

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4705



Introduced by **HON. LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR.,**
HON. MIGUEL LUIS R. VILLAFUERTE, HON. TSUYOSHI ANTHONY “HORI” G.
HORIBATA AND HON. NICOLAS “NICK” C. ENCISO VIII

EXPLANATORY NOTE

Hearing is a vulnerable human sensory perception. The overall occurrence of loss of hearing in the country is at 15%. According to a recent study, it occurs in 7.5% in children, 14.7% in adults ages 18 to 65 years and 49.1% in those over 65 years as per the study.

At the global scale, the World Health Organization (WHO) estimated that 250 million individuals were diagnosed with hearing impairment in 2000. These figures beg the need for a regular study on the prevalence, development and causes of hearing-related diseases. There is a need for State intervention in strengthening this field of medical practice.

The herein proposed Audiology Act recognizes audiology as an important branch of medical practice. It is focused on the sensitive human sense of hearing. Audiology is further defined as the study on the development and application of effective strategies leading to the optimal use of sensory, oral and expressive skills.

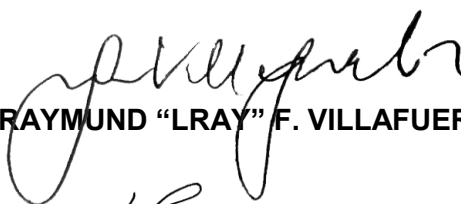
This legislation seeks to modernize and regulate the practice of audiology by establishing the Professional Regulatory Board of Audiology. The Regulatory Board shall be tasked to prepare a licensure exam for audiologists and maintain a registry of audiology professionals or audiologists. It is additionally mandated to formulate a Code of Ethics, and periodically evaluate the competitiveness of the audiology syllabi of academic institutions offering undergraduate and post-graduate degrees on the course.

Meanwhile, a Technical Panel on Audiological Education composed of senior practitioners, specialists, academicians in the field of audiology and a representative from the Philippine Society of Audiology will be the primary body in charge of setting the standard curriculum for the study of audiology. The same body shall be responsible for all review and consultative tasks necessary to ensure that Filipino audiology graduates are at par with international practitioners.

At present, audiology as a field of medical practice remains relatively unrecognized and underregulated in the country. We neither have a regulatory body nor a licensure exam for it. As a field of study, audiology as an undergraduate degree is offered only

in limited institutions. As a post-graduate degree, only the University of Santo Tomas (UST) and the University of the Philippines offer the course. UST further reported that the course receives one of the smallest number of enrollees, and even fewer graduates. Majority of these graduates, *The Varsitarian* reports, even end up practicing abroad¹. Given the prevalence of hearing-related health problems among our people, and the grossly insufficient number of audiologists to study and/or provide medical attention in these cases, the State is compelled to take measures to urgently address the situation.

In light of the foregoing premises, the passage of this bill is humbly sought.



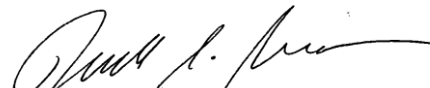
LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.



TSUYOSHI ANTHONY "HORI" G. HORIBATA



MIGUEL LUIS R. VILLAFUERTE



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¹ http://varsitarian.net/news/20090307/all_ears_for_ust_clinical_audiology

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AN ACT
PROFESSIONALIZING THE PRACTICE OF AUDIOLOGY AND CREATING FOR
THIS PURPOSE A PROFESSIONAL REGULATORY BOARD OF AUDIOLOGY,
APPROPRIATING FUNDS THEREFOR, UPGRADING AUDIOLOGIC
EDUCATION, INTEGRATING AUDIOLOGISTS, AND FOR OTHER PURPOSES

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

ARTICLE I
TITLE, DECLARATION OF POLICY, DEFINITION OF TERMS

SECTION 1. *Short Title.* – This Act shall be known as the “Audiology Act.”

