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**S E N A T E**

COMMITTEE REPORT NO. 723 RECEIVED BY: [Signature]

Submitted jointly by the Committees on Civil Service and Government Reorganization and Finance on OCT 14 2009

Re: S.B. No. 3499

Recommending its approval in substitution of Senate Bill Nos. 2372, 3139, 3372, 3405 and taking into consideration House Bill No. 6410.

Sponsor: Senator Panfilo M. Lacson

**MR. PRESIDENT:**

The Committees on Civil Service and Government Reorganization and Finance, to which were referred S. B. No. 2372 introduced by Senator Antonio F. Trillanes IV, *entitled:*

**AN ACT REGULATING THE PRACTICE OF RESPIRATORY THERAPY AND CREATING THE BOARD OF EXAMINERS FOR RESPIRATORY THERAPISTS, PROVIDING FOR ITS STRUCTURE AND ORGANIZATION, AND FOR OTHER PURPOSES**

S. B. No. 3139, introduced by Senator Edgardo J. Angara, *entitled:*

**AN ACT REGULATING THE PRACTICE OF RESPIRATORY THERAPY AND CREATING FOR THE PURPOSE A PROFESSIONAL REGULATORY BOARD OF RESPIRATORY THERAPY, APPROPRIATING FUNDS THEREFORE AND FOR OTHER PURPOSES**

S. B. No. 3372, introduced by Senator Mar Roxas, *entitled:*

**AN ACT REGULATING THE PRACTICE OF RESPIRATORY THERAPY AND CREATING THE BOARD OF EXAMINERS FOR RESPIRATORY THERAPISTS, PROVIDING FOR ITS STRUCTURE AND ORGANIZATION, AND FOR OTHER PURPOSES**

S. B. No. 3405, introduced by Senator Ramon Revilla, Jr., *entitled:*

**AN ACT REGULATING THE PRACTICE OF RESPIRATORY THERAPY, CREATING A PROFESSIONAL REGULATORY BOARD OF RESPIRATORY THERAPY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

and taking into consideration House Bill No. 6410, introduced by Representatives Teodoro, Gonzales (R), Cua (J), Bondoc, Pingoy, Gonzales (N) and De Guzman, Per Committee Report No. 2059 *entitled:*

**AN ACT REGULATING THE PRACTICE OF RESPIRATORY THERAPY, CREATING A PROFESSIONAL REGULATORY BOARD OF RESPIRATORY THERAPY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

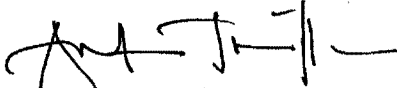
have considered the same and have the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. 3499 prepared by the Committees, *entitled:*


**AN ACT REGULATING THE PRACTICE OF RESPIRATORY THERAPY, CREATING A PROFESSIONAL REGULATORY BOARD OF RESPIRATORY THERAPY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

be approved in substitution of Senate Bill Nos. 2372, 3139, 3372, and taking into consideration House Bill No. 6410, with Senators Trillanes IV, Angara, Roxas and Lacson as authors thereof.

*Devilla Jr.*  
*JH*

Respectfully submitted:

  
**ANTONIO "SONNY" F. TRILLANES IV**  
Chairman, Committee on Civil Service  
and Government Reorganization  
Committee on Finance

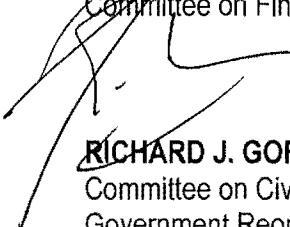
*JH 3405*  
*3504*  
  
**PANFILO M. LACSON**  
Acting Chairman, Committee on  
Civil Service and Government  
Reorganization  
Committee on Finance

