rules of Court.

**Sec. 25. Reissuance of Revoked Certificate of Registration, Replacement of lost or Damaged Certificate of Registration, Professional Identification Card or Temporary/Special Permit.** - The Board may, upon petition, reinstate or reissue a revoked certificate of registration after two (2) years from the effectivity of the period for revocation, which is the date of surrender of the said certificate and/or the professional identification card if still valid to the Board and/or the Commission. The Board may not require the holder thereof to take another licensure examination. The petitioner shall prove to the Board that he/she has valid

reason/s to practice his/her profession. For the grant of his/her petition, the Board shall issue a Board Resolution subject to approval by the Commission.

Duplicate copy of lost certificate of registration, professional identification card or temporary/special permit may be reissued in accordance with rules thereon and upon payment of the prescribed fee thereof.

**Sec. 26. Non-Payment of the Annual Registration Fees.** The Board shall suspend a RD from the practice of his/her profession for non-payment of the annual registration fees for five (5) consecutive years from its last or previous year of payment. The resumption of his/her practice shall take place only upon payment of the delinquent fees plus surcharges and interest and in accordance with the rules of the Commission. The running of the five-year period may be interrupted upon written notice about the discontinuance of his practice and surrender of his/her certificate of registration to the Board and/or the Commission.

**Sec. 27. Vested Rights: Automatic Registration.** - All nutritionist-dietitians registered at the effectivity of this Act shall automatically be registered hereunder, subject to the provisions herein set forth as to future requirements.

Certificates of Registration and Professional Identification Cards or Temporary/Special Permits held by such persons in good standing at such effectivity shall have the same force and effect as though they were issued on or after the said effectivity.

## **ARTICLE VI PRACTICE OF NUTRITION AND DIETETICS**

**Sec. 28. Lawful Practitioners of Nutrition and Dietetics.** The natural persons and juridical persons who shall be authorized to practice nutrition and dietetics:

- (a) Natural persons
  - 1) Duly registered and licensed as nutritionist-dietitian and holders of valid certificates of registration and valid professional identification cards issued by the Board and the Commission pursuant to this Act; and
  - 2) Holders of valid temporary /special permits issued by the Board and the Commission to foreign-licensed nutritionist-dietitian pursuant to this Act.
- (b) Juridical persons
  - 1) Single proprietorship refers to owner of manpower-employing staff who are registered and licensed nutritionist-dietitians;
  - 2) Partnership duly registered with the Securities and Exchange Commission (SEC) as professional partnership pursuant to the Civil Code and composed of all partners who are all duly registered and licensed nutritionist-dietitians;
  - 3) Corporation duly registered with the SEC as engaged in the practice of nutrition and dietetics and with officers, Board of Directors who are all registered and licensed nutritionist-dietitians;

- 4) Association duly registered with the SEC as not-for-profit and non-stock corporation whose officers, Board of Trustees, and members are all registered and licensed nutritionist-dietitians.

These juridical persons shall also be registered with the Board and the Commission in accordance with the rules and regulations thereon.

**Sec. 29. Practice of Nutrition and Dietetics.** Plantilla positions, whose titles bear "nutritionist-dietitian" as well as positions requiring the expertise of RDs shall be occupied by RDs. These include nutrition action officers, hospital nutritionist-dietitians, food service managers in hospitals; foodservice institutions and business and industry; except those in practice before the enactment of the law.

- (a) No person shall offer himself in the Philippines, as or use the title "Nutritionist-Dietitian" or any word, letter, figure, or sign whatsoever, tending to convey the impression that he or she is a nutritionist-dietitian, or advertise or indicate in any manner that he or she is qualified to perform the work of a nutritionist-dietitian without holding a valid certificate of registration and a valid professional identification card as issued by the Board in accordance with this law and/or covered by reciprocity, unless exempt from registration as provided under Section 15 thereof.
- (b) Hospitals – All hospitals whether government or private with 10 to 15 bed capacity shall employ a minimum of one full time RD; 25 to 50 bed capacity, a minimum of one full time RD; 75 to 100 bed capacity, a minimum of two (2) full time RD; above 100 to 150 bed capacity, a minimum of three full time RD; above 150 to 200, four (4) full time RD; above 200 to 300 bed capacity, a minimum of six (6) full time RD; above 300 to 400 bed capacity, a minimum of eight (8) full time RD; above 400 to 500 bed capacity, a minimum of ten (10) full time RD; *Provided*, that no person shall be employed as nutritionist-dietitian in any hospital without having been registered in accordance with the provisions of this Law; and with updated professional identification card in the duration of employment. Hospitals with less than 25 bed capacity should hire the services of an RND consultant. The provisions of this section shall be complied with within one year from the date of effectivity of this Law.
- (c) Nutrition agencies/local government units (LGUS). All these agencies whether government or private shall employ RDs. All LGUs shall be required to have at least one (1) nutritionist-dietitian per 50,000 population for each province, city/municipality and rural health unit.
- (d) Foodservice Managers/positions in hospitals and in foodservices in healthcare institutions should be headed by RDs.
- (e) Foodservices in institutions including school cafeteria in elementary, high school, colleges and universities; industrial cafeterias should preferably be occupied by RNDs. In the absence of a full time RD, a consultant RD shall be availed of.

