

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20TH CONGRESS
First Regular Session



House Bill No. **2071**

Introduced by: **REP. JOEL R. CHUA**

Explanatory Note

Medical Technologists are the unsung heroes of our healthcare system. Behind glass windows and unnoticed by most patients, medical technologists conduct laboratory investigations, and provide information to physicians in relation to healthcare, research, and even forensics. Every day, they dedicate themselves for the health of others yet the law which seeks to protect them is now incredibly outdated.

Since its enactment in 1969, the “Philippine Medical Technology Act” has not been amended. Being fifty-six (56) years old, this law is no longer suitable for the current developments in science, medicine, and technology. This Bill now seeks to amend and repeal the old law.

One issue which must be resolved is the lack of a regulatory board for the profession of medical technology. Under this Bill, a regulatory board shall oversee the conduct of its members, including their admission and removal thereto. It shall also foster the development of its profession.

Another salient provision which must be updated is the creation of an education board which shall assist in the setting of policies, standards and guidelines for the formal Medical Technology Programs. In updating the old law, this Bill seeks to improve the composition of this board, and delineate their role in the Profession.

Finally, this Bill seeks to regulate and improve the compensation received by medical technologists. This includes setting a standard for their compensation in public institutions, and providing for a standard hazard pay for all medical technologists.

In view of the foregoing, the passage of this bill is earnestly sought.


REP. JOEL R. CHUA
3rd District of Manila

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AN ACT
REGULATING AND MODERNIZING THE PRACTICE OF MEDICAL
TECHNOLOGY IN THE PHILIPPINES, THEREBY REPEALING REPUBLIC ACT
NOS. 5527 AND 6138 AND PRESIDENTIAL DECREE NOS. 498 AND 1534,
PROVIDING FUNDS THEREFOR AND FOR OTHER RELATED PURPOSES

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

Section 1. Short Title. - This act shall be known as the "Philippine Medical Technology Act"

Section 2. Declaration of Policy. – Article 2, Section 15 of the Constitution affirms that the State shall give priority to education, science and technology. To this end, the State recognizes the importance of the Medical Technology profession in the Philippine healthcare system and in scientific development. Therefore, the State shall support, oversee, and safeguard the professional practice of Medical Technology in the Philippines, ensuring its ongoing advancement aligns with global standards. Additionally, it shall foster the development of skilled, ethical, efficient, and well-rounded medical technologists who meet international excellence.

Section 3. Definition of Terms. - As used in this Act, the following terms shall mean:

- a. Accredited Medical Technology Training Laboratory** - refers to a clinical laboratory duly licensed by the Department of Health and accredited as a training laboratory for Medical Technology Program by the Commission on Higher Education (CHED);
- b. Accredited Professional Organization (APO)** - refers to the national professional organization, whose membership is voluntary, and recognized and accredited by the Professional Regulation Commission;
- c. Board** - refers to the Professional Regulatory Board of Medical Technology under the administrative supervision and control of the Professional Regulation Commission;
- d. Career Progression and Specialization (CPS)** - refers to the process of developing or moving towards a more advanced state in a person's job, title, position, or profession; it outlines the route one may follow in order to reach identified career development goals;

- e. **Commission** - refers to the Professional Regulation Commission;
- f. **Continuing Professional Development (CPD)** - refers to the inculcation of advanced knowledge, skills and ethical values in post-licensure specialized or in inter- or multidisciplinary field of study for assimilation into professional practice, self-directed research and/or lifelong learning.
- g. **Code of Ethics** - refers to a set of guidelines, standards, and principles to promote professional behavior that are value and compliance-based and relates to integrity, professionalism, and social responsibility, as prescribed and promulgated by the Board, in consultation with the duly accredited professional organization, with the approval of the Professional Regulation Commission;
- h. **Medical Technology or Medical Laboratory Science** - refers to the healthcare profession that provides professional services for the purpose of helping the physician in the diagnosis, treatment, and management of diseases, for public health surveillance, and for the promotion of health in general. The profession provides laboratory investigations on biological and non-biological specimens which have impact on health, the results of which will provide information to physicians or other health professionals in relation to healthcare, research, forensics, and other services related to medical technology using emerging, converging, or disrupting technologies, as may be applied in the field and other related fields. Medical Technology may also provide laboratory investigations on animals for the purpose of helping veterinarians in the care of animals;
- i. **Medical Technologist or Medical Laboratory Scientist** - refers to a degree holder of Bachelor of Science in Medical Technology (BS in Medical Laboratory Science) or Bachelor of Science in Public Health, who is duly licensed and registered with the Commission and is qualified to practice Medical Technology;
- j. **Phlebotomy** - refers to drawing or collection of blood;
- k. **Recognized School of Medical Technology** - refers to a school, college, or university which offers a bachelor's degree program in Medical Technology approved by the CHED;
- l. **Technical Panel for Medical Technology Education** - refers to the Technical Panel for Medical Technology Education organized under the CHED.

