

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

NINETEENTH CONGRESS
First Regular Session

House Bill No. 3882



Introduced by Representative Ron P. Salo

EXPLANATORY NOTE

The practice of midwifery was first regulated in the Philippines with the enactment of Public Act No. 310 on December 4, 1901, which created the Medical Board of Examiners that regulated both the medicine and midwifery professions. When Republic Act No. 2382, or the Medical Act of 1959, was approved, the regulation of midwifery was separated from medicine. A Board of Examiners for Midwives was subsequently created with the enactment of Republic Act No. 2644 on June 18, 1960.

Formal midwifery education in the Philippines started when Dr. Jose Fabella established a school of midwifery and initiated the curriculum for direct entry midwives in 1922. Originally, the School of Midwifery admitted one set of students for a one (1) year term or a twelve (12) month course. From a one-year course, the basic Midwifery course has been increased to two (2) years to better equip midwives in the performance of their expanded functions as primary healthcare providers. Further, a student must pass the licensure board examination to become a registered midwife.

As the midwife plays an important role in the delivery of healthcare, and with the growing complexity of modern healthcare technology, it is submitted that the two-year curriculum is inadequate to cope with the theoretical work and clinical experience required for delivering competent midwifery services. Thus, there is a need to increase the standards of the midwifery curriculum to a four-year bachelor of science degree in order for the Filipino midwife to become well-equipped and highly skilled in offering quality healthcare services and be up to par with international standards in the midwifery practice. Increasing the curriculum to four years will also allow the midwives in the government service to qualify for higher positions as they shall be considered professionals pursuant to the Civil Service Commission guidelines.

The bill seeks to strengthen the practice of midwifery in the country by clearly defining the scope of midwifery practice, with particular emphasis on the expanding functions of midwives in the community healthcare service; inclusion of a midwife plantilla position in the hospital; provision of support for independent private midwife practitioners to connect and reach the marginalized and underprivileged childbearing women with the highest risk of poor health outcomes; increase midwife-to-patient ratio, given the increasing population to be served, especially families residing in geographically disadvantaged areas of the country; and mandating the Board of

Midwifery to monitor the condition of the profession and ensure quality midwifery education.

The bill also seeks the integration of the profession of midwifery in order to raise the standards of the midwifery profession, improve the delivery of midwifery services to the public, and enable our midwives to discharge their public responsibility more effectively.

Lastly, the bill seeks to reform the current Midwifery Act of 1992, or Republic Act No. 7392 to promote and protect the midwifery profession, rights, and welfare that will result in humane working conditions, better career paths, better salaries and wage benefits, dignified existence, and contribute significantly to the nation's quest for a healthy citizenry.

In view of the foregoing, the immediate approval of this measure is earnestly sought.



RON P. SALO
KABAYAN Party List

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

NINETEENTH CONGRESS
First Regular Session

House Bill No. 3882

Introduced by Representative Ron P. Salo

AN ACT
INSTITUTING REFORMS IN THE PROFESSION OF MIDWIFERY,
STRENGTHENING THE BOARD OF MIDWIFERY, REPEALING FOR THE
PURPOSE REPUBLIC ACT NO. 7392 OR THE PHILIPPINE MIDWIFERY ACT OF
1992, AND FOR OTHER PURPOSES.

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

SECTION 1. Short Title. – This Act shall be known as the “Philippine Midwifery Act of 2022”.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the state to assume responsibility for the protection and improvement of the Midwifery profession by instituting measures that will result in a relevant higher midwifery education, humane working conditions, better career prospects and dignified existence of midwives.

The State hereby guarantees the prioritization of the health needs of women in their childbearing years and their babies, as well as the delivery of quality health services through adequate, efficient, and competent personnel all over the country.

SEC. 3. Objectives. – This Act provides for and shall govern:

- (a) The standardizing and improvement of the professional framework in midwifery;
- (b) The examination of midwives; and
- (c) The supervision, control, and regulation of the education and practice of midwifery.

SEC. 4. Definition of Terms – For purposes of this Act, the following terms are hereby defined as follows:

- a) *Bachelor of Science in Midwifery* refers to a four-year degree program consisting of general education and professional courses which prepare registered midwives for higher level midwifery competencies.