  
**EDGARDO J. ANGARA**  
Chairman, Committee on Finance  
Committee on Civil Service  
and Government Reorganization


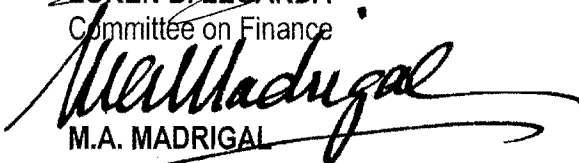
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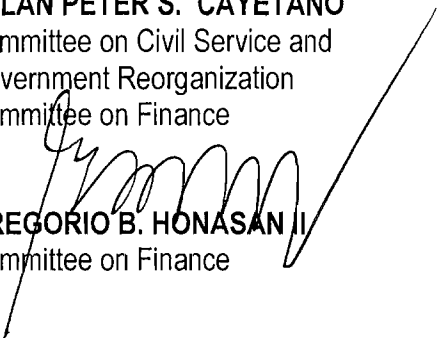
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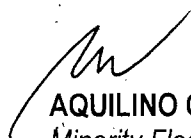
  
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*Senate President Pro-Tempore*

  
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*Majority Floor Leader*

  
**AQUILINO Q. PIMENTEL, JR.**  
*Minority Floor Leader*

**HON. JUAN PONCE ENRILE**  
*Senate President*  
Senate of the Philippines  
Pasay City

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SENATE

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S. No. 3499 <sup>3405</sup>

(In Substitution of Senate Bill Nos. 2372, 3139, 3372 and taking into consideration HBN 6410)

Prepared by the Committees on Civil Service and Government Reorganization and Finance with Senators Trillanes IV, Angara, Roxas and Lacson as authors thereof  
*Rexilla Jr.*

**AN ACT  
REGULATING THE PRACTICE OF RESPIRATORY THERAPY,  
CREATING A PROFESSIONAL REGULATORY BOARD OF  
RESPIRATORY THERAPY, APPROPRIATING FUNDS THEREFOR AND  
FOR OTHER PURPOSES**

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

**ARTICLE I**

**TITLE, STATEMENT OF POLICY, DEFINITION OF TERMS**

**SECTION 1. Title.** – This Act shall be known and cited as the “Philippine Respiratory Therapy Act of 2009”.

**SEC. 2. Declaration of Policy.** – The State recognizes the importance of respiratory therapists in nation building. Hence, it shall develop and nurture competent, virtuous, productive and well-rounded respiratory therapists whose standards of practice and service shall be excellent, qualitative, world-class and globally competitive through inviolable, honest, effective and credible licensure examinations and through regulatory measures, programs and activities that foster their professional growth.

**SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall mean:

(a) *Respiratory Therapy* is an allied health specialty employed with medical direction in the treatment, management, control,

1 diagnostic evaluation and care of patients with deficiencies and  
2 abnormalities in the cardiopulmonary system;

3 (b) *Respiratory Therapist* is a person who is a holder of a valid  
4 certificate of registration and a professional identification card  
5 issued by the Professional Regulatory Board of Respiratory  
6 Therapy and the Professional Regulation Commission and who  
7 is legally qualified to practice respiratory therapy in the  
8 Philippines pursuant to this Act;

9 (c) *Respiratory Therapy Technician* is a person who has been  
10 registered and issued a valid certificate of registration and  
11 professional identification card and who has undergone a two-  
12 year associate or certificate program in respiratory therapy  
13 procedures and whose specific assignments are supervised by a  
14 registered respiratory therapist. Such assignments are within  
15 the limits of a hospital or an institution of employment;

16 (d) *Accredited Respiratory Training Center* is a respiratory therapy  
17 unit or pulmonary laboratory, office, center, agency, clinic,  
18 hospital or sanitarium duly approved by the Department of  
19 Health or its authorized agency;

20 (e) *Recognized School of Respiratory Therapy* is any school, college,  
21 or university that offers a course in Respiratory Therapy as  
22 approved by the Commission on Higher Education in  
23 accordance with the requirements under this Act, upon  
24 recommendation of the Board of Respiratory Therapy.