- (f) Teaching of nutrition courses in allied fields, e.g., Medicine, Nursing, Midwifery, Dentistry, **Human Kinetics, Physical Education, Hotel and Restaurant Management** – Tourism should be done only by RDs.
- (g) In addition to the required faculty qualifications, all schools, colleges and universities, public and private, shall ensure that major professional subjects required for licensure examinations shall be taught by persons who are holders of valid certificates of registration and valid professional identification card.
- (h) For every eight to ten clients, wellness centers, sports clinics, fitness centers must employ the services of one (1) fulltime or part time RD.
- (i) Nutrition support units in hospitals should include RDs to provide nutrition assessment and counseling.

**Sec. 30. Foreign Reciprocity.** - No foreigner, except for countries for which the country has reciprocity, shall be allowed to take the licensure examination for nutritionist-dietitians, register, receive his/her certificate of registration and professional identification card, and practice nutrition and dietetics in the Philippines unless the country or state of which he is a subject or a citizen permits Filipino nutritionist-dietitians to practice within its territorial limit on the same basis as the subjects or citizens of said country or state: *Provided, however,* that the number of foreigners allowed to practice in the Philippines shall not exceed the number of Filipinos practicing in their respective countries.

**Sec. 31. Practice Through Temporary/Special Permit.** – Special /temporary permit may be issued by the Board subject to approval by the Commission and payment of fees the latter has prescribed and charged thereof to the following:

- (a) Licensed nutritionist-dietitians from foreign countries/states whose services are either for a fee or free;
  - 1) If they are internationally known nutritionist-dietitians or experts in any branch or specialty of nutrition and dietetics; and
  - 2) If their services are urgently and importantly necessary for lack of inadequacy of available local specialists or experts for the promotion or advancement of the practice of nutrition and dietetics through transfer of technology.
- (b) Licensed nutritionist-dietitians from foreign countries/states whose services shall be free and limited to indigent patients in a particular hospital, center or clinic.
- (c) Licensed nutritionist-dietitians from foreign countries/states employed as exchange professors in a branch or specialty of nutrition and dietetics in schools, colleges or universities offering the course of nutrition and dietetics.

The permit shall, among other things, contain these limitations and conditions for a period of no more than one (1) year subject to renewal, the branch or specialty of nutrition and dietetics, and the specific place of practice such as clinic, hospital, center, school, college

or university offering the course of nutrition and dietetics. The Board, subject to approval by the Commission, shall promulgate rules and regulations on the implementation of this particular section.

**Sec. 32. Continuing Professional Education (CPE) Program.** All nutritionist-dietitians shall abide by the requirements, rules and regulation on continuing professional education to be promulgated by the PRC Regulatory Board, subject to the approval of the Commission, in coordination with the APO for nutrition and dietetics or any duly accredited education institutions. For this purpose, a CPE Council is hereby created to implement the CPE program.

**Sec. 33. Indication of Numbers: Certificate of Registration and Professional Identification Card, Professional Tax Receipt (PTR), APO Membership and Official Receipt (O.R.)** - The nutritionist-dietitian shall be required to indicate his/her Certificate of Registration Number and date of issuance, and the expiry of his/her current professional identification card, PTR Number, APO Membership Number and O.R. Number on the documents he/she signs, uses, or issues in connection with the practice of nutrition and dietetics.

