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

Seventeenth Congress
Second Regular Session

HOUSE BILL NO. **6345**



Introduced by **Honorable Leopoldo N. Bataoil**

EXPLANATORY NOTE

This bill seeks to regulate and modernize the practice of Medical Technology.

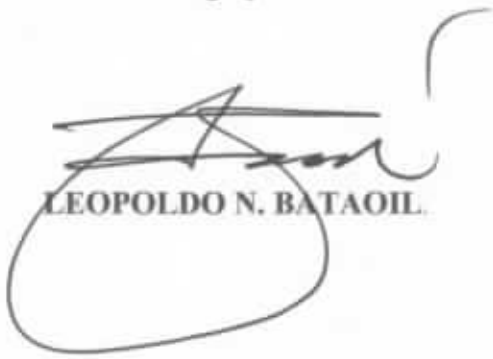
The practice of Medical Technology is covered by Republic Act (RA) 5527, otherwise known as the "Philippine Medical Technology Act of 1969". The said law has been in existence for 48 years now. Hence, majority of its sections are now obsolete and are no longer applicable to the present time. Rapid changes in health and information technology, increasing complexities in Filipino lifestyle, people empowerment and global competition have occurred in the last decades. The scope of practice and the roles of medical technologists have extended to other areas beyond the realm of clinical laboratories. As such, the law is in need of revision in order to properly address the existing demands of the Medical Technology profession.

The members of the profession have assumed various managerial leadership positions that have given them extensive and expanded experience through the years. Medical technologists at present, hold high ranking positions such as laboratory managers, chief medical technologists, deans of schools, administrative officers, and principal authors of research, laboratory entrepreneurs and country managers of diagnostic companies. Others have obtained post-graduate studies. This shows that the profession has reached a level of maturity and development comparable with other professions.

1 The propose measure seeks to create a Board of Medical Technology which shall be
2 composed of a Chairman and two members who are all medical technologists. The Board
3 shall supervise and regulate the registration, licensure and practice of medical technology
4 subject to the general supervision and administration of the Professional Regulation
5 Commission. The Board shall also seek the same status and recognition accorded to other
6 Professional Board.

7
8 Lastly, the scope of practice of Medical technology needs to be updated to include
9 molecular and cytogenetic technologies, drug testing, phlebotomy and teaching of
10 professional courses. To be able to compete globally, there shall be created the Technical
11 Committee for Medical Technology Education under the supervision of the Commission on
12 Higher education and the Continuing Professional Development Council for Medical
13 Technology Education under the supervision of the Professional Regulations Commission.

14
15 In view of the foregoing and in order to update the law governing the practice of the
16 Medical Technology profession, approval of this bill is highly recommended.

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LEOPOLDO N. BATAOIL.

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

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6345

Introduced by Representatives Leopoldo N. Bataoil

**AN ACT REGULATING AND MODERNIZING THE PRACTICE OF MEDICAL
TECHNOLOGY (MEDICAL LABORATORY SCIENCE) IN THE PHILIPPINES,
REPEALING, FOR THE PURPOSE, REPUBLIC ACT NOS. 5527 AND 6138 AND
PRESIDENTIAL DECREE NOS. 498 AND 1534**

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

1 **SECTION 1. Title.** - This act shall be known as the "Philippine Medical Technology
2 Act of 2017."

3 **SEC.2. Declaration of Policy.** - The State recognizes the importance of Medical
4 Technology profession in nation building and development through the portals of health care,
5 education and research.. Thus, the State shall endeavor to develop and nurture competent,
6 virtuous, productive and globally competitive medical technologists whose standards of
7 professional practice and service shall conform to the highest standards of excellence.

8 Further, the State shall promote, regulate and protect the professional practice of
9 Medical Technology in the Philippines and shall ensure its continued growth and
10 development and the maintenance of high international standards of practice.

11 **SEC.3. Definition of Terms.** - As used in this Act:

12 a. *Accredited medical technology training laboratory* refers to a clinical laboratory duly
13 licensed by the Department of Health (DOH) and accredited as a training laboratory by the
14 Commission on Higher Education (CHED) upon recommendation by the Technical Panel in
15 Medical Technology Education or its equivalent.