## 25 26 **ARTICLE II**

### 27 **THE PROFESSIONAL REGULATORY BOARD** 28 **OF RESPIRATORY THERAPY**

29  
30 **SEC. 4. *Creation and Composition of the Board.*** – There is  
31 hereby created a Professional Regulatory Board of Respiratory Therapy  
32 hereinafter called the Board, under the administrative supervision and  
33 control of the Professional Regulation Commission, hereinafter referred to  
34 as the Commission, to be composed of a Chairperson and two (2)  
35 members who shall be appointed by the President of the Philippines from  
36 three recommendees submitted by the Commission from among a list of

1 five nominees for each position submitted by the integrated professional  
2 organization of respiratory therapists. The Board shall be organized not  
3 later than six (6) months from the effectivity of this Act.

4  
5 **SEC. 5. Qualifications of the Members of the Board.** – The  
6 Chairperson and members of the Board shall, at the time of their  
7 appointment, possess the following qualifications:

- 8 (a) Must be a natural born citizen and resident of the Philippines;
- 9 (b) Must be at least thirty-five (35) years of age if he/she is the  
10 chairperson or at least thirty (30) years old if he/she is a  
11 member;
- 12 (c) Must be a duly registered respiratory therapist in the Philippines  
13 with a valid certificate of registration and professional  
14 identification card: *Provided*, That in case of the first members  
15 of the Board of Respiratory Therapy, they shall be issued  
16 certificates of registration and professional identification card as  
17 respiratory therapists without prior examination: *Provided*  
18 *further*, That in case a Masteral Degree course for respiratory  
19 therapy is developed, future members of the Board must  
20 henceforth be holders of a Masteral Degree in Respiratory  
21 Therapy;
- 22 (d) Must be a holder of a baccalaureate degree in respiratory  
23 therapy with at least fifteen (15) years of professional experience  
24 and with at least five (5) years of professional experience as  
25 director, supervisor or head of said laboratory or unit of a  
26 Department of Health recognized hospital prior to his/her  
27 appointment;
- 28 (e) Must not be an elected officer of the integrated and accredited  
29 national organization of respiratory therapists;
- 30 (f) Must not have been convicted by any competent court of an  
31 offense involving moral turpitude; and
- 32 (g) Must not have any pecuniary interest, directly or indirectly, in  
33 any school, college, university or institution conferring an  
34 academic degree necessary for admission to the practice of  
35 respiratory therapy or where review classes in preparation for  
36 the licensure examination are being offered or conducted, nor

1 shall he/she be a member of the faculty or of the administration  
2 thereof at the time of his/her appointment to the Board.

3  
4 **SEC. 6. Term of Office of Board Members.** – The Chairperson  
5 and the members of the Board shall hold office for a term of three (3)  
6 years or until their successors shall have been appointed and duly  
7 qualified: *Provided*, That members of the first Board to be appointed after  
8 the approval of this Act shall hold office for the following terms:  
9 chairperson for three years, one member for two years, and the other  
10 member for one year: *Provided, further*, That the chairperson or any  
11 member may be reappointed for another term of three years but in no  
12 case shall the whole term exceed six years. Interim vacancies in the  
13 Board shall be filled for the unexpired term only. Each member of the  
14 first Board shall automatically be registered as respiratory therapist and  
15 issued a certificate of registration and professional identification card and  
16 shall take the proper oath of office prior to assumption of duty.

17  
18 **SEC. 7. Compensation and Allowances of the Board.** – The  
19 Chairperson and members of the Board shall receive compensation and  
20 allowances comparable to that being received by the chairpersons and  
21 members of existing regulatory boards under the Commission as provided  
22 for in the General Appropriations Act.

