



HOUSE OF REPRESENTATIVES

H. No. 9388

BY REPRESENTATIVES MOMO, PIMENTEL, ACIDRE, SUANSING (M.A.) AND QUIMBO

AN ACT
ESTABLISHING A COLLEGE OF MEDICINE IN THE NORTH EASTERN MINDANAO
STATE UNIVERSITY-MAIN CAMPUS IN THE CITY OF TANDAG, PROVINCE OF
SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. *Establishment.*** – There is hereby established a medical school in
2 the North Eastern Mindanao State University-Main Campus located in the City of Tandag,
3 Province of Surigao del Sur, which shall be known as the “*North Eastern Mindanao State*
4 *University-College of Medicine*”.

5
6 **SEC. 2. *General Mandate.*** – The North Eastern Mindanao State University
7 (NEMSU)–College of Medicine, hereinafter referred to as the “College”, shall primarily
8 offer a Doctor of Medicine Program, including an Integrated Liberal Arts and Medicine
9 Program consisting of basic science and clinical courses and using a learner-centered,
10 competency-based, and community-oriented approach. The primary goal of the College
11 shall be to develop a corps of professional physicians to strengthen the healthcare system
12 of the country, as well as to respond to the human resource development needs of the
13 Province of Surigao del Sur and the CARAGA Region.

14
15 The College is also mandated to undertake research and extension services and
16 provide progressive leadership in these areas.

17
18 **SEC. 3. *Governance.*** – The governance of the College shall be vested in the Board
19 of Regents of the NEMSU, hereinafter referred to as the Board, whose powers and
20 functions are defined under Republic Act (RA) No. 9998, entitled, “An Act Converting the
21 Surigao del Sur Polytechnic State College (SSPSC) in the Province of Surigao del Sur
22 into a State University to be Known as the Surigao del Sur State University and
23 Appropriating Funds Therefor”, and other applicable laws and regulations, unless
24 otherwise provided or amended elsewhere in this Act.

25
26 **SEC. 4. *Administration.*** – The administration of the College shall be vested in
27 the Dean of the College insofar as may be authorized by its Board.

1 **SEC. 5. The College Dean.** – The College shall be headed by a Dean who
2 shall be appointed by the Board, subject to the guidelines, qualifications, and standards set
3 by the Board, and upon the recommendation of the President of the NEMSU, and pursuant
4 to the policies, standards, and guidelines of the Commission on Higher Education (CHED).
5 The Dean shall render full-time service, serve a term of three (3) years, and may be
6 reappointed to another term.

7
8 Within six (6) months from the effectivity of this Act, the President of the NEMSU
9 shall constitute the Search Committee for the Deanship.

10
11 The powers and duties of the Dean of the College, in addition to those specifically
12 provided for in this Act, shall include those usually pertaining to the Office of the Dean of
13 similar state universities and colleges and those delegated by the President.

14
15 The salary of the Dean of the College shall be in accordance with RA 11466,
16 otherwise known as the “Salary Standardization Law of 2019”, and such other laws
17 amendatory thereto, which may hereinafter be enacted, and shall be comparable to that
18 being received by the Deans of similar educational institutions.

19
20 In case of vacancy in the Office of the Dean by reason of death, compulsory
21 retirement, resignation, removal for cause, or incapacity of the Dean to perform the
22 functions of the office, the Board shall, upon the recommendation of the President,
23 designate an Officer-in-Charge (OIC) of the College, pending the appointment of a
24 new Dean: *Provided*, That the OIC shall serve only during the unexpired portion of
25 the term.

26
27 The Dean of the College shall be assisted by a College Secretary, who shall be
28 appointed by the Board.

29
30 **SEC. 6. The Faculty.** – The Board shall, upon the recommendation of the
31 President of the NEMSU, appoint the faculty of the College: *Provided*, That no political
32 belief, sex, gender, cultural or community affiliation or ethnic origin, nor religious opinion
33 or affiliation shall be a matter of inquiry in the appointment of the faculty of the College:
34 *Provided, further*, That said appointment shall be subject to the guidelines,
35 qualifications, and standards set by the Board in accordance with the policies of the
36 CHED: *Provided, finally*, That no member of the faculty shall teach for or against any
37 particular religious denomination.