16 b. *Accredited professional organization* refers to a national organization, recognized and
17 accredited by the Professional Regulation Commission (PRC).

c. *Board* refers to the Professional Regulatory Board of Medical Technology (Medical Laboratory Science) of the PRC.

d. *Continuing professional development (CPD)* refers to the inculcation of advanced knowledge, skills and ethical values in a post-licensure specialized or in inter or multidisciplinary field of study for assimilation into professional practice, self-directed research, or lifelong learning, or both.

e. *Code of professional ethics* refers to a set of standards relating to the conduct, integrity and moral duties of medical technologists as prescribed and promulgated by the duly accredited professional organization of medical technologists, with the approval of the Board.

f. *Medical technology* refers to the health care profession that provides professional services for the purpose of helping the physician in the diagnosis, treatment, and management of diseases and in the promotion of health in general. The profession provides laboratory investigations on the human body or on specimens taken from the human body, the results of which provide information to physicians or other health professionals in relation to health care, research and forensics. *Medical technology* may also provide laboratory investigations on animals in relation to veterinary medicine.

g. *Medical Laboratory Science* other name for Medical Technology

h. *Medical technologist* refers to a holder of a Bachelor of Science in Medical Technology or Public Health who is duly registered with the Professional Regulation Commission and is qualified to practice Medical Technology.

i. *Medical Laboratory Scientists* other name for Medical Technologists.

A person shall be deemed to be in the practice of Medical Technology within the meaning of this Act if such person renders any of the following services for a fee, salary, compensation or reward paid or given directly or indirectly:

1. Examination of tissues, secretions and excretions of the human body and other body fluids through electronic, chemical, microscopic, microbiologic, hematologic, serologic, immunologic, nuclear, molecular, cytogenetic or other laboratory procedures and techniques, either manual or automated;

2. Blood banking procedures and techniques or other blood transfusion services;

3. Parasitologic, Bacteriologic, Mycologic, Virologic or other microbiologic techniques;

4. Histopathologic and Cytotechnologic techniques;

5. Drug Testing in clinical laboratories;

6. Research involving human beings or animals requiring the use of and/or application of Medical Technology (Medical Laboratory Science) knowledge and procedures;
 7. Preparations and standardization of reagents, standards, stains or others. *Provided*, that such reagents, standards, stains or others are exclusively for the use of their laboratory;
 8. Clinical laboratory quality control;
 9. Phlebotomy, collection, processing or preservation of specimens;
 10. Consultancy in test upgrading, method selection, laboratory equipment planning and troubleshooting where the application of knowledge in medical technology is required;
 11. Teaching of professional courses in Medical Technology;
 12. Introduction, demonstration, evaluation, or improvement of clinical laboratory procedures or techniques, and/or laboratory operations;
 13. Other similar activities to the foregoing where the training, skill and experience of a medical technologist are needed.
- j. *Phlebotomy* refers to the collection of blood.
- k. *Phlebotomist* refers to a holder of a Bachelor of Science in Medical Technology who passed an examination for Phlebotomy given by the Board. *Provided*, That a registered medical technologist automatically qualifies as a Phlebotomist. *Provided, further*, that other health professionals registered by the Commission may be allowed by the Board to take the Phlebotomy examination.
- l. *Recognized school of medical technology* refers to a school, college or university which offers a program in Medical Technology approved by the CHED upon the recommendation of the Technical Committee for Medical Technology Education or its equivalent.
- m. *Technical committee for medical technology education* refers to the Technical Committee for Medical Technology Education organized under the Office of Programs and Standards of the CHED.

SEC. 4. Professional Regulatory Board of Medical Technology. - There is hereby created a Professional Regulatory Board of Medical Technology, hereinafter referred to as the Board, under the administrative control and supervision of the PRC, hereinafter referred to as the Commission which shall be composed of a Chairperson and two (2) members appointed by the President of the Philippines from a list three (3) recommendees for each position ranked by the PRC from a list five (5) nominees submitted by the accredited professional organization (APO) of medical technologies and shall serve for a term of three (3) years.

1 The Chairperson and the Members of the Board shall hold such office until their
2 successors shall have been appointed and duly qualified. *Provided*, That the incumbent
3 Chairperson and Members of the Board shall continue to serve their terms until the expiration
4 of the same.