SECTION. 2. *Declaration of Policy.* – The State recognizes the essential role of audiology as a profession in safeguarding and enhancing the health and general physical well-being of the citizenry. Audiologic services shall therefore be promoted as a regular component of the primary health care system.

SECTION. 3. *Definition of Terms.* – As used in this Act, the following terms shall be defined as follows:

- a) “*Audiology*” refers to the science and art of hearing, whether normal or disordered, as a fundamental component of human communicatory behavior, the development and application of effective strategies leading to optimal use of sensory and oral and expressive skills in hearing-impaired children and adults; analyzing and evaluating the auditory function through behavioral and physiologic tests; selecting, prescribing and dispensing hearing aids, auditory assistive devices; counseling regarding educational, social or vocational concerns that may occur as a consequence of hearing impairment; and implementation of programs for hearing conservation, and for the prevention of reduced auditory function; and other preventive or corrective measures or

procedures for the aid, correction, habitation, rehabilitation or relief of human hearing, or to attain optimum audition and comfort;

- b) *“Audiometry”* refers the measurement of hearing, including many procedures and tests used to define the type, degree, and communicative consequences of hearing loss; utilizing clinical hearing tests to evaluate sensitivity and discrimination (acuity) aspects of audition; including but not limited to tone and speech audiometry based on behavioral responses, electrophysiologic procedures, acoustic-immittance measures, loudness recruitment, loudness adaptation, and tests of central auditory dysfunction;
- c) *“Audiologist”* refers to a natural person who, having satisfactorily completed an academic program leading to at least a master’s degree in audiology or its equivalent of higher degree, inclusive of at least 300 hours of supervised clinical experience, followed by the equivalent of six months full-time professional experience under the supervision of a certified audiologist, has passed the national Board Examination in Audiology administered by the Board of Audiology;
- d) *“Audiologist in good standing”* refers to a registered audiologist who is authorized to practice the profession in the Philippines by virtue of a valid certificate of registration and a valid professional license issued by the commission for the purpose;
- e) *“Audiometrist”* refers to a natural person who has satisfactorily completed the required training and clinical experience for audiometrist as determined as by the Department of Education, Commission on Higher Education, and the Board of Audiology. As such, he/she shall be authorized to do any of the following, Provided, that such shall at all times be conducted under the supervision of a licensed audiologist: (1) Administering audiometric examination, including but not limited to, tone and speech audiometry based on behavioral responses acoustic immittance measure, loudness recruitment, and loudness adaptation; (2) Interpreting result of the same and preparing a written report on these results; and (3) counseling and provision of Non-Medical and Non-Surgical amplification devices; Provided, further, that such duties may only be performed on clients between the age of seven (7) and fifty (50) years old;
- f) *“Audiometrist in good standing”* refers to a qualified audiometrist, who by virtue of a valid certificate of accreditation in audiometry issued by the Board of Audiology for the purpose, is authorized in the limited practice of audiometry in the Philippines under the supervision of an Audiologist in good standing;

- g) *“Certificate of registration”* refers to a document signed by the Chair of the Commission and by all members of the Board of Audiology and bearing its seal, issued to an applicant who has satisfied the requirements for the practice of audiology. It shall serve as proof that the registrant is qualified to practice the respective professions in the Philippines;
- h) *“Professional license”* refers to a renewable card, issued by the PRC to a registered audiologist, indicating that he/she is competent and authorized to practice audiology in the Philippines. Until the loss of its validity or expiration, such license shall serve as evidence that its bearer is an audiologist or audiometrist in good standing;
- i) *“Certificate of Accreditation”* refers to a document signed by all the members of the Board and bearing its seal, issued to an applicant who has satisfied the requirements for the limited practice of audiometry in the Philippines under the supervision of an Audiologist in good standing. It shall serve as proof that the person is accredited for the limited practice of audiometry in the Philippines under the supervision of an Audiologist in good standing ;
- j) *“Code of Professional Ethics”* refers to a set of standards relating to the conduct, integrity and moral duties of audiologists, as prescribed by the duly integrated and accredited national organization of audiologists, and adopted and promulgated by the Board upon approval by the commission.

