



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Seventeenth Congress
First Regular Session

HOUSE BILL NO. 5056

**Introduced by Representative Karlo Alexei B. Nograles
And Representative Jericho Jonas B. Nograles**

EXPLANATORY NOTE

Sight is one of our most prized senses. But the high incidence of vision defects and abnormalities pose serious public health issues. The Department of Health estimates that about two million Filipinos suffer from moderate to severe visual impairment. According to the World Health Organization, the Philippines is among the three countries in the Western Pacific that account for the most incidence of blindness in the region. Visual impairment results in lost employment opportunities, decreases productivity, impedes learning and diminishes the general well-being of those who suffer from them.

This proposed measure seeks to address the need to strengthen vision care in the country. It seeks to institutionalize a National Sight Strategy that provides a comprehensive national plan of action to address the prevalence of vision abnormalities and defects, including blindness. It sets out measures for the appropriate deployment and use of resources, mandates the collection and dissemination of data, and authorizes the use of public facilities to make vision care services accessible to all.

The bill also aims to address the country's vision care needs by strengthening the optometric profession. Optometrists are on the front lines of efforts to protect and enhance the vision health care system consistent with Section 2 of Republic Act No. 8050, otherwise known as the "*Revised Optometry Law of 1995*."

But the profession is beset by many challenges. These threats include the rampant illegal practice of optometry and the indirect practice of optometry.

These insidious forces pose a real risk to public health and safety as they undermine the ability of optometrists to fulfill their mandate as primary vision care providers. This bill seeks to address these challenges by protecting and strengthening the optometric profession through the following:

1. Prohibiting the indirect practice optometry;
2. Increasing penalties for the illegal practice of optometry (quackery);
3. Allowing optometrists to use therapeutic pharmaceutical agents (TPAs); and
4. Enhancing optometrists' stature as professionals by recognizing their clinics and offices as extensions of their professional practice and therefore exempt from the payment of business permits.

It is hoped that our lawmakers will be able to see clearly the merits of this proposed legislation. Hence, approval of this bill is earnestly sought.



JERICO JONAS B. NOGRALES



KARLO ALEXEI B. NOGRALES



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HOUSE BILL NO. **5056**

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AN ACT

**ENHANCING THE DELIVERY OF VISION CARE THROUGH A
NATIONAL SIGHT STRATEGY AND STRENGTHENING THE
PROFESSION OF OPTOMETRY FOR THE PURPOSE**

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

SECTION 1. *Short Title.* – This law shall be cited as the “*Enhanced
Vision Care Act.*”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to
promote the physical well-being of the citizenry, including their vision health, as
a primary concern of the State. The role of vision care professionals, particularly
optometrists, in safeguarding and enhancing the vision health of Filipinos,
including preventing blindness, is recognized and shall be strengthened.

SEC. 3. *National Sight Strategy.* – The Department of Health, in
consultation with all stakeholders in the field of vision care, shall formulate a
National Sight Strategy which addresses the following:

a) The formulation and implementation of a comprehensive national strategy to address vision health issues including the prevention and treatment of blindness and visual defects, deployment of personnel, allocation of public resources, and public education to increase awareness of the importance of protecting and improving vision health at all ages;

b) The undertaking of studies and consultation to formulate recommendations on the inclusion of vision care services in national health programs implemented by the Philippine Health Insurance Corporation; and

c) The collection, collation, organization and publication of data and statistics on the incidence and prevalence of vision abnormalities such as blindness, errors of refraction and common eye diseases, and the causes of such medical conditions.

As part of the National Sight Strategy, all national and local government healthcare facilities such as hospitals, medical centers and clinics, shall be made available for the establishment of eye care clinics or centers where eye care professionals can provide ready access to quality vision care, especially to those who could not otherwise afford them.

SEC. 4. *Prohibition Against the Indirect Practice of Optometry.* – a)

No person, whether natural or juridical, shall engage, employ, hire, form a partnership or corporation, or otherwise enter into a contract or arrangement with an optometrist for the purpose of deriving financial and other benefit from the practice of the profession of optometry, as defined by law.

b) This prohibition shall not apply:

1) Where a patient-doctor relationship exists between an individual and an optometrist;

2) When the optometrist is under the employ of the government or any of its subdivisions, agencies and instrumentalities, and services the vision care needs of its public employees;

3) When an optometrist forms a professional partnership with other optometrists for the purpose of practicing optometry; and

4) When an organization works with optometrists in undertaking charitable projects to provide vision care services to indigent patients.

SEC. 5. *Therapeutic Pharmaceutical Agents.* – Optometrists who have obtained their optometry degrees under a curriculum which contain the requisite subjects, including pharmacology and pathology, as determined by the Board of Optometry, shall be allowed to use therapeutic pharmaceutical agents (TPAs): *Provided*, That the Board of Optometry shall implement guidelines for the certification, after undergoing the appropriate training, of optometrists to use or prescribe TPA's who would not otherwise be qualified by reason of not possessing the above referred qualification: *Provided, further*, That optometrists may only use or prescribe TPAs from a list approved by the Department of Health in coordination with the Board of Optometry and the Bureau of Food and Drugs.

SEC. 6. *Exemption from Payment of Business Taxes.* – Clinics,

refraction rooms, offices and other places where optometric services are carried out and where ophthalmic products, accessories and implements are prescribed and dispensed as defined by law, which are owned and managed by optometrists are considered part of their practice and therefore not subject to the payment of local business permits and licenses.

SEC. 7. ***Increased Penalties for Violation of Republic Act No. 8050.***

– Any person found guilty of violating the prohibited acts enumerated under Section 32 of Republic Act No. 8050, otherwise known as the “*Revised Optometry Law of 1995*,” shall be punished with the penalty of imprisonment of not less than one (1) year but not more than eight (8) years, or a fine not exceeding Two million pesos (P2,000,000), or both, at the discretion of the court.

SEC. 8. ***Penalties.*** – a) Any person, whether natural or juridical, who abets, assists or facilitates the illegal or indirect practice of optometry as defined under this Act, shall be guilty of the offense of illegally practicing optometry and be with the penalty of imprisonment of not less than one (1) year but not more than eight (8) years, or a fine not exceeding Two million pesos (P2,000,000), or both, at the discretion of the court.

In case of juridical entities, the directors, officers and other persons responsible for such violation shall be held liable.

b) An optometrist who connives with other persons in committing the prohibited acts enumerated under Section 32 of RA 8050 and the prohibited acts

1 under this Act, shall likewise be punished with the penalty of imprisonment of
2 not less than one (1) year but not more than eight (8) years, or a fine not
3 exceeding Two million pesos (P2,000,000), or both, at the discretion of the
4 court.

5 SEC. 9. ***Repealing Clause.*** – Section 33 of Republic Act No. 8050 is
6 hereby amended accordingly. All other laws, executive orders, rules and
7 regulations, or parts thereof inconsistent with the provisions of this Act, are
8 hereby repealed or modified accordingly.

9 SEC. 10. ***Effectivity.*** – This Act shall take effect fifteen (15) days after
10 its publication in the *Official Gazette* or in a newspaper of general circulation.

11 Approved,