5 For its recommendations, the Commission shall submit to the President a list
6 containing three (3) names from among a list of five (5) nominees for each position
7 recommended by the duly accredited professional organization of medical technologies for
8 appointment to the Chairperson or any Member of the Board prior to the expiration of the
9 term of the Chairperson or any Member of the Board.

10 In case of death, disability or removal for cause of the Chairperson or any member of
11 the Board, the successor shall only serve the balance of the term.

12 **SEC.5. Qualifications of the Chairperson and Members of the Board.** – The
13 Chairperson and members of the Board must meet the following qualifications:

- 14 (a) A citizen and resident of the Philippines;
- 15 (b) Of good moral character and of sound mind;
- 16 (c) a duly registered medical technologist;
- 17 (d) must be members in good standing of an accredited professional organization,
18 Provided that he must not be a n officer or director of the accredited professional
19 organization at the time of their nomination.

20
21 The Chairperson must also have at least fifteen (15) years of experience as a medical
22 technologist. He must be actively practicing his profession as a medical technologist
23 at least five (5) years prior to his nomination. The Chairperson must have at least a
24 Master's Degree in medical technology or other medical technology related programs
25 to include biological sciences, education and administration or equivalent level using
26 the Philippine Qualifications Framework (PQF). *Provided*, That for the first three (3)
27 years prior to the effectivity of this Act, the requirement for a Master's Degree may be
28 waived for as long as nominated candidate has obtained at least 70% of the required
29 units for a Master's Degree;

30 A Member of the Board must have at least ten (10) years of experience as a
31 medical technologist. He must be actively practicing his profession as a medical
32 technologist, at least three (3) years prior to his nomination;

33 The Chairperson and the Members of the Board shall not in any way be
34 professionally connected with the faculty of any Medical Technology school at the

1 time of appointment or any review center for at least two (2) years prior to
2 nomination.

3 **SEC. 6. Compensation and Allowances of the Board.** - The Chairperson and
4 members of the Board shall receive compensation and allowances comparable to that being
5 received by the Chairperson and members of other professional regulatory boards under the
6 Commission as provided for in the General Appropriations Act.

7 **SEC. 7. Powers and Duties of the Board.** - The Board shall have the following
8 powers and duties:

- 9 a. Administer and implement the provisions of this Act;
- 10 b. Regulate the practice of the profession in accordance with professional regulatory
11 law;
- 12 c. Determine and prepare the questions for the licensure examination for medical
13 technologists;
- 14 d. Administer oaths in connection with the administration of this Act;
- 15 e. Issue, suspend or revoke certificates of registration of medical technologists,
16 phlebotomists and medical laboratory technicians;
- 17 f. Look into conditions affecting the practice of medical technology in the Philippines
18 and, whenever necessary, adopt such measures as may be deemed proper for the
19 maintenance of good ethics and standards in the practice of medical technology;
- 20 g. Investigate violations of this Act or of the rules and regulations issued hereunder.
21 For this purpose, the Board may issue subpoena ad testificandum and subpoenas
22 duces tecum;
- 23 h. Draft such rules and regulations as may be necessary to carry out the provisions of
24 this Act;
- 25 i. Prescribe the qualifications and training of medical technologists with regard to
26 special fields of the profession and to supervise their special examination to be
27 conducted by the professional organization of medical technologists accredited by the
28 Commission;
- 29 j. Formulate and recommend the approval of refresher courses for applicants who
30 failed to pass the Board Examinations for, the third time;
- 31 k. Determine and prepare the questions for the certification examination of
32 Phlebotomists;

1 l. Prescribe and promulgate the Code of Ethics and Code of Professional Standards for
2 the Practice of Medical Technology, in consultation with the accredited professional
3 organization;

4 m. Issue guidelines on the Continuing Professional Development (CPD), through the
5 CPD Council, with the approval of the Commission; and

6 l. Perform such other functions as may be prescribed by the Commission, in
7 accordance with existing laws governing the Commission.

8 **SEC. 8. Removal of the Board Members.** - The Chairperson or any member of the
9 Board may be removed by the President for neglect of duty, incompetence, malpractice or
10 unprofessional, unethical, immoral or dishonorable, conduct after having been given an
11 opportunity to defend himself in proper administrative proceeding. *Provided,* That pending
12 the resolution of the administrative proceeding, the President shall have the power to
13 indefinitely suspend the Chairperson or any Member of the Board under investigation and
14 appoint a temporary member in his place.