23  
24 **SEC. 8. Powers and Functions of the Board.** – The Board shall  
25 have the following powers and duties:

- 26 (a) Promulgate, administer and enforce rules and regulations  
27 necessary for carrying out the provisions of this Act;  
28 (b) Administer oaths in connection with the administration of this  
29 Act;  
30 (c) Study the conditions affecting the practice of respiratory  
31 therapy in the Philippines and adopt measures for the  
32 enhancement of the profession; and the maintenance of high  
33 professional ethical standards. The Board may conduct ocular  
34 inspection at places where registered respiratory therapists are  
35 employed or are working, such as hospitals and clinics, to  
36 determine and enforce compliance with the professional

1 regulatory laws and the rules and regulations promulgated  
2 pursuant thereto, to aid the Board in formulating or revising  
3 policies relating to the practice of respiratory therapy;

- 4 (d) Ensure, in coordination with the Commission on Higher  
5 Education (CHED), that all educational institutions offering  
6 respiratory therapy education comply with the policies,  
7 standards and requirements of the course prescribed by CHED  
8 in the areas of curriculum, faculty, library, and facilities;
- 9 (e) Supervise and regulate the registration, licensure and practice  
10 of respiratory therapy in the Philippines;
- 11 (f) Adopt an official seal of the Board;
- 12 (g) Maintain a roster of respiratory therapists indicating therein  
13 the basic information about the registered professionals;
- 14 (h) Issue, reinstate, suspend or revoke the certificate of registration  
15 and professional identification card or cancel special permits  
16 for the practice of respiratory therapy;
- 17 (i) Prescribe and/or adopt a Code of Ethics and Standards for the  
18 practice of respiratory therapy;
- 19 (j) Hear or investigate any violations of this Act, its implementing  
20 rules and regulations and the Code of Ethics for respiratory  
21 therapists, and for this purpose, to issue *subpoena duces tecum*  
22 to secure the appearance of the witnesses and the production of  
23 documents in connection therewith: *Provided*, That the  
24 decision of the Board shall, unless appealed to the Commission,  
25 become final and executory after fifteen (15) days from receipt  
26 of judgment or decision;
- 27 (k) Determine and evaluate the qualifications of applicants for  
28 registration with or without licensure examination and  
29 applicants for special permits;
- 30 (l) Prescribe the subjects in the licensure examination, determine  
31 the syllabi of the subjects and their relative weights, construct  
32 test questions in the licensure examination, score and rate the  
33 examination papers and submit the examination results to the  
34 Commission;
- 35 (m) Grant registration without examination subject to approval by  
36 the Commission;



1 (n) Issue special permits to persons admitted to the practice of  
2 respiratory therapy for a specific duration of time, and  
3 certificates of recognition for advanced studies, researches and  
4 accomplishments that contribute to the enrichment of the  
5 profession;

6 (o) Adopt a program for the full computerization of the licensure  
7 examination;

8 (p) Prescribe guidelines and criteria in the Continuing Professional  
9 Education (CPE) program for respiratory therapists; and

10 (q) Perform such other powers and functions as it may deem  
11 necessary to carry out the objectives of this Act.

12 The policies, resolutions, rules and regulations, orders or decisions  
13 issued or promulgated by the Board shall be subject to the review and  
14 approval of the Commission.

15  
16 **SEC. 9. Suspension and/or Removal of Board Members.** – Any  
17 member of the Board may, upon the recommendation of the Commission  
18 after due process of law and investigation conducted by the Commission,  
19 be suspended or removed by the President from office for cause such as  
20 gross neglect of duty, incompetence, malpractice, unprofessionalism,  
21 immorality, unethical or dishonorable conduct, final judgment of crimes  
22 involving moral turpitude, manipulation or rigging of the licensure  
23 examination results, disclosure of secret and confidential information in  
24 the examination questions prior to the conduct of the said examination,  
25 and tampering of grades.

26  
27 **SEC. 10. Supervision of the Board, Custodian of its Records,**  
28 **Secretariat and Support Services.** – The Board shall be under the  
29 administrative supervision of the Commission. All records of the Board,  
30 including applications, examination papers and results, minutes of  
31 deliberation, administrative cases, and other investigations involving  
32 respiratory therapists shall be kept by the Commission.