ARTICLE II

THE PRACTICE OF AUDIOLOGY

SECTION. 4. *The Scope of the Practice of Audiology.* – Any of the following acts constitute the practice of Audiology:

- a) The analysis and evaluation of human auditory function through the employment of clinical subjective (behavioral) and objective (physiologic) procedures and tests to measure hearing and define the type, degree, and communicative consequences of hearing loss; including the use of specific instruments, tools, equipment implements, aids, apparatuses, machines, exercises, and related devices, for the purpose of determining the condition, sensitivity and discrimination (acuity) of human hearing to correct and improve the same when not medically or surgically treatable, in accordance with subsections (b), (c), and (d) hereof;
- b) The selection, prescription, and dispensing of hearing aids, auditory assistive devices and their accessories and solutions, and supplies for the purpose of correcting and treating defects, deficiencies and abnormalities of audition that are not medically or surgically treatable;

- c) The use of educational techniques to enhance visual perception of speech (speech reading) and to improve auditory discrimination, developing and maintaining optimal speech and voice skills; conduct of auditory exercises and hearing habilitation and rehabilitation, the provision of other measures, devices, and procedures to aid, correct, habilitate or relieve abnormalities of human audition and attain optimum audition and comfort except those that should be medically or surgically provided;
- d) The counseling of patients regarding educational, social or vocational concerns that may occur as a consequence of hearing impairment; and implementation of programs for hearing conservation, and for the prevention of reduced auditory function;
- e) The establishment of offices, clinics, and similar places where audiologic services are offered; and
- f) The collection of professional fees for the performance of any of the acts mentioned in paragraphs (a), (b), (c), and (d) of this section.

SECTION. 5. *Prohibition Against the Unauthorized Practice of Audiology.* – No person shall practice audiology as defined in Section 3 of this Act nor perform any of the acts constituting the practice of audiology as set forth in Section 4 hereof, without having been first admitted to the practice of this profession under the provisions of this Act and its implementing rules and regulations; *Provided*, that this prohibition shall not apply to regularly licensed and duly registered physicians who have received post-graduate training in the diagnosis and treatment of hearing disorders and ear diseases; *Provided, however*, That the examination of the human ear and auditory apparatus by duly registered physicians in connection with the physical examination of patients shall not be considered as practice of audiology; *Provided, further*, That the evaluation and management of speech and voice functions and dysfunctions by speech pathologists, therapists, and phoniatrists shall not be considered as the practice of audiology; *Provided, further*, That public health workers and health care providers trained and involved in the government's "Universal Newborn Hearing Screening Program for the Prevention, Early Diagnosis and Intervention of Hearing Loss" or Republic Act No. 9709 and other hearing conservation programs may conduct only specific hearing acuity tests and hearing screening; *Provided, finally*, That audiometricians in good standing may only perform their limited duties and services under supervision of an audiologist in good standing.

SECTION. 6. *Disclosure of Authority to Practice.* – An audiologist shall be required to indicate his or her professional license number and the date of its expiration in the documents he or she issues or signs in connection with the practice of his/her profession. He/she shall also display his or her certificate of registration in a conspicuous area of his or her clinic or office.

ARTICLE III

THE PROFESSIONAL REGULATORY BOARD OF AUDIOLOGY

SECTION. 7. *The Professional Regulatory Board of Audiology.* – There is hereby created a Professional Regulatory Board of Audiology, hereinafter referred to as the Board composed of five (5) members who shall be appointed by the President of the Philippines, upon the recommendation of the PRC, from a list of ten (10) nominees submitted by the duly integrated and accredited national organization of audiologists, the Philippine Society of Audiology.