**Sec. 34. Roster of Nutritionist-Dietitians.** A roster of nutritionist-dietitians shall be prepared by the Commission during the month of August every year, commencing on the year following that in which the Law shall become effective. This roster shall contain the name and address of each RND, date of registration or issuance of certificates and other dates, which in the opinion of the Board may appear pertinent. The roster shall be opened for public inspection, and copies thereof shall be on file in the records of the Commission. Other bureaus or government agencies and the public may be given a copy upon request.

**Sec. 35. Posting of Certificate of Registration and Professional Identification Card or Temporary/Special Permit.** - The Certificate of Registration and Professional Identification of Nutritionist-Dietitians or Temporary/Special Permit in original or authentic/authenticated copies shall be posted in a conspicuous place or kept on file in his/her office. Those previously registered in accordance to PD 1286 shall retain their registration certification numbers.

## **ARTICLE VII NUTRITION AND DIETETICS HUMAN RESOURCE PRODUCTION, UTILIZATION AND DEVELOPMENT**

**Sec. 36. Studies for Nutrition and Dietetics Manpower Needs, Production, Utilization and Development** - The Board, in coordination with the accredited professional organization and appropriate government or private agencies shall initiate, undertake and conduct studies on nutrition and dietetics human resource production, utilization and development.

**Sec. 37. Comprehensive Nutrition and Dietetics Specialty Program** - Within ninety (90) days from the effectivity of this Act, the Board, in coordination with the accredited professional organization, recognized specialty organizations and the Department of Health is hereby mandated to formulate and develop a comprehensive nutrition and dietetics specialty program that would upgrade the level of skills and competence of nutritionist-dietitians specialists in the country, such as but not limited to the areas of diabetes management,

cardiovascular disease management, renal disease management, oncology, nutrition support, weight management, obstetrics, pediatrics, geriatrics, dental medicine, and such other areas as may be determined by the Board.

## ARTICLE VIII PENAL AND MISCELLANEOUS PROVISIONS

**Sec. 38. Penal Provision.** - Any person who shall commit any of the following acts, shall, upon conviction, be fined based on existing laws of no more than Php 100,000.00 not more than Php 500,000.00, or imprisoned for no less than six (6) months nor more than two (2) years or be meted with both at the discretion of the court.

- (a) Practicing nutrition and dietetics without a valid certificate of registration and/or a valid professional identification card or a valid temporary/special permit;
- (b) Attempting to use the seal, certificate of registration and/or professional identification card of a RND or temporary/special permit issued to foreign nutritionist-dietitian;
- (c) Abetting the illegal practice of nutrition and dietetics by an unregistered or unauthorized person;
- (d) Securing through false information or fraudulent means certificate of registration and/or professional identification card or, temporary special permit;
- (e) Impersonating a RND or a holder of a special/temporary permit; and
- (f) Violating any provision of this Act or the implementing rules and regulations thereof.

## ARTICLE IX FINAL PROVISIONS

**Sec. 39. Enforcement.** - In carrying out the provisions of this Act, the Board shall be assisted by the Commission, the APO, duly constituted government agencies and authorities, and private organizations in the industry. A memorandum of agreement between agencies or organizations may be executed.

**Sec. 40. Funds.** - The funds or budget for the implementation of this Act shall be included in the Annual Appropriations Act for the Commission, provided that the amount incurred for its initial implementation shall be charged against the Commission's current year's appropriation.

**Sec. 41. Transitory Provisions.** - The incumbent Board shall, in an *interim* capacity, continue to operate or function by carrying out the provisions of the Act without new appointments of the chairman and members thereof until the first Board created under this Act shall have been constituted or organized pursuant thereto.

**Sec. 42. Implementing Rules and Regulations.** The Board of Nutrition and Dietetics, subject to approval by the Commission, shall prescribe, promulgate, and issue a Board Resolution on the implementing rules and regulations of this Act after consultation with the

APO, other agencies, and private organizations concerned in the industry within ninety (90) days from the effectivity of this Act.

**Sec. 43. *Separability Clause.*** - If any provision, section, or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other provisions, sections or parts hereof, but shall be merely confined to the provision, section, or part thereof that is directly involved in the issue upon which such judgment has been rendered.

**Sec. 44. *Repealing Clause.*** - Presidential Decree No. 1286 is hereby repealed. Laws, decrees, orders, letters of instructions, rules and regulations, or other issuances, and parts thereof inconsistent with the provisions of this Act are likewise accordingly repealed or modified.

**Sec. 45 *Effectivity.*** - This Act shall take effect after fifteen (15) days following the general circulation in the Philippines.