PRACTICE OF MEDICAL TECHNOLOGY

Section 4. Areas and Scope of Practice of Medical Technology. – Under this Act, a person is deemed to be in the practice of medical technology, if, for purposes of helping in the diagnosis, treatment, and management of diseases, in public health surveillance, and in the promotion of health in general, such person, with or without a fee, salary, compensation or reward, paid, given directly or indirectly:

- a. Performs examinations of tissues, secretions, and excretions of the human body and other body fluids through electronic, chemical, microscopic, hematologic, serologic,

immunologic, nuclear, molecular, cytogenetic, parasitologic, bacteriologic, mycologic, virologic and other laboratory procedures and techniques, either manual or automated;

b. Performs blood banking procedures and techniques for transfusion service;

c. Performs histopathologic and cytologic techniques;

d. Performs phlebotomy, processing, and preservation of specimens;

e. Teaches courses, trains, and supervises students in educational institutions with Medical Technology/ Medical Science programs: Provided, that teaching of courses for licensure examinations shall follow Section 11 of Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000;"

Section 5. Professional Regulatory Board of Medical Technology. - There is hereby created a Professional Regulatory Board of Medical Technology under the Commission. The Board shall be composed of a Chairperson and two (2) Members, all of whom are registered medical technologists who have completed the Bachelor of Science in Medical Technology/Medical Laboratory Science.

The Chairperson and Members of the Boards shall be appointed by the President of the Republic of the Philippines, hereinafter referred to as President, upon recommendation of the Commission and shall serve for a term of three (3) years. The Chairperson and the Members of the Board shall hold such office until their successors shall have been appointed and duly qualified.

For its recommendation, the Commission shall submit to the President a list containing three (3) names from among a list of five (5) nominees for each position recommended by the APO of medical technologists for appointment of the Chairperson or any Member of the Board prior to the expiration of the term of the Chairperson or any Member of the Board.

In case of death, disability, or removal for cause of the Chairperson or any Member of the Board, his/her successor shall only serve the balance of his/her term.

Section 6. Qualifications of the Chairperson and Members of the Board. - No person shall be appointed as Chairperson or as a Member of the Board unless he/she is a duly registered medical technologist, a natural-born Filipino citizen, a resident of the Philippines within the last five years at the time of nomination, and of good moral character: Provided, that the Chairperson and Members of the Board must be members in good standing of the APO: Provided, further, that the Chairperson and the Members of the Board must not be an officer or director of the APO at the time of their nomination.

The Chairperson must have at least fifteen (15) years of professional experience as a medical technologist, and must be holding a position as medical technologist in a continuous period of at least ten (10) years at the time of appointment, and preferably a holder of a master's degree.

The Members of the Board must have at least ten (10) years of professional experience as medical technologist, and must be holding a position as medical technologist in a continuous period of at least five (5) years at the time of appointment.

The Chairperson and Members of the Board must not have any pecuniary interest, directly or indirectly, in any school, college, university, or institution conferring an academic degree necessary for admission to the practice of medical technology or in any review center; neither shall he/she be a member of the faculty or of the administration thereof at the time of his/her appointment to the Board; nor shall he/she be a member of the faculty or administration in a medical technology school or reviewer in a review center at the time of nomination.

Section 7. Compensation and Allowances of the Board. – The Chairperson and each Member of the Board shall receive compensation and allowances equivalent to that being received by the chairperson and members of the other professional regulatory boards under the Commission as provided for in the General Appropriations Act.