15 **SEC. 9. Licensure Examinations.** - Except as otherwise specifically allowed under
16 the provisions of this Act, all applicants for registration as medical technologists shall be
17 required to undergo a written examination which shall be given by the Board semi-annually
18 during the months of March and September in such places as the Board may deem proper,
19 as approved by the Commission.

20 The examination for Phlebotomy Certification shall be given by the Board semi-
21 annually during the months of March and September in such places as may be approved by
22 the Commission.

23 **SEC. 10. Qualifications of an Applicant for Medical Technologist.-** - Every
24 applicant for the licensure examination under this Act shall, at least thirty (30) days, prior to
25 the date of the, furnish the Board satisfactory proof that he is:

26 a. a Filipino citizen;

27 b. in good health and is of good moral character;

28 c. a holder of a Bachelor of Science in Medical Technology (Medical Laboratory
29 Science Technology) or Public Health from a recognized school, college or
30 university. *Provided,* that he is a holder of a Bachelor of Science in Public Health and
31 have complied with the standards as stipulated in the Policies, Standards and
32 Guidelines for Medical Technology education;

33 d. has paid the required examination fees as may be determined by the Professional
34 Regulation Commission; and

e. has complied with other requirements that, the Board may prescribe.

SEC.11. Scope of Examination. - The examination questions shall cover the following courses and shall be accorded the respective weights:

Clinical Chemistry	:	20%
Microbiology & Parasitology	:	20%
Hematology	:	20%
Immunohematology (Blood Banking),		
Immunology & Serology	:	20%
Clinical Microscopy (Urinalysis and Other Body Fluids)	:	10%
Histopathologic and Cytologic Techniques,		
Laboratory Management, Medical Technology Law,		
Related Laws and their implementing Rules and		
the Code of Ethics	:	10%

The general average of each examinee shall be composed by the Board according to the above-mentioned relative weights of each course. The Board may change, add to or remove from the list of above courses or weights as progress in the science of Medical Technology may require after consultation with the accredited professional organization and association of schools of medical technology and upon approval of the Commission.

The schedule of courses for examination shall be prepared and submitted by the Board in a manner prescribed by the Commission.

SEC. 12. Report of Rating. - The Board shall, after the date of completion of the examination, report the result thereof for the approval of the Commission within such time limit and guidelines that the Board and the Professional Regulation Commission may set.

SEC. 13. Ratings in the Examination. - In order to pass the examination, a candidate must obtain a general average of at least seventy-five percent (75%) in the written test, with no rating below fifty percent (50%) in any of the major courses. *Provided*, that the candidate has not failed in at least sixty percent of the courses computed according to their relative weights.

An applicant who has failed the examinations in at least three (3) attempts shall not be qualified to take further examinations until such applicant shall have completed a refresher course in accordance with the rules prescribed by the Board.

1 SEC. 14. **Oath Taking.** - All successful, examinees shall be required to take a
2 professional oath before the Board or before any person authorized by the Commission prior
3 to entering the practice of medical technology in the Philippines.

4 SEC. 15. **Issuance of Certificate of Registration.** - Every applicant who has
5 satisfactorily passed the required examination for medical technologists shall be issued a
6 Certificate of Registration. All certificates shall be signed by the Chairman and the members
7 of the Board and by the Chairperson and Commissioners of the Commission.

8 A Professional Identification Card bearing the registration number, date of issuance
9 and expiry date, duly signed by the Chairperson of the Commission, shall likewise, be issued
10 to every registrant, upon payment of the required fees. The Professional Identification Card
11 shall be renewed in accordance with the guidelines set by the Professional Regulation
12 Commission and upon satisfying the requirements of the Board such as, but not limited to,
13 attendance in the CPD program.

14 The Board shall refuse to issue a certificate of registration to any person convicted by
15 a court of competent jurisdiction of any criminal offense involving moral turpitude, or who
16 has committed immoral, dishonorable or dishonest conduct, or is of unsound mind, or is
17 suffering from an incurable communicable disease. In the event of the Board's refusal to issue
18 a certificate of registration, it shall issue a written statement to the applicant, setting forth the
19 reason for its action. The statement issued by the Board shall be incorporated in its records.