- b) *Board* as used in this Act shall refer to the Professional Regulatory Board of Midwifery.
- c) *Commission* as used in this Act shall refer to the Professional Regulation Commission.
- d) *Core subject* refers to a subject expected to be learned by all students of a certain profession, generally related to a set of subjects and learning areas that are common to the profession, and necessary for the competent and effective practice of the profession.
- e) *Integrated Midwives Association of the Philippines (IMAP)* refers to the integrated national organization of all midwives.
- f) *Ladderized education* refers to the harmonization of all education and training mechanisms that allow students and workers to progress between technical-vocational and higher education programs, or vice-versa. It opens opportunities for career and educational advancement to students and workers. It creates a seamless and borderless education and training system that will allow transfers in terms of flexible entry and exit between technical-vocational and higher education programs in the post-secondary school educational system.
- g) *Midwife* refers to a *bona fide* holder of a valid Certificate of Registration or Professional Identification Card issued by the Professional Regulatory Board of Midwifery and the Professional Regulation Commission.
- h) *Special areas* refer to socially or physically marginalized or hard-to-reach areas such as urban slums and remote rural areas.

I. THE BOARD OF MIDWIFERY

SEC. 5. Composition – There shall be a Board of Midwifery, hereinafter referred to as the Board, which shall be under the direct supervision of the Professional Regulation Commission (PRC). It shall be a collegial body composed of a chairperson and four (4) members to be appointed by the President of the Philippines from among a list submitted by the IMAP, in accordance with the rules then in force; *Provided*, That the nominees submitted shall possess the appropriate qualifications prescribed in this Act.”

SEC. 6. Qualifications and Disqualifications of the Board Members – Each member of the Board shall, at the time of his/her appointment:

- (a) Be a citizen and resident of the Philippines;
- (b) Be a registered midwife;
- (c) Be of good moral character and must not have been convicted of any crime involving moral turpitude;
- (d) Be at least thirty (30) years of age;
- (e) Be a graduate of Bachelor of Science in Midwifery, whether through the ladderized education or straight program, obtained from a school of

midwifery duly recognized by the Commission on Higher Education (CHED); and

- (f) Be in active practice of the profession for at least ten (10) years prior to his/her appointment, at least five (5) years of which are in a supervisory position; *Provided*, That a person who is a member of the faculty, whether full time, part time or lecturer of any school, college or university where a regular course in midwifery is taught, or who has any pecuniary interest, directly or indirectly, in such an institution must forego his membership in said faculty or relinquish his interests in said institution before or upon taking his oath as a member of the Board: *Provided, further*, That an officer of any midwifery association is disqualified from being appointed to or serving in the Board.

SEC. 7. Term of Office. – The Chairperson and the four (4) members of the Board shall hold office for three (3) years or until their successors shall have been appointed and duly qualified, and shall be eligible for one (1) reappointment for another three (3) years. Each member of the Board shall qualify by taking his/her oath of office before entering upon the performance of his/her duties.

SEC. 8. Duties and Functions of the Board. – The Board shall have the following duties and functions:

- (a) Enforce the provisions of this Act;
- (b) Ensure that those who are admitted in the profession are qualified and competent;
- (c) Administer oaths in accordance with the provisions of this Act and maintain a roll of certified midwives;
- (d) Issue and, after due investigation, suspend or revoke certificates or registration of midwives found guilty of misconduct and restoration of the name of anyone so removed.
- (e) Formulate rules regulating, supervising and restricting within due limits the practice of midwives;
- (f) Formulate and implement career progression program for trainings and professional development of midwives;
- (g) Establish local supervising authorities (qualified monitoring and mentoring midwives) to supervise the practice of fellow midwives in their practice and enhance their skills and knowledge;
- (h) Investigate any violation of this Act or of the rules and regulations issued thereunder, as may come to the knowledge of the Board, and for this purpose, to issue *subpoena* and *subpoena duces tecum* to alleged violators or witnesses to secure their attendance in investigations or hearings, and the production of books, papers and documents in connection therewith and compel their attendance by the power of contempt;
- (i) Conduct yearly Midwifery Licensure Examinations to qualified midwifery examinees under the supervision of the Commission;
- (j) Monitor from time to time the condition affecting the practice of midwifery in the country and enforce such measures as may be deemed necessary for the maintenance of the standards and ethics of the profession;

- (k) Ensure quality midwifery education by examining the prescribed facilities of universities and colleges of midwifery and those seeking permission to open midwifery courses to ensure that standards of midwifery education are properly complied with;
- (l) Implement the four (4) year midwifery curriculum leading to a Bachelor of Science in Midwifery to prepare and equip midwives with scientific knowledge, skills, and attitudes to become competent and confident in the practice of midwifery;
- (m) Prescribe, adopt, issue, and promulgate guidelines, regulations, measures, and decisions as may be necessary for the improvement of the practice of midwifery, advancement of the profession, and for the proper and full enforcement of this Act subject to the review and approval by the Commission;
- (n) Coordinate with CHED on the standards required for the midwifery curriculum; and
- (o) Adopt an official seal to authenticate its official documents.