38
39 **SEC. 7. Scholarship Programs and Admission.** – The College shall provide
40 scholarships and other affirmative action programs to assist poor, but deserving students
41 who qualify for admission to the College. Students who have availed themselves of the
42 scholarship program under RA 11509, otherwise known as the “*Doktor Para sa Bayan*
43 *Act*”, shall render a return service in accordance with the said law. Students availing
44 themselves of other nationally-funded scholarship programs to complete the medicine
45 degree program under the College may be required to render a return service depending
46 on the contract to be signed between the student and the College.

47
48 No student shall be denied admission to the College by reason of sex, gender,
49 religion, cultural or community affiliation, physical disability, ethnic origin, or any other
50 forms of discrimination.

1 **SEC. 8. Academic Freedom.** – The College shall enjoy academic freedom
2 pursuant to Paragraph 2, Section 5 of Article XIV of the Constitution.
3

4 **SEC. 9. Loan or Transfer of Supplies, Apparatuses, or Equipment, and Detail**
5 **of Personnel to the College.** – Heads of national government agencies and
6 instrumentalities may, upon the request of the Board through the President of the
7 NEMSU, loan or transfer of supplies, apparatuses, or equipment, and detail personnel to
8 the College: *Provided*, That such loan, transfer or detail shall not be detrimental to public
9 service.
10

11 The personnel to be detailed to the College shall perform such duties as may be
12 deemed required by the Dean of the College and the time spent for such duties shall be
13 counted as part of the detailed personnel's regular service.
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15 **SEC. 10. Assets, Liabilities, Records, and Personnel.** – All appropriations,
16 assets, both real and personal, personnel, and records of the College, as well as its
17 liabilities or obligations, shall be titled or named after the NEMSU.
18

19 All parcels of land belonging to the government to be occupied by the College shall
20 be the property of the NEMSU and titled under its name: *Provided*, That should the
21 NEMSU cease to exist or be abolished or such aforementioned parcels of land be no
22 longer needed by the NEMSU, the same shall revert to the local government unit
23 concerned or to the Republic of the Philippines, as the case may be.
24

25 **SEC. 11. Duty and Tax Exemptions.** – The importation by the College of medical
26 books or publications, medical equipment or instruments which are for medical, laboratory
27 or scientific purposes shall, upon certification by the CHED, be exempt from customs
28 duties in accordance with the provisions of RA 10863, otherwise known as the
29 "Customs Modernization and Tariff Act (CMTA)".
30

31 All grants, bequests, endowments, donations, and contributions made to and used
32 actually, directly, and exclusively for educational purposes by the College, shall be
33 exempt from donor's tax and the same shall be considered as allowable deductions from
34 gross income for purposes of computing the taxable income of the donor in accordance
35 with the provisions of the National Internal Revenue Code of 1997, as amended.
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37 **SEC. 12. Compliance with the CHED Requirements.** – The provisions of this Act
38 notwithstanding, the establishment of the medical program shall become effective only
39 upon determination and declaration by the CHED that the institution has substantially
40 complied with the policies, standards, and guidelines of the CHED for the Doctor of
41 Medicine Program.
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43 **SEC. 13. Supplementary Application.** – The provisions of RA 8292, otherwise known
44 as the "Higher Education Modernization Act of 1997", shall form part of this Act.
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46 **SEC. 14. Appropriations.** – The amount necessary to carry out the provisions of
47 this Act shall be included in the annual General Appropriations Act.
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49 **SEC. 15. Implementing Rules and Regulations.** – Within sixty (60) days from the
50 approval of this Act, the Board shall, in consultation with the CHED, issue rules and
51 regulations to implement its provisions.

1 **SEC. 16. *Separability Clause.*** – If, for any reason, any part or provision of this
2 Act is declared invalid or unconstitutional, the remaining parts or provisions not affected
3 are in full force and effect.
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5 **SEC. 17. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
6 and rules and regulations contrary to or inconsistent with the provisions of this Act are
7 amended, repealed, or modified accordingly.
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9 **SEC. 18. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
10 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,