Section 8. Powers and Functions of the Board:

- a. Administer and implement the provisions of this Act;
- b. Regulate the profession in accordance with the professional regulatory law;
- c. Determine and prepare the questions for the licensure examination for medical technologists;
- d. Administer oaths in connection with the implementation of this Act;
- e. Issue, suspend, revoke, reissue, or reinstate Certificates of Registration and Special Temporary Permits for the practice of medical technology;
- f. Look into conditions affecting the practice of medical technology in the Philippines, and, whenever necessary, adopt such measures that may be deemed proper for the maintenance of good ethics and standards in the practice of medical technology;
- g. Investigate cases arising from the violations of this Act or of the rules and regulations issued hereunder. For this purpose, the Board may issue subpoena and subpoena duces tecum;
- h. Draft such rules and regulations as may be necessary to carry out the provisions under this Act;
- i. Prescribe the qualifications and training of medical technologists with regard to special fields of the profession and to supervise their special examination to be conducted by the Commission;
- j. Formulate and implement guidelines for a refresher course for use of applicant who failed to pass the Board Examination for the third time;
- k. Prescribe and promulgate the Code of Ethics and Code of Professional Standards for the Practice of Medical Technology, in consultation with the APO;
- l. Issue guidelines on the CPD, through the CPD Council, with the approval of the Commission; and

- m. Perform such other functions as may be prescribed by the Commission, in accordance with existing laws.

Section 9. Removal of Board Members. - Any member of the Board may, upon the recommendation of the Commission, after due process of law and investigation conducted by the Commission, be suspended or removed by the President from office for cause such as gross neglect of duty, incompetence, malpractice, crimes involving moral turpitude, manipulation of the licensure examination results, or disclosure of secret and confidential information in the examination questions prior to the conduct of the said examination.

LICENSURE EXAMINATION AND REGISTRATION FOR MEDICAL TECHNOLOGY

Section 10. Licensure Examination. - Except as otherwise specifically allowed under the provisions of this Act, all applicants for registration as medical technologists shall be required to undergo a written examination which shall be given by the Board twice every year in such places as the Board may deem proper, subject to the approval of the Commission.

Section 11. Qualifications for Admission to the Licensure Examination. - An applicant for the licensure examination for medical technologists shall establish to the satisfaction of the Board, that:

- a. He/She is a citizen of the Philippines, or if he/she is a foreigner, must prove that the country of which he/she is a subject or citizen thereof permits Filipino medical technologists to practice within its territorial jurisdiction on the same basis as the subjects or citizens of such country;
- b. He/She is a graduate of a Bachelor of Science in Medical Technology/Medical Laboratory Science from a school, college, or university duly accredited by CHED and TPMTE. A graduate of Bachelor of Science in Public Health may be eligible if the completed degree program is similar to the Policies, Standards, and Guidelines for Medical Technology Education as approved by CHED and TPMTE.
- c. He/She is of good moral character; and,
- d. He/She must not have been finally convicted of an offense involving moral turpitude by a competent court.

Section 12. Scope of Examination for Medical Technology. - The scope of examination for medical technology shall cover the following courses with their respective relative weights:

Subject	Percentage
Clinical Chemistry	20%
Microbiology & Parasitology	20%
Hematology	20%

Immunohematology (Blood Banking and Transfusion Service) and Immunology & Serology	20%
Clinical Microscopy (Urinalysis and Other Body Fluids)	10%
Histopathologic, cytologic and cellular immunologic techniques, Laboratory Management, Medical Technology Law, Related Laws, and the Code of Ethics	10%

The general average of each examinee shall be computed 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 APO 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.

Section 13. 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 Commission may set.

Section 14. Ratings in the Examination. - In order to pass the examination for Medical Technology, 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 (60%) of the courses computed according to their relative weights.

After three (3) unsuccessful board examinations, completion of a refresher program as prescribed by the Board, shall be required before another examination can be taken.

Section 15. Oath. - All successful examinees qualified for registration shall be required to take an oath of profession before any member of the Board or any representative of the Board as authorized by the Commission to administer oaths, prior to entering into the practice of medical technology in the Philippines.

Section 16. Issuance of Certificate of Registration. - Every applicant who has satisfactorily passed the required examination for medical technologists shall be issued a Certificate of Registration as such.

All certificates shall be signed by the Chairman and Members of the Board and by the Chairperson of the Commission.

A Professional Identification Card shall at least bear minimum information such as the registration number, date of issuance and expiry date, duly signed by the Chairperson of the Commission. Other information such as qualifications of the applicant may be included upon the approval of the Commission. The Professional Identification Card shall be renewed subject to requirements prescribed by the Board and the Commission.

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, or who has

committed immoral, dishonorable, or dishonest conduct, or is of unsound mind. In the event of the Board's refusal to issue a Certificate of Registration, it shall issue a written statement to the applicant setting forth the reason for its action.