20 SEC. 16. **Fees.** - The fees to be paid by each applicant for the issuance of a new
21 certificate of registration, replacement of a lost, destroyed or mutilated certificate of
22 registration, or for the issuance or replacement of the Professional Identification Card shall be
23 in accordance with the fees established by the Commission.

24 SEC. 17. **Revocation or Suspension of Certificates of Registration.** - The
25 revocation or suspension of a certificate of registration may only be made after the
26 completion of an administrative proceeding conducted by the hearing committee composed
27 of at least one (1) member of the Board and one (1) legal officer. *Provided*, that the existing
28 rules of evidence shall be observed during the administrative proceeding: *Provided, further*,
29 that the person whose Certificate of Registration is sought to be revoked or suspended shall
30 be entitled to be represented by counsel, to have a speedy, impartial and public proceeding, to
31 confront the witnesses against him and to all other rights guaranteed by the Constitution.

32 The Board may, after giving proper notice and hearing to the party concerned,
33 reprimand erring medical technologist, revoke or suspend his Certificate of Registration for
34 violating any provision of this Act, any rules or regulations issued pursuant to this Act or for

1 unprofessional conduct, malpractice, incompetency, gross ignorance or gross negligence in
2 the practice of medical technology.

3 No penalty of revocation shall be imposed unless there is a unanimous vote of all the
4 three members of the Board. The Board may, by majority vote, impose the penalty of
5 suspension or reprimand. *Provided*, that the suspension of the Certificate of Registration shall
6 not exceed two (2) years.

7 When the penalty of suspension or revocation is imposed by the Board, the medical
8 technologist shall be required to surrender his Certificate of Registration within thirty (30)
9 days after the decision becomes final. Should a medical technologist fail to surrender his
10 certificate of registration within the said period, the Board may disqualify him perpetually
11 from the practice of medical technology. The suspension shall run from the date of such
12 surrender.

13 **SEC. 18. Appeal.** - The revocation or suspension of a Certificate of Registration made
14 by the hearing committee may be appealed primarily and exclusively to the Commission. The
15 decision of the Commission may be elevated to the Court of Appeals in accordance with the
16 Rules of Court.

17 **SEC. 19. Reissuance or Reinstatement of a revoked or suspended Certificate of**
18 **Registration.** - The Board may reissue a revoked Certificate of Registration upon the
19 application of the medical technologist whose Certificate of Registration was revoked.
20 *Provided*, that the reissuance of a revoked Certificate of Registration may only be made for
21 proper and sufficient reasons, *Provided, further*, that no revoked Certificate of Registration
22 may be reissued within three (3) years from the date it was surrendered.

23 A suspended Certificate of Registration shall be reinstated upon request of the
24 medical technologies after the expiration of the period of suspension.

25 **SEC. 20. Roster of Medical Technologists.** - A roster of Medical Technologists shall
26 be prepared annually by the Registration Division of the Commission. This roster shall
27 contain the name, address and citizenship of each registered medical technologist; the date of
28 registration or issuance of the Certificate of Registration and any other pertinent data. The
29 roster shall be open to public inspection, and copies thereof shall be placed on file in the
30 Commission, and furnished to other offices, private or governmental, and to the public, upon
31 request.

32 **SEC. 21. Technical Committee for Medical Technology Education (TCMTE)** -
33 There is hereby established a Technical Committee for Medical Technology Education under

the Commission on Higher Education - Office of Programs and Standards (CHED-OPS). The TCMTE shall be composed of the following members:

- a. A representative from the Board of Medical Technology of the Professional Regulation Commission;
- b. The President or representative of the national accredited professional organization of medical technologies;
- c. The President or representative of the national accredited professional organization of Medical Technologists;
- d. A representative from the clinical laboratory practice; and
- e. A physician representative whose specialty is Laboratory Medicine and who is also a medical technologist.

The Technical Committee for Medical Technology Education (TCMTE) or its equivalent shall be supported by a secretariat and staff.

SEC. 22. Responsibilities of TCMTE or its equivalent. - The TCMTE shall assist the Commission on Higher Education in setting Policies, Standards and Guidelines for the Medical Technology Program. It may also assist in its implementation, including monitoring and evaluation.