SECTION. 8. *Qualifications of Members of the Board.* – At the time of their respective appointments, the members of the Board including the Chairperson, must be:

- a) A citizen of the Philippines and resident of the Philippines for the last five (5) years;
- b) A duly registered audiologist in good standing holding a valid Certificate of Registration; *Provided, however,* That in the case of the first members of the Board of Audiology, they shall be issued Certificates of Registration as Audiologists without prior examination;
- c) A person who has not been convicted of any competent court of an offense involving moral turpitude;
- d) A person who has been in active practice of the profession for at least ten (10) years prior to his or her appointment: *Provided,* That for purposes of creating the initial Board, active practice of the profession for at least five (5) years prior to his or her appointment will suffice; *Provided further,* 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 audiology is taught, or who has any pecuniary interest, directly or indirectly, in such institution must forgo his or her membership in said faculty or relinquish his or her interests in said institution before or upon taking his or her oath as a member of the Board; *Provided, finally,* That an incumbent officer of the Philippine Society of Audiology or any audiologic association is disqualified from concurrently being appointed to or serving in the Board.

SECTION. 9. *Term of Office.* – The members of the Board shall hold office for a non-renewable term of five (5) years, starting on the date of appointment and until their successors shall have been appointed; *Provided, however,* That the first appointees to the Board shall hold office as follows: the chairperson for five (5) years and the four (4) other members for fixed terms of four (4), three (3) two (2) and one (1) year/s such, that the term of one member shall be due to expire every year. Thereafter, one

member shall be appointed for the full term every year and such member, in the last year of his or her term, shall automatically become the chairperson of the Board. Vacancies brought about by reasons other than expiration of term shall be filled for the unexpired portion of the term only.

SECTION. 10. *Removal or Suspension of Board Members.* – Any member of the Board, after having been given the opportunity to defend himself or herself in a proper administrative investigation conducted by the PRC, may be removed by the President of the Philippines for neglect of duty, incompetence, malpractice, or unprofessional, unethical, immoral or dishonorable conduct. During the process of investigation, the President of the Philippines may suspend such member under such investigation for a period of not more than sixty (60) days and appoint a temporary member in his place.

SECTION. 11. *Compensation of Board Members.* – The members of the Board shall receive compensation in accordance with the rules and regulations of the Professional Regulatory Commission.

SECTION. 12. *Functions and Powers of the Board.* – The Board is hereby vested with authority to:

- a) Promulgate the rules and regulations for the practice of audiology, subject to the approval of the PRC and in accordance with the provisions of this Act;
- b) Administer and enforce the rules and regulations specified in the preceding sections;
- c) Determine, prepare, adopt, issue or amend the syllabi and contents of, and questions for licensure examinations, adopt measures to ensure the integrity thereof, correct and rate the examination papers and submit the results thereof to the PRC;
- d) Formulate and oversee, in consultation with the PRC, guidelines for the proper conduct of licensure examinations and the registration of audiologists as well as the accreditation of audiometricians;
- e) Issue, suspend, revoke and reissue certificates of registration of qualified audiologists and renew their professional licenses and issue, suspend, revoke and reissue certificates of accreditation of audiometricians;
- f) Impose reasonable requirements and conditions, such as attendance in continuing education activities and program, for the renewal of an audiologist's license to practice and for the purpose of upgrading the professional competence of audiologists and audiometricians;
- g) Maintain a registry of audiologists and audiometricians in good standing;

- h) Adopt, promulgate and disseminate the Code of Ethics for the practice of audiology in the Philippines;
- i) Administer oaths in connection with the implementation of this Act;
- j) Conduct hearings and investigations to resolve complaints against practitioners of audiology for malpractice, unethical and unprofessional conduct, and violations of this Act or its implementing rules and regulations, and in connection therewith, issue subpoena *ad testificandum* and subpoena *duces tecum* and punish with contempt persons obstructing, impeding and/or otherwise interfering with the conduct of such proceedings;
- k) Conduct ocular inspections of establishments and/or premises where audiologic services are offered to ascertain that professional standards are complied with;
- l) Upon application, to issue an order enjoining or abating the illegal practice of audiology by unqualified persons;
- m) Impose fines and penalties, after due process and in accordance with the provision of this Act, for causes provided for by law or by the rules and regulations promulgated therefor;
- n) Evaluate periodically the status of audiologic education and recommend and/or adopt measures to upgrade and maintain high standards; and
- o) Study the conditions affecting the practice of audiology in all parts of the Philippines, and whenever necessary, adopt such measures as may be deemed proper for the maintenance of good ethics and high professional standards of audiologic practice.