33 The Commission shall designate the Secretary of the Board and  
34 shall provide the secretariat and other support services to implement the  
35 provisions of this Act.

36

1           **SEC. 11. *Annual Report.*** – The Board shall, at the close of each  
2 calendar year, submit an annual report to the Commission, giving a  
3 detailed account of its proceedings and accomplishments during the year  
4 and recommending measures to be adopted, with the end in view of  
5 upgrading and improving the conditions affecting the practice of  
6 respiratory therapy in the Philippines.

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8   **ARTICLE III**

9   **LICENSURE EXAMINATION AND REGISTRATION**

10  
11           **SEC. 12. *Examination Required.*** – All applicants for registration  
12 for the practice of respiratory therapy shall be required to undergo a  
13 licensure examination to be given by the Board in such places and dates  
14 as the Commission may designate subject to compliance with the  
15 requirements prescribed by the Commission.

16  
17           **SEC. 13. *Qualification of Applicants.*** – An applicant for the  
18 licensure examination for respiratory therapists shall establish to the  
19 satisfaction of the Board, that:

- 20           (a) He/she is a citizen of the Philippines, or if he/she is a foreigner,  
21           must prove that the country of which he/she is a subject or  
22           citizen thereof permits Filipino respiratory therapists to practice  
23           within its territorial jurisdiction on the same basis as the  
24           subjects or citizens of such country;
- 25           (b) He/she has completed at least ten (10) months of internship  
26           equivalent to a minimum of one thousand five hundred (1,500)  
27           hours of respiratory therapy clinical internship under the  
28           supervision of a competent, duly qualified and registered  
29           respiratory therapist;
- 30           (c) He/she is a graduate of a Bachelor of Science in Respiratory  
31           Therapy degree from a school, college or university in the  
32           Philippines or abroad recognized and accredited by the  
33           Commission on Higher Education (CHED);
- 34           (d) He/she is of good moral character;
- 35           (e) He/she must not have been convicted of an offense involving  
36           moral turpitude by a competent court.

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**SEC. 14. Scope of Examination.** – The licensure examination for respiratory therapists shall cover the following subjects:

- (a) Patient Assessment and Electrocardiography
- (b) Cardiopulmonary Pathophysiology
- (c) Neonatal and Pediatric Respiratory Therapy
- (d) Mechanical Ventilation
- (e) Acid-Base Physiology and Blood Gas Interpretation
- (f) Airway Care and Management
- (g) Pulmonary Function Testing
- (h) Pulmonary Rehabilitation
- (i) Oxygen Therapy

The Board, subject to the approval of the Commission, may revise or exclude any of the subjects or add new ones as the need arises.

**SEC. 15. Ratings in the Examination.** – To be qualified as having passed the licensure examination for respiratory therapists, a candidate must have obtained a general average of seventy-five percent (75%) with no grade lower than sixty percent (60%) in any given subject.

**SEC. 16. Registration Without Examination as Respiratory Therapists.** – A person who possesses the pertinent qualifications required for admission in the examination for registration as a respiratory therapist pursuant to the provisions of this Act may be registered without examination, provided the applicant files with the Board within two (2) years after its creation an application for registration and issuance of a certificate of registration and professional identification card by submitting credentials showing that the applicant, before the effectivity of this Act, had obtained any of the following:

- (a) a Bachelor of Science degree in Respiratory Therapy with at least ten (10) years of work experience in the practice of respiratory therapy;
- (b) a Bachelor of Science degree in allied health professions with at least ten (10) years of work experience in the practice of respiratory therapy;

1 (c) holder of non-degree courses such as the Certificate in  
2 Respiratory Therapy, Certificate in Pulmonary Therapy,  
3 Associate in Respiratory Therapy, Associate in Pulmonary  
4 Therapy, with at least fifteen (15) years of work experience in the  
5 practice of respiratory of therapy.