The functions of the TCMTE are as follows:

- a. To recommend the minimum curriculum required for the program of medical technology;
- b. To determine and prescribe the number of students that will be allowed to take the medical technology program in each school, taking into account the student-instructor ratio and the availability of facilities for instruction;
- c. To recommend the closure of medical technology schools which are found to be substandard;
- e. To inspect, whenever necessary, the different medical technology schools in the country in order to determine whether a high standard of education is maintained in said institutions; and
- f. To promulgate, prescribe and enforce such rules and regulations as may be necessary for the proper implementation of the foregoing functions.

SEC. 23. Medical Technology Education. - The Bachelor of Science in Medical Technology (Medical Laboratory Science) program shall be at least four (4) years, as stipulated in the Commission on Higher Education's Policies, Standards and Guidelines. Said

1 program shall be composed of general education, core and professional courses, and a
2 satisfactory internship program in accredited training laboratories.

3 **SEC. 24. Accreditation of Schools of Medical Technology and of Training**
4 **Laboratories.** - The Commission on Higher Education, through TCMTE, shall approve
5 schools of Medical Technology and accredit licensed clinical laboratories for training of
6 students in accordance with the provisions of this Act. The laboratories shall show
7 satisfactory evidence that they possess qualified personnel and are properly equipped to carry
8 out laboratory procedures commonly required in the following fields: Clinical Chemistry,
9 Microbiology & Parasitology, Immunohematology (Blood Banking), Immunology &
10 Serology, Clinical Microscopy (Urinalysis & other body fluids), and Histopathologic and
11 Cytologic Techniques, and that the scope of activities of said laboratories offer sufficient
12 training in said laboratory procedures.

13 **SEC. 25. Studies for Medical Technology Manpower Needs, Production,**
14 **Utilization and Development.** - The Board, in coordination with the APO and appropriate
15 government and private agencies shall initiate, undertake and conduct studies on health,
16 human resources production, utilization and development.

17 **SEC. 26. Membership to Accredited Professional Organization.** - All registered
18 medical technologists whose names appear in the roster of the Professional Regulation
19 Commission shall automatically become members of the accredited professional organization
20 (APO) of registered and licensed medical technologists. Members of the said APO shall
21 receive benefits and privileges appurtenant thereto upon compliance to membership
22 requirements and payment of the required fees and dues.

23 **SEC. 27. Continuing Professional Development for Medical Technology.** - There
24 shall be a program of Continuing Professional Development for Medical Technology (CPD-
25 MT) conducted by the national APO and other CPD-MT providers duly accredited by the
26 CPD Council for Medical Technology (CPDC-MT) under the Commission to provide,
27 promote and facilitate lifelong learning in the enhancement of competencies towards delivery
28 of quality, updated and ethical services both locally and globally.

29 The CPD Council for Medical Technology (CPDC-MT) created shall ensure adequate
30 and appropriate provision of CPD programs and shall issue such operational guidelines as
31 may be approved by the Commission.

32 All Registered medical technologists shall abide by the requirements, rules and
33 regulations on CPD promulgated by the CPDC-MT, duly approved by the Commission.

1 SEC. 28. **Lifelong Learning for Medical Technologists.** - Upon the effectivity of
2 this Act, a medical technologist shall be required to show compliance to the required CPD
3 units as basis for renewal of the Professional Identification Card in accordance with the
4 guidelines of the Commission.

5 SEC. 29. **Salary.** - In order to enhance the general welfare, commitment to service
6 and professionalism of medical technologies, the minimum base pay upon entry of a
7 registered medical technologist in government and non-governmental institution should not
8 be lower than the amount equivalent to Salary Grade 15.

9 SEC. 30. **Foreign Reciprocity** - No foreigner shall be admitted to an examination, be
10 given a Certificate of Registration or be entitled to any of the rights or privileges under this
11 Act unless the country or state of which he is a subject or a citizen permits Filipino medical
12 technologists to practice within its territorial limits on the same basis as the subjects or
13 citizens of said country or state.