SECTION. 13. Quorum in Board Meetings. – The attendance of three (3) members shall constitute a quorum for the Board to officially transact business.

SECTION. 14. Votes Required in Administrative Cases. – To render a decision in an administrative case for unethical practice, malpractice, immorality, dishonesty, and related charges affecting the professional fitness and integrity of an audiologist or audiometrician, the vote of three (3) members must be obtained; *Provided*, That in case members are disqualified to vote by virtue of their relationship to or interest in any of the parties or voluntarily inhibits themselves from participating in the proceedings, the Board shall designate, with the approval of the Commission, and audiologist in good standing who is respected in the audiologic community for their

probity and integrity to sit in the Board, participate in the proceedings, and vote on the case.

SECTION. 15. *Supervision of the Board of the Board and Custody of its Records.*

– The members of the Board, shall be under the general supervision of the PRC. All records, including examination papers, examination results, minutes of deliberations, records of administrative cases and investigation of the Board shall be kept by the said Commission.

SECTION. 16. *Annual Report.* – The Board shall, at the end of each calendar year, submit to the Commission an annual 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.

**ARTICLE IV
THE AUDIOLOGY BOARD EXAMINATIONS**

SECTION. 17. *Licensure Examination Requirement.* – Every applicant seeking to be registered as an audiologist shall undergo an examination as provided in this Act. Examinations for the practice of audiology or limited practice of audiometry in the Philippines shall be given by the Board at least once every year in such places and dates as PRC may designate.

SECTION. 18. *Scope of Examination.* – The Board of Audiology shall prescribe the scope and prepare the contents of the licensure examinations. In the discharge of this function, the Board shall take into account recent developments in audiology and audiometry as well as the academic standards imposed by the Commission on Higher Education on educational institutions which offer a course in audiology.

SECTION. 19. *Qualifications of an Applicant for the Licensure Examinations.* – An applicant for the licensure examination for Audiology shall meet the following qualifications:

- a) Must possess a Philippine citizenship;
- b) Must be of good moral character;
- c) Must hold a degree of Bachelor of Arts (BA) or Bachelor of Science (B.Sc.) in Audiology or its equivalent or higher degree (such as Master in Clinical Audiology, M. Clin. Aud.; Master of Audiology, M. Aud.; Doctor of Audiology, Au. D.; Doctor of Philosophy in Audiology, PhD; or Doctor of Science in Audiology, D.Sc.) obtained from a school, college, university or institution duly accredited or recognized by the government, with coursework inclusive of the following minimum basic subject areas: mathematics; human biology; chemistry; biochemistry; physics; psychology; sociology; history; English and

Filipino; and following Audiology Major subject Areas: anatomy and physiology of speech and hearing; basic acoustics for speech and hearing; introduction to audiology, hearing loss and audiometry; normal speech and language acquisition and development; introduction to language and communication disorders; psychology of language; clinical methods in audiology; aural habilitation, rehabilitation and amplification; Philippine sign language; audiology ethics and jurisprudence; audiology economics and practice management; environmental and public health audiology; pediatric audiology; audiology practicum one and two and audiology research methods; and

- d) Must not have been convicted of an offense involving moral turpitude by a court of competent jurisdiction.