6 **SEC. 17. Report of Ratings.** – The Board shall submit to the  
7 Commission the ratings obtained by each candidate within ten (10)  
8 calendar days after the examination, unless extended for just cause.

9  
10 **SEC. 18. Oath of Respiratory Therapists.** – All successful  
11 examinees qualified for registration and all qualified applicants for  
12 registration without examination shall be required to take an oath of  
13 profession before any member of the Board or any government official  
14 authorized by the Commission to administer oaths, prior to entering into  
15 the practice of respiratory therapy in the Philippines.

16  
17 **SEC. 19. Issuance of the Certificate of Registration and**  
18 **Professional Identification Card.** – The Commission, on  
19 recommendation of the Board, shall issue a certificate of registration and  
20 professional identification card to examinees who passed the licensure  
21 examination for respiratory therapists and to qualified applicants for  
22 registration without examination subject to payment of fees prescribed by  
23 the Commission. The certificate of registration shall bear the signature of  
24 the Chairperson of the Commission and the members of the Board,  
25 stamped with the official seal of the Commission and of the Board,  
26 indicating that the person named therein is entitled to practice the  
27 profession with all the privileges appurtenant thereto. This certificate of  
28 registration shall remain in full force and effect until revoked or  
29 suspended in accordance with this Act.

30 A professional identification card bearing the registration number,  
31 date of issuance, expiry date, duly signed by the chairperson of the  
32 Commission shall likewise be issued to every registrant who has paid the  
33 prescribed fee and this shall be renewable every three years.

34  
35 **SEC. 20. Refusal to Register.** – The Board shall not register any  
36 successful examinee who has been convicted by a court of competent

1 jurisdiction of any criminal offense involving moral turpitude or has been  
2 found guilty of immoral or dishonorable conduct after investigation by the  
3 Board, or has been declared to be of unsound mind. The reason for the  
4 refusal shall be set forth in writing.

5 **SEC. 21. Indication of Certificate of Registration and**  
6 **Professional Tax Receipt.** – The respiratory therapist shall be required  
7 to indicate his/her registration number, including the professional tax  
8 receipt number on the document he/she signs, uses or issues in  
9 connection with the practice of his/her profession.

10  
11 **SEC. 22. Professional Suffix.** – The letters “RTRP,” which stands  
12 for Respiratory Therapy Registered Philippines, shall be added to the  
13 name of the respiratory therapist who successfully passes the  
14 examination especially when signing documents pertinent to the practice  
15 of his/her profession.

16  
17 **SEC. 23. Revocation or Suspension of the Certificate of**  
18 **Registration and Professional Identification Card and Cancellation**  
19 **of Special Permit.** – The Board may, after giving proper notice of hearing  
20 to the party concerned, revoke the practitioner’s certificate of registration  
21 and professional identification card or suspend him/her from the practice  
22 of his/her profession or cancel his/her special permit for any of the  
23 causes or grounds under Section 20 of this Act or for any unprofessional  
24 or unethical conduct, malpractice, violation of any of the provisions of  
25 this Act, its rules and regulations, the Code of Ethics and Standards for  
26 respiratory therapists.

27  
28 **SEC. 24. Reinstatement, Reissuance or Replacement of**  
29 **Certificate of Registration and Professional Identification Card and**  
30 **Temporary/Special Permit.** – Two years after the date of revocation, the  
31 Board may, upon application and for reasons deemed proper and  
32 sufficient, reinstate any revoked certificate of registration and reissue a  
33 professional identification card, and in so doing, may, in its discretion,  
34 exempt the applicant from taking another examination.

1 A new certificate of registration or temporary/special permit, to  
2 replace lost, destroyed or mutilated ones may be issued subject to the  
3 rules as implemented by the Board.