The statement issued by the Board shall be incorporated in its records.

Section 17. Fees. – The fees to be paid by each applicant for the issuance of a new Certificate of Registration, replacement of a lost, destroyed, or mutilated Certificate of Registration, or issuance or replacement of the Professional Identification Card shall be in accordance with the fees established by the Commission.

Section 18. Revocation or Suspension of Certificates of Registration. – The revocation or suspension of a Certificate of Registration may only be made after the completion of an administrative proceeding conducted by the hearing committee composed of at least one (1) Member of the Board and one (1) legal officer: Provided, that the existing rules of evidence shall be observed during the administrative proceeding: Provided, further, that the person whose Certificate of Registration is sought to be revoked or suspended shall be entitled to be represented by counsel, to have a speedy, impartial and public proceeding, to confront the witnesses against him and to all other rights guaranteed by the Constitution.

The Board may, after giving proper notice and hearing to the party concerned, reprimand an erring medical technologist, or revoke or suspend his/her Certificate of Registration for violating any provision of this Act, any rules or regulations issued pursuant to this Act, or for unprofessional and unethical conduct, incompetence, ignorance, malpractice, or negligence in the practice of medical technology.

No penalty of revocation shall be imposed unless there is a unanimous vote of all the three members of the Board. The Board may, by majority vote, impose the penalty of reprimand or suspension: Provided, that the suspension of the Certificate of Registration shall not exceed two (2) years. When the penalty of suspension or revocation is imposed by the Board, the medical technologist shall be required to surrender his/her Certificate of Registration within fifteen (15) days after the decision becomes final. Should the medical technologist fail to surrender his Certificate of Registration within said period without valid reason, the Board may disqualify him/her perpetually from the practice of medical technology. The suspension shall run from the date of such surrender.

Section 19. Appeal. – The revocation or suspension of a Certificate of Registration made by the hearing committee may be appealed primarily and exclusively to the Commission. The decision of the Commission may be elevated to the Court of Appeals in accordance with the Rules of Court.

Section 20. Reissuance or Reinstatement of a Revoked or Suspended Certificate of Registration. – The Board may reissue a revoked Certificate of Registration upon the application of the medical technologist whose Certificate of Registration was revoked: Provided, that the reissuance of a revoked Certificate of Registration may only be made for proper and sufficient reasons: Provided, further, that no revoked Certificate of Registration may be reissued within two (2) years from the date of its surrender.

A suspended Certificate of Registration shall be reinstated upon request of the medical technologist after the expiration of the period of suspension. The reissuance or reinstatement

of the Certificate of Registration shall be without prejudice to further actions by the Board for a violation of any provision of this Act, its implementing rules or regulations or any condition imposed by the Board upon the medical technologist during the period of revocation or suspension.

Section 21. Roster of Medical Technologists. - A roster of Medical Technologists shall be prepared annually by the Professional Registry Division. This roster shall contain the name of each registered medical technologist; the date of registration or issuance of the Certificate of Registration and other pertinent data, as approved by the Commission.

MEDICAL TECHNOLOGY EDUCATION

Section 22. Technical Panel for Medical Technology Education (TPMTE) or its equivalent. -The Technical Panel for Medical Technology Education under the CHED shall be composed of the following members:

- a. A representative from the Board;
- b. The President of the accredited professional organization of medical technologists;
- c. The President of the association of schools of medical technology;
- d. Two (2) representatives from clinical laboratory practice who are Chief Medical technologists or at least holding a supervisory medical technologist position in a tertiary clinical laboratory; and,
- e. Two (2) representatives from academe who are Medical technologists holding positions with management responsibility in an institution with medical technology/medical laboratory science program.

The CHED shall provide secretariat and other support services to the TPMTE or its equivalent.

Section 23. Responsibilities of TPMTE or its equivalent. - The TPMTE shall assist the Commission on Higher Education in setting Policies, Standards and Guidelines for the formal Medical Technology Programs, both undergraduate and post-graduate studies. It shall serve as the Resource Persons for CHED.

Section 24. 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 for Medical Technology Education. Said program shall be composed of general education, core and professional courses, and a satisfactory and duly approved internship program in CHED accredited training laboratories.