SECTION. 20. *Ratings in the Examination.* – To pass the licensure examination, a candidate for audiologist must obtain a passing rating of seventy-five percent (75%) in each subject given during the examination: *Provided, however,* That an examinee who obtains a passing rating in the majority of the subjects but obtains in other subjects below seventy-five percent (75%) but not lower than sixty percent (60%), shall be allowed to take one removal examination on the subjects where the passing rating was not obtained: *Provided, further,* That should an examinee fail to obtain a passing rating in the removal examination, the examinee shall be considered as having failed the entire licensure examination: *Provided, finally,* That any candidate who fails to pass the examination in three (3) successive attempts shall not be admitted in the fourth examination unless he or she could present to the Board a certification that the examinee had re-enrolled and undergone with the year preceding, a pre-board review course from a review center duly organized by the Commission.

SECTION. 21. *Report of Rating.* – The Board and the PRC shall correct and rat the licensure examination papers and shall release the examination papers ten (10) days from the date of the examination.

ARTICLE V REGISTRATION AND LICENSURE OF AUDIOLOGISTS

SECTION. 22. *Oath.* – All successful examinees shall be required to take their oath before the Board or before any person authorized to administer oaths prior to the issuance of the certificate of registration: *Provided, however,* that the applicant is not disqualified under any of the provisions of Section 24 hereof.

SECTION. 23. *Disqualification.* – The following applicants shall not be allowed to take their oath as audiologists nor issued certificates of registration:

- a) Those who do not possess the qualifications set forth in Section 19 of this Act;

- b) Those who fail to pass the Audiology Board licensure examination;
- c) Those who have been convicted by final judgment of any crime involving moral turpitude by any court;
- d) Those who have been found guilty by the Board of immoral or dishonorable conduct; and
- e) Those who have been declared to be of unsound mind.

Such fact of disqualification shall be communicated by the Board to the applicant by written statement, which statement shall form part of the records of the Board.

SECTION. 24. *Registration.* – The PRC shall register successful examinees who have taken their oath and thereafter grant them professional licenses to practice audiology. The certificate of registration shall be considered as evidence that the registrant is qualified to practice audiology in the Philippines.

SECTION. 25. *Registration without Taking Licensure Examination.* – A person who possesses the pertinent qualifications listed below pursuant to the provisions of this Act may be registered without examination:

- a) Was a doctoral, master's or bachelor's degree holder in Audiology from a recognized institution with at least three (3) years of teaching Audiology courses and/or audiology practice in the Philippines for the same period; or
- b) Was a PRC duly-registered Doctor of Medicine in the Philippines and fully certified Diplomate of the Philippine Board of Otolaryngology Head and Neck Surgery with at least five (5) years clinical experience in the practice of audiology in the Philippines; or,
- c) Had passed at least eighteen (18) units of tertiary level (doctoral, masteral or baccalaureate) courses in Audiology and had at least seven (7) years of clinical experience in audiology: *Provided, That* the applicant filed with the Board within three (3) years after its creation, an application for registration, issuance of a Certificate of Registration and Professional Identification Card by submitting credentials showing that the applicant was a member of good standing in the Philippine Society of Audiology for three (3) years before the effectivity of this Act.

SECTION. 26. *Accreditation.* – The Board of Audiology shall grant certificates of accreditation for the limited practice of audiometry to successful examinees. It shall serve as proof that the person is accredited for the limited practice of audiometry in the Philippines under the supervision of an Audiologist in good standing.

SECTION. 27. *Revocation of Certificates and Suspension of Professional Licenses.* – The Board may, after giving proper notice and hearing to the party concerned, revoke an audiologist's certificate of registration or suspend his or her license to practice for any unprofessional or unethical conduct, malpractice, or violation of any of the provisions of this Act or its rules and regulations, or upon the conviction of the audiologist of a crime involving moral turpitude. The same applies to an audiometrician's certificate of accreditation.

SECTION. 28. *Appeals.* – The revocation of a certificate of suspension of a professional license by the Board shall become final unless appealed to the PRC within fifteen (15) days from receipt of the decision.