The Board shall exercise these powers and duties in accordance with Republic Act No. 8981.

SEC. 9. Compensation of Board Members. – The Chairperson and the members of the Board shall receive the same compensation and allowances granted to the Chairperson and members of other professional regulatory boards.

SEC. 10. Suspension and Removal of the Chairperson and Members of the Board – Any member of the Board may be suspended or removed from office by the President, upon the recommendation of the Professional Regulation Commission, for neglect of duty, abuse of authority, oppression, incompetence, commission or toleration of irregularities in the conduct of the board examinations or tampering of grades therein, or for unprofessional, immoral, unethical or dishonorable conduct, after having been given the opportunity to defend himself in a proper administrative investigation conducted by the Commission.

SEC. 11. Supervision of the Board and Custodian of its Records – The members of the Board shall be under the general supervision of the Commission. All records, including examination papers, examination results, minutes of deliberation, records of administrative cases and investigations of the Board shall be kept by the Commission.

SEC. 12. Rules and Regulations – Subject to the approval of the Commission, the Board shall set ethical and professional standards for the practice of midwifery and adopt such rules and regulations as may be necessary to carry out the provisions of this Act. Such standards, rules and regulations shall take effect thirty days after publication in two national newspapers of general circulation.

SEC. 13. Annual Report – The Board shall submit an annual report to the Commission at the end of each calendar year, giving a detailed report of its activities and proceedings during the year. Other information or data may be requested by the Commission as often as may be necessary and practicable.

II. EDUCATION, EXAMINATION, AND REGISTRATION OF MIDWIVES

SEC. 14. Schools of Midwifery – To be recognized as a duly accredited and legally constituted institution for midwifery education, a school of Midwifery shall have a permit and recognition from the Commission on Higher Education (CHED).

The school shall have a base hospital with at least twenty (20) maternity beds with an 80% occupancy rate and such other provisions required by the policies and standards of midwifery education as promulgated by CHED in coordination with the Board. The school shall also be affiliated with an accredited hospital duly accredited by an authorized government agency or instrumentality. The school shall have a minimum ratio of one (1) clinical instructor to twelve (12) students in the hospital and in the community. For special areas, there shall be a maximum of five (5) students. For birthing clinics, there shall be a maximum of three (3) students.

Before allowing a student to graduate, the school shall satisfactorily show to the CHED or other authorized government agencies that the student has completed the course in midwifery as prescribed by the CHED or other duly authorized government agencies, and that during the training, the student has personally attended at least a total of twenty (20) deliveries, twenty (20) internal examinations during normal labor, five (5) perineal suturing of first and second degree lacerations, and five (5) intravenous insertions in the hospitals, birthing facilities in the hospital, and in its domiciliary services.

SEC. 15. Curriculum – The CHED, in coordination with the Board, shall formulate the Bachelor of Science in Midwifery curriculum, identifying core subjects in midwifery education. The curriculum shall adhere to the standards for midwifery education set forth by the International Confederation of Midwives (ICM) and shall include a mandatory midwifery internship program in institutions such as, but not limited to, hospitals, birthing homes, and birthing clinics.

SEC. 16. Qualifications of the Dean and the Faculty – The CHED, in coordination with the Board and the IMAP shall come up with the qualifications of the Dean and the Faculty Members.

SEC. 17. Examination Required – All applicants for registration to the practice of midwifery in the Philippines shall be required to undergo an examination as required for in this Act.