Section 25. Accreditation of Schools of Medical Technology Education and of Training Laboratories. - The Commission on Higher Education shall approve schools of Medical Technology and accredit licensed clinical laboratories for training of students in accordance with the provisions of this Act. The laboratories shall show satisfactory evidence

that they possess qualified personnel and are properly equipped to carry out laboratory procedures commonly required in the following fields: Clinical Chemistry, Microbiology & Parasitology, Immunohematology (Blood Banking and Transfusion Service), Immunology & Serology, Clinical Microscopy (Urinalysis & Other Body Fluids), and Histopathologic and Cytologic techniques, and that the scope of activities of said laboratories offer sufficient training in said laboratory procedures.

MEDICAL TECHNOLOGY PROFESSION

Section 26. Studies for Medical Technology Human Resource Management. - The Board, in coordination with the accredited professional organization, appropriate government, and private agencies shall initiate, undertake, and conduct studies on health, human resources production, utilization, or deployment and development.

Section 27. Continuing Professional Development (CPD) for Medical Technology. - The Board shall formulate guidelines for the implementation of Continuing Professional Development for Medical Technology as approved by the Commission to ensure sustainability, accessibility and affordability. CPD shall provide, promote and facilitate the enhancement of competence and competencies towards delivery of quality, safe, updated, and ethical services, both locally and globally. It shall also support Career Progression and Specialization Program for Medical Technology.

Section 28. Salary. - In order to enhance the general welfare, commitment to service, and professionalism of medical technologists, the minimum base pay upon entry of a medical technologist in public or private shall not be lower than the amount equivalent to Salary Grade 15.

Section 29. Hazard Pay, Health and Safety, and other Entitlements. - Medical technologists working in either public or private healthcare institutions shall be entitled to twenty-five percent (25%) of the minimum basic pay as hazard pay; a working environment compliant to occupational safety and health standards, including provision of personal protective equipment; other non-wage benefits such as availment of health services, including psychological and physical health services; and, support for professional needs such as but not limited to Continuing Professional Development and Career Progression and Specialization.

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

Section 31. Inhibition Against the Practice of Medical Technology. - No person shall practice or offer to practice medical technology as defined in this Act without having previously obtained a valid certificate of registration from the Board provided that registration shall not be required of the following:

- a. Duly registered physicians; or,
- b. Medical technologists from other countries called for specific consultation or as visiting or exchange professors to colleges or universities or medical missions who may be issued Special Temporary Permits (STPs): Provided, that their practice of medical technology

within the country is limited to their performance of the said function and subject to other conditions as may be prescribed by the Board and the Commission.

PENAL PROVISIONS

Section 32. Penal Provisions. - The following shall be punished by a fine of not less than fifty thousand pesos (P50,000.00) nor more than one hundred thousand pesos (P100,000.00) or imprisonment of not less than six (6) months nor more than (2) years, or both, at the discretion of the court:

- a. Any person who shall practice Medical Technology in the Philippines without being registered 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 non-registered medical technologist under his employ to engage in the practice of medical technology or recommend the appointment of anyone to the position of a medical technologist while knowing that he is not registered as such; or,
- i. Any person or corporate body who shall violate any provision of this Act or any rules or regulations issued pursuant to this Act.

FINAL PROVISIONS

Section 33. Enforcement of this Act. - It shall be the primary duty of the Commission and 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 person violating the same.

Section 34. Funds. – The sum of Five Million Pesos is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, to carry out the purposes of this Act. Thereafter, such sums as may be necessary for the same purpose shall be included in the annual appropriations for the Commission.

Section 35. Implementing Rules and Regulations. - Within ninety (90) days after the effectivity of this Act, the Board and the Commission, in coordination with the accredited professional organization, the Department of Health, the Department of Budget and Management and other concerned 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.

Section 36. Transitory Provisions. - Upon the effectivity of this Act:

- i. The Board shall discontinue the registration of medical laboratory technicians as provided for in Section 21 of Republic Act No. 5527: Provided, that medical laboratory technicians registered under Republic Act No. 5527 shall maintain their status as registered medical laboratory technician after this Act has taken effect: Provided, further, that a registered medical technologist occupying the position of a medical laboratory technician shall be accorded an appropriate position and be reclassified as a medical technologist.
- ii. The incumbent Chairperson and Members of the Board shall continue to serve until the first Board constituted under the provisions of this Act shall have been appointed and duly qualified.

Section 37. Separability Clause. - Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

Section 38. Repealing Clause. - Republic Act Nos. 5527 and 6138 and Presidential Decree Nos. 498 and 1534 are hereby repealed.

Section 39. Effectivity. - This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation and the Official Gazette.

Approved,