SECTION. 29. *Reinstatement, Reissuance or Replacement of Certificates.* – The Board may, upon application and for reasons deemed proper and sufficient, reinstate any suspended certificate of registration or accreditation, or issue another certificate in lieu of one previously revoked, and in so doing it may, in its discretion, exempt the applicant from taking another examination.

A new certificate to replace any certificate lost, destroyed or mutilated may be issued subject to the rules that may be implemented by the Board.

SECTION. 30. *Renewal of Professional Licenses.* – All licenses shall be renewable every three (3) years and shall be considered renewed only upon satisfying the requirements imposed by the Board, such as attendance in continuing education programs and payment of corresponding fees as may be fixed by the Board in accordance with the rules of fees fixed by the PRC.

ARTICLE VI AUDIOLOGIC EDUCATION

SECTION. 31. *The Technical Panel on Audiological Education.* – To attain the objective of upgrading audiologic education in the Philippines, the Commission on Higher Education, pursuant to Section 12 of Republic Act No. 7722 shall, within sixty (60) days after the approval of this Act, convene and organize a technical panel on audiologic education. For this purpose, senior practitioners, specialists, academicians in the field of audiology and a representative from the Philippine Society of Audiology as the accredited national organization of audiologists shall be appointed and tapped to assist in the following:

- a) Setting a minimum standard curriculum for the study of audiology to be implemented in all schools offering audiology as the undergraduate course and degree;

- b) Establishing teaching standards, including the qualifications of members of the faculty of schools and colleges of audiology;
- c) Monitoring the progress of the program on the study of audiology and undertaking measures for the attainment of a high quality of audiologic education in the country; and
- d) Evaluating periodically the performance of educational institutions offering audiologic education for the purpose of granting accreditation and incentives as well as for the impositions of sanctions when warranted.

ARTICLE VII PROHIBITED ACTS AND PENALTIES

SECTION. 32. *Prohibited Acts.* – The following acts are prohibited:

- a) Giving false or forged evidence of any kind to the Board or to any member thereof for the purpose of obtaining a certification or a professional license;
- b) Assumption, use or advertisement by a person, not holding a valid certificate of registration and a valid professional license in accordance with this Act, of a description, in connection with his name or title, tending to convey the impression that he or she is a duly registered audiologist;
- c) Any form of advertisement in media outlets giving information and impression to the public that the particular audiologist is better than the others, is collecting lower professional fees or selling cheaper hearing aids or devices;
- d) Engaging in unauthorized practice of audiology as defined in Section 5 of this Act; and,
- e) 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.

SECTION. 33. *Penal Provisions.* – The commission of any of the prohibited acts listed in the immediately preceding section shall be punished with imprisonment of not less than one (1) years but not more than eight (8) years, or a fine of not less than Fifty Thousand pesos (Php 50,000.00) but not more than One Hundred Thousand pesos (Php 100,000.00) or both at the discretion of the court.

In addition, the administrative penalties specified in Section 27 hereof shall be imposed whenever applicable.

If the violation is committed by an association, partnership, corporation, or any other institution, the managing officers and other persons responsible for its commission shall be liable for penalties provided for in this Act.

ARTICLE VIII PROFESSIONAL AND ETHICAL STANDARDS

SECTION. 34. *Foreign Reciprocity.* – No foreigner shall be admitted to the audiology board examinations unless he or she proves in the manner prescribed by the Rules of Court that by specific provision of law, the country of which he/she is a citizen, subject or national, either admits Filipino citizens to the practice of audiology without restriction, or allows them to practice audiology after an examination on terms of strict and absolute equality with citizens, subjects or nationals of said country, including the unconditional recognition of prerequisite degrees prescribed by the Commission on Higher Education; *Provided, however,* That the Board, upon approval by the PRC, may grant special permit to a foreign audiologist to practice the profession in this country whether or not reciprocity exists between his or her country and the Philippines and under such conditions as may be determined by the Board, if such foreigner is internationally known to be an outstanding expert in the profession or a well-known specialist in any of its branches, and that his or her services will promote the advancement of the profession in the Philippines. The Board is also hereby authorized to prescribe, upon approval by the PRC, additional requirements or grant certain privileges to foreigners, seeking registration in the Philippines if the same privileges are granted to or some additional requirements are required of citizens of the Philippines in acquiring the same certificate in his country.