SEC. 18. Scope of Examinations. – The scope of examinations for the practice of midwifery shall consist of the following:

(a) General Topics:

- (i) Fundamentals of midwifery care
- (ii) Obstetrics and basic gynecology
- (iii) Care of infants and children
- (iv) Primary health care (health programs, reproductive health, microbiology as applied to midwifery practice, community

- development and management of community health programs)
- (v) Professional growth and development (law and ethics, professional growth, administration and supervision)

(b) Specific Topics:

- (i) Infant and child care and feeding;
- (ii) Obstetrical anatomy and physiology;
- (iii) Principles of bacteriology as applied to midwifery practice;
- (iv) Obstetrics and basic gynecology;
- (v) Midwifery procedures;
- (vi) Domiciliary midwifery;
- (vii) Community hygiene and first aid;
- (viii) Nutrition;
- (ix) Ethics of midwifery practice;
- (x) Primary and community health care;
- (xi) Professional growth and development;
- (xii) Principles of microbiology as applied to midwifery practice;
- (xiii) Reproductive health;
- (xiv) Community midwifery;
- (xv) Counseling; and
- (xvi) Research.

The Board is empowered to remove or add to these general and specific topics after thorough consultations with the stakeholders, including the association of midwives, the academe, and those who are in the active practice of the profession, and after due publication in any newspaper of general circulation.

SEC. 19. Prerequisite and Qualifications of Applicants for Examination –

In order to be admitted to the midwifery examination, an applicant shall, at the time of filing of his/ her application therefor, establish to the satisfaction to the Board that he/she is:

- (a) In good health;
- (b) Of good moral character;
- (c) A graduate of midwifery in a government recognized and duly accredited institution;
- (d) A citizen of the Philippines; and
- (e) At least eighteen (18) years of age at the time of the issuance of a certificate of registration.

SEC. 20. Rating in the Board Examination – To be qualified as having passed the Board Examination for midwives, a candidate must obtain a general rating of seventy-five percent (75%) in the written test with no grade lower than sixty percent (60%) in any subject.

SEC. 21. Report of the Results of Examination – The Board shall, within one hundred twenty (120) days after the examination, report the ratings obtained by each candidate to the Commissioner of the PRC.

SEC. 22. Oath – All successful candidates in the examination shall be required to take an oath of profession before the Board or any government official authorized to administer oaths prior to entering the profession of midwifery.

SEC. 23. Issuance of Certificate of Registration and Professional Identification Card – A Certificate of Registration shall, upon payment of the required fees, be issued to any applicant who passes the board examination. Every certificate of registration shall show the full name of the registrant, have a serial number, bear the signatures of the members of the Board, be attested by the Secretary of the Board, and be duly authenticated by the official seal of the Board. The issuance of a certificate of registration by the Board to the registrant shall be evidence that the person named therein is entitled to all rights and privileges of a registered midwife until said certificate, for just cause, is suspended temporarily or revoked.

A professional identification card bearing the registration number, date of issuance, and expiry date, and duly signed by the commission, shall likewise be issued to every registrant upon payment of the required fees.

SEC. 24. Registration of Nurse-Midwives – A certificate of registration may be issued to registered nurses who pass the examination for midwives: *Provided*, That the nurse, before being allowed to take the examination, must first show evidence to the Board of having actually handled twenty (20) delivery cases as certified to by the director or chief of a duly registered or recognized hospital, or by the proper municipal, city, or provincial health officer, as well as having completed the core subjects in midwifery education, or their equivalents, as determined by CHED, in coordination with the Board.

SEC. 25. Fees of Examination and Registration – Applicants for examination for the practice of midwifery shall pay an examination fee as prescribed by the PRC.

SEC. 26. Prohibition Against Unauthorized Practice of Midwifery – No person shall practice or offer to practice midwifery in the Philippines, as defined in this Act, without holding a valid certificate of registration and a professional license as midwife; *Provided*, That this shall not prevent other allied health professionals, including physicians, from practicing their own professions which may bear semblance with that of the midwives.

SEC. 27. Foreign Reciprocity – No midwife who is a citizen, subject, or national of a foreign country shall be granted any of the rights and privileges under this Act unless he or she shows to the satisfaction of the Board that the country of which he or she is a citizen, subject, or national permits within its territorial limits on the same basis as the citizen, subject, or national of such country: *Provided*, That, the requisites for admission to midwifery school and for graduation in said country are substantially the same as those in this country.

SEC. 28. Refusal to Issue Certificate of Registration – The Board shall refuse to issue a certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, and to any person guilty of immoral or dishonorable conduct. The Board shall give the applicant

a written statement setting forth the reason or reasons for its action, which statement shall be incorporated in the records of the Board.