14 SEC. 31. **Inhibition Against the Practice of Medical Technology/Special**
15 **temporary Permit.** - No person shall practice or offer to practice medical technology as
16 defined in this Act without having previously obtained a valid certificate of registration from
17 the Board. *Provided*, that a Certificate of Registration shall not be required from the
18 following:

- 19 a. Duly registered physicians;
- 20 b. Medical technologists in the service of the Armed Forces of the United States of
21 America who are stationed in the Philippines and are rendering services as such
22 for members of the said armed forces only.

23 Special Temporary Permits (STPs) may be issued to medical technologists from other
24 countries called for consultation or as visiting or exchange professors to colleges or
25 universities: *Provided*, that their practice of medical technology within the country is limited
26 to their performance of the said function.

27 SEC. 32. **Penal Provisions.** - Without prejudice to the provisions of the Medical Act
28 of 1959, as amended, relating to the illegal practice of medicine, the following shall be
29 punished by a fine of not less than fifty thousand pesos (Php50,000.00) nor more than one
30 hundred thousand pesos (Php100,000.00) or imprisonment for not less than six (6) months
31 and one (1) day but not more than two (2) years and one (1) day, or both, in the discretion of
32 the court:

- a. Any person who shall practice Medical Technology in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act;
- b. Any medical technologist who shall knowingly make a fraudulent laboratory report;
- c. Any person presenting or attempting to use as his own, the Certificate of Registration of another;
- d. Any person who shall give any false or fraudulent evidence of any kind to the Board or any member thereof in obtaining a certificate of registration as a medical technologist;
- e. Any person who shall impersonate any registrant;
- f. Any person who shall attempt to use a revoked or suspended certificate of registration;
- g. Any person who shall, in connection with his name or otherwise, assume, use or advertise any title or description tending to convey the impression that he is a medical technologist without holding a valid certificate of registration;
- h. Any person or corporate body who shall allow a non-registered medical technologist/medical laboratory technician under his employment to engage in the practice of medical technology or recommend the appointment of anyone to the position of a medical technologist/medical laboratory technician while knowing that he is not registered as such; and
- i. Any person or corporate body who shall violate any provision of this Act or any rules or regulations issued pursuant to this Act.

SEC. 33. Enforcement of this Act. - It shall be the primary duty of the Commission and the Board to effectively implement the provisions of this Act. Any law enforcement agency and officers, employees and agents of national, provincial, city or municipal governments shall, upon the call or request of the Commission or the Board, render assistance in enforcing the provisions of this Act and, to prosecute any persons violating the same.

SEC. 34. Appropriations. - The Chairperson of the Commission shall include in the Commission's program the funding requirements for the implementation of this Act. Thereafter, the amount necessary for the continued implementation of this Act shall be included in the General Appropriations Act.

SEC. 35. Rules and Regulations. Within ninety (90) days after the effectivity of this Act, the Board and the Commission, in coordination with the national APO, the Department

1 of Health, the Department of Budget and Management and other concerned agencies, shall
2 formulate such rules and regulations necessary to carry out the provisions of this Act. The
3 implementing rules and regulations shall be published in the Official Gazette or in any
4 newspaper of general circulation.

5 **SEC. 36. Transitory Provision.** - Upon the effectivity of this Act:

6 1. The Board shall discontinue the registration of Medical Laboratory
7 Technicians as provided for in Section 21 of Republic Act No. 5527.
8 *Provided*, that Medical Laboratory Technicians registered under Republic Act
9 No. 5527 shall maintain their status as registered Medical Laboratory
10 Technician after this Act has taken effect. *Provided, further*, that a Registered
11 Medical Laboratory Technician shall be rendered an appropriate position and
12 be reclassified as a Medical Technologist.

13 2. The incumbent Chairperson and Members of the Board shall continue to serve
14 until the first Board has been appointed and duly qualified.

15 **SEC. 37. Separability Clause** – If any section of this Act shall be declared
16 unconstitutional or invalid, the same shall not affect the validity of the other section of this
17 Act.

18 **SEC. 38. Repealing Clause.** - Republic Act Nos. 5527 and 6138, Presidential Decree
19 Nos. 498 and 1534 and all other laws, presidential decrees, executive orders, rules and
20 regulations inconsistent with the provisions of this Act are hereby repealed, amended or
21 modified accordingly.

22 **SEC 39. Effectivity.** - This Act takes effect fifteen (15) days after its publication in
23 the *Official Gazette* or in a newspaper of general circulation.

24 Approved,