SECTION. 35. *Rules and Regulations.* – The Board shall set professional standards for the practice of audiology in the Philippines and adopt such rules and regulations as may be necessary to carry out the provisions of this Act, subject to the approval of the PRC. Such standards, rules and regulations shall take effect thirty (30) days after its publication in the Official Gazette or any newspaper of general circulation.

SECTION. 36. *Integration of Audiologists.* – In order for every audiologist to contribute to his or her profession and to bear his or her share of professional responsibilities, all audiologists shall be encouraged to join and be integrated into one national organization, the Philippine Society of Audiology, which shall be recognized by the Board and the PRC. Every audiologist, upon registration with the Board before the effectivity of this Act may register as members of the integrated organization within three (3) years after said effectivity.

SECTION. 37. *Purposes.* – The integrated national organization of audiologists-Philippine Society of Audiology shall promulgate the Code of Ethics for the practice of profession, define the professional responsibilities of its members, ensure adherence to said professional ethics and responsibilities, improve the standards of the

profession and enable audiologists to discharge their public responsibility more effectively.

SECTION. 38. *Membership Fees and Dues.* – All members shall be subject to the payment of reasonable fees and dues for the effective discharge of the purposes of the integrated national organization, the Philippine Society of Audiology. An audiologist shall receive the benefits and privileges appurtenant to his or her membership only upon payment of the payment of the required membership fees and dues.

SECTION. 39. *Other Organizations.* – The integration of audiologists into one national organization- the Philippine Society of Audiology, shall not prohibit the creation of other associations of audiologists organized by individual audiologists themselves.

SECTION. 40. *Code of Professional Ethics.* – The Board shall adopt the Professional Code of Ethics promulgated by the integrated national organization of audiologists- the Philippine Society of Audiology; *Provided*, That such Code provides that it is the duty of an audiologist to:

- a) Consider as his or her primary responsibility the auditory welfare of the public;
- b) Promote the best possible standards of professional care;
- c) Enhance continuously his or her theoretical and practical proficiency;
- d) Render his or her services with equal diligence to all, regardless of race, creed or status;
- e) Respect the confidential nature of information concerning those he or she serves; and,
- f) Refer for medical or other professional attention where the need is indicated.

The Board shall also distribute the Code of Ethics of the Audiologic Profession in the Philippines to all new audiologists during their oath taking.

Any act or omission which violates this Code shall be considered as unethical conduct and shall be suspended or prohibited from the practice of audiology, in accordance with Section 27 of this Act.

ARTICLE IX MISCELLANEOUS PROVISIONS

SECTION. 41. *Funding Provisions.* – The Chairperson of the Commission shall include in the Commission's programs the implementation of this Act, the funding of which shall be included in the General Appropriations Act.

SECTION. 42. *Assistance of Law Enforcement Agency.* – Any law enforcement agency shall, upon call or request of the Commission of the Board, render assistance in enforcing this Act, including all the rules and regulations promulgated thereunder by prosecuting the violators thereof in accordance with law and the Rules of Court.

SECTION. 43. *Implementing Rules and Regulations.* – Within sixty (60) days after the effectivity of this Act and subject to the approval of the Commission, the Board shall promulgate the necessary rules and regulations, in coordination with the integrated and accredited professional organization (the Philippine Society of Audiology), to implement the provisions of this Act, which shall be effective after fifteen (15) days following its publication in the Official Gazette or two Philippine newspapers of general circulation.

SECTION. 44. *Separability Clause.* – If any provision of this Act shall at any time be found to be unconstitutional or invalid, the remainder thereof not affected by such declaration shall remain in full force and effect.

SECTION. 45. *Repealing Clause.* – All laws, decrees, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION. 46. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,