SEC. 29. Revocation and Suspension of Certificates – The Board shall have the power to revoke or suspend the validity of a certificate of registration of a midwife for any of the causes mentioned in the preceding section, or for unprofessional conduct, malpractice, incompetence or serious ignorance or negligence, assisting or performing abortion in the practice of midwifery or for making use of fraud, deceit, or false statements to obtain a certificate of registration. From the decision of the Board, appeal may be taken to the PRC, the decision of which shall be final.

SEC. 30. Reissuance of Revoked Certificates and Replacement of Lost Certificate – The Board may, for reasons of equity and justice, and upon proper application therefor, issue another copy of the certificate upon payment of dues, and in so doing, it may exempt the applicant for the requisite examination.

SEC. 31. Civil Service Eligibility – An applicant who passes the board examination for the practice of midwifery shall automatically be granted with professional career service eligibility.

III. THE MIDWIFERY PRACTICE

SEC. 32. Practice of Midwifery Defined – The practice of midwifery consists in performing or rendering, or offering to perform or render, for a fee, salary, or other reward or compensation, services requiring an understanding of the principles and application of procedures and techniques in the supervision and care of women during pregnancy, labor and puerperium, management of normal deliveries, including the performance of internal examination during labor, except when patient is with antenatal bleeding; health education of the patient, family, and community, with particular emphasis on hygiene in pregnancy, prevention of complications and risk factors in pregnancy, breastfeeding, nutrition, exercise, management of common discomforts associated with pregnancy, preparation for delivery, postpartum check-up, prevention of illness, immunization for both children and adults, conduct of newborn screening, and importance of registration of a newborn; primary health care services in the community, including nutrition, reproductive health, immunization, health education and counseling, prevention and control of communicable and non-communicable diseases, newborn care and care of the family and community, basic lifesaving skills, obstetrics, basic gynecology, and family planning; rules and procedures governing the registration with the local civil registrar of birth of newborns attended to; oral and parenteral dispensing of oxytocic drug after delivery of the baby, suturing perineal lacerations to control bleeding, and giving intravenous fluid during obstetrical emergencies, provided they have been trained for that purpose; and injection of Vitamin K to the newborn: *Provided, however*, That this provision shall not apply to students in midwifery schools who perform midwifery services under the supervision of their instructors, nor to emergency cases; *Provided, further*, that this shall not prevent other allied health professionals, including physicians, from practicing their own professions which may bear semblance to these activities.

SEC. 33. Duties and Responsibilities of Midwives – Midwives shall be primarily responsible for the welfare of the mother and the baby in all stages of

childbearing and birth. Midwives shall collaborate with other health care providers for the curative, preventive, and rehabilitative aspects of care, restoration of health, and alleviation of suffering of the mother and the baby, and when recovery is not possible, towards a peaceful death. It shall be the duty of a midwife to:

- (a) perform professional responsibilities based on acceptable and scientific standards, apply ethical and legal principles in the performance of his/ her functions, actively participate in the activities of the professional organization and comply with continuing professional education requirements;
- (b) establish linkages and coordination with the community health care;
- (c) provide health education to individuals, families and communities;

Provided, That this section shall not apply to midwifery students who perform midwifery functions under the supervision of a qualified faculty: *Provided, further*, that in the practice of midwifery in all settings, the midwife is duty-bound to observe the code of ethics for midwives and uphold the standards of safe practice.

SEC. 34. Emergency Authority to Dispense Medicine – Midwives shall be allowed to administer lifesaving drugs such as, but not limited to, oxytocin and magnesium sulfate, in accordance with the guidelines set by the Department of Health (DOH), under emergency conditions: *Provided*, That they are properly trained and certified to administer these lifesaving drugs.

SEC. 35. Midwifery Practice in Hospitals – The prescribed scope of midwifery practice shall be applied to a midwife working in a hospital. The midwife shall be a collaborative partner of physicians and nurses in all stages of pregnancy, newborn care, breastfeeding and education, post-natal care, conduct of family planning/counseling, and newborn screening.

SEC. 36. Midwifery Education – Midwifery education shall be considered as another field of midwifery practice. Midwives working in higher education institutions with midwifery programs shall endeavor to provide education that is prescribed by the CHED and shall be updated with all the competencies required of the profession for the efficient transfer of learning to students.

SEC. 37. Integration of Midwives – In order for every midwife to contribute to his/her profession and to bear his/her share of professional responsibilities, all midwives shall join and be integrated into one national organization. The Integrated Midwives Association of the Philippines (IMAP) shall serve as the integrated national organization of all midwives. Every midwife, upon registration with the Board, shall become a member of the IMAP. Those who have been registered with the Board as certified midwives before the effectivity of this Act shall register as members of the IMAP within three (3) years after said effectivity. *Provided*, That certified midwives may form or join other midwives' organizations.

SEC. 38. Continuing Professional Education – In order for a registered midwife to enhance her competency and skills, the Board shall require attendance in

mandatory continuing professional education to be provided by the IMAP, or any recognized professional midwifery organization, duly approved by the Board.

Career progression and specialization shall be part of the continuing professional development of the midwives. Career progression and specialization shall be a vital tool and requirement for considerations in employment, compensation, comparability of qualifications, and mobility in the local, regional, and international labor markets.

SEC. 39. Research for Midwifery Manpower Needs, Production, Utilization, and Development – The IMAP, in coordination with the Board and appropriate government or private agencies, shall conduct research on human resources, utilization, placement, and developments in the practice of midwifery. Such research shall assess, in coordination with the appropriate government agency, the need to increase the current midwife-to-patient ratio of 1: 5,000.

SEC. 40. Comprehensive Midwifery Program – To enhance the level of skill and competence of midwives in the country, the Board, within ninety (90) days from the effectivity of this Act, and in coordination with the IMAP, accredited midwifery service providers, and the DOH, is hereby mandated to formulate and develop a comprehensive midwifery program that includes trainings and assessments of career performance and potential. The program shall, in addition to maternal and childcare services, include other expanding functions of midwives in the healthcare community.

The beneficiaries of this program are obligated to serve in any rural or community hospital for a period of at least one (1) year from the completion of the midwifery competency and skills training program.

SEC. 41. Salary and Compensation – In order to enhance the general welfare and commitment to service, motivation, and professionalism of midwives, the minimum base pay of midwives working in public health care institutions shall not be lower than the first step of salary rate prescribed for salary grade 8 for Diploma in Midwifery graduates, and salary grade 10 for Bachelor of Science in Midwifery graduates, pursuant to Republic Act No. 11466, otherwise known as the “Salary Standardization Law of 2019”. *Provided*, That for midwives working in local government units, adjustments to their salaries shall be in accordance with Section 10 of the same act.

SEC. 42. Funding for the Comprehensive Midwifery Program – The annual financial requirement needed to train at least ten percent (10%) of midwives of the participating government hospitals under the Comprehensive Midwifery Program shall be chargeable against the income of the Philippine Charity Sweepstakes Office and the Philippine Amusement and Gaming Corporation, which shall equally share in the costs. The funding shall be released to the DOH, subject to accounting and auditing procedures, provided that the DOH shall set the criteria for the availment of this program.

SEC. 43. Prohibited Acts – The following acts are prohibited:

- (a) Engaging in unauthorized practice of midwifery as defined in Section 25 of this Act;

- (b) Giving false or forged evidence of any kind to the Board or to any member thereof for the purpose of obtaining a certificate of registration or professional license; and
- (c) Violation by any person, whether natural or juridical, of any of the provisions of this Act and the rules and regulations promulgated for its effective implementation.

IV. MISCELLANEOUS PROVISIONS

SEC. 44. Penal Provision – The commission of any of the prohibited acts listed in the immediately preceding section shall be punished with imprisonment of not less than three (3) years but not more than eight (8) years, or a fine of not less than one hundred thousand pesos (P100,000.00) but not more than five hundred thousand pesos (P500,000.00), or both, at the discretion of the court.

SEC. 45. Implementing Rules and Regulations – Within ninety (90) days after the effectivity of this Act, the Board and Commission, in coordination with accredited professional midwives organizations, the Department of Health, the Department of Budget and Management and other concerned government agencies, shall formulate such rules and regulations necessary to carry out the provisions of this Act. The implementing rules and regulations shall be published in the Official Gazette or in any newspaper of general circulation.

SEC. 46. Repealing Clause. – Republic Act No. 2644 and Republic Act No. 7392 is hereby repealed and all laws, decrees, orders, instructions, rules and regulations and other issuance or parts thereof inconsistent with this Act are likewise repealed or amended accordingly.

SEC. 47. Separability Clause. – Any portion or provision of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying the other portions or provisions hereof as long as such remaining portion or provision can still subsist and be given effect in their entirety.

SEC. 48. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or any two (2) newspapers of general circulation in the Philippines.

Approved.