4  
5 **SEC. 25. Roster of Respiratory Therapists.** – The Board shall  
6 prepare, update and maintain a roster of respiratory therapists which  
7 shall contain the name of each registered respiratory therapist, his/her  
8 residence and office addresses, the date of registration and issuance of  
9 certificates, and other data which the Board may deem pertinent. The  
10 roster shall be open to the public, copies of which shall be mailed to each  
11 person listed therein.

12  
13 **SEC. 26. Issuance of Special/Temporary Permit.** – A  
14 special/temporary permit may be issued by the Board to the following  
15 persons, subject to the approval of the Commission and payment of the  
16 fees it prescribes for the purpose:

- 17 (a) A foreign respiratory therapist called for consultation or for a  
18 specific purpose which, in the judgment of the Board, is  
19 essential for the development of the profession: *Provided*, That  
20 his/her practice shall be limited only for the particular work  
21 that he/she is being engaged: *Provided, further*, That there is  
22 no Filipino respiratory therapist qualified for such consultation  
23 or specific purpose;
- 24 (b) A foreign respiratory therapist engaged as professor, lecturer or  
25 critic in fields essential to respiratory therapy education in the  
26 Philippines and his/her engagement is confined to teaching  
27 only; and
- 28 (c) A foreign respiratory therapist who is an internationally  
29 recognized expert or with specialization in any branch of  
30 respiratory therapy and his/her service is essential for the  
31 advancement of respiratory therapy in the Philippines.

32  
33 The permit shall, among other things, include these limitations and  
34 conditions: a validity period of not more than one (1) year subject to  
35 renewal; the branch or specialty of respiratory therapy; and the specific  
36 place of practice such as clinic, hospital, center, school/college/university

1 offering the course of respiratory therapy. The Board, subject to the  
2 approval by the Commission, shall prescribe rules and regulations on the  
3 implementation of this particular section.

#### 4 5 **ARTICLE IV**

#### 6 **PRACTICE OF RESPIRATORY THERAPY**

7 **SEC. 27. *Scope of the Practice of Respiratory Therapy.*** – A  
8 registered respiratory therapist performs, but is not limited to, the  
9 following functions under the direction of a physician:

- 10 (a) Performs and recommends tentative interpretation of tests  
11 obtained from physiological specimens which will assist in the  
12 diagnosis and determination of the degree of impairment of  
13 relevant aspects of cardio-pulmonary efficiency;
- 14 (b) Implements treatment programs on the basis of test findings  
15 within the scope of respiratory therapy;
- 16 (c) Performs pulmonary function testing (PFT) maneuvers;
- 17 (d) Performs cardio-pulmonary resuscitation and provide an  
18 artificial airway;
- 19 (e) Administers mechanical ventilatory support;
- 20 (f) Administers pharmacologic agents related to respiratory care  
21 procedures;
- 22 (g) Offers bronchopulmonary hygiene procedures to improve  
23 pulmonary status;
- 24 (h) Participates in the pulmonary rehabilitation of patients with  
25 lung disorders;
- 26 (i) Assist in the technical and initial evaluation of  
27 polysomnography studies;
- 28 (j) Assists in the performance of bronchoscopy procedures;
- 29 (k) Participates in research programs and studies for the  
30 advancement of the field of respiratory therapy; and
- 31 (l) Teaches, lectures, and reviews subjects given in the licensure  
32 examination.

33  
34 **SEC. 28. *Prohibition on the Practice of Respiratory Therapy.***  
35 – No person shall practice or offer to practice respiratory therapy in the  
36 Philippines or offer himself/herself as respiratory therapist, or use the

1 title, word, letter, figure, or any sign tending to convey the impression  
2 that he/she is a respiratory therapist, or advertise or indicate in any  
3 manner whatsoever that he/she is qualified to perform the work of a  
4 respiratory therapist unless he/she has satisfactorily passed the  
5 licensure examination given by the Board, except as otherwise provided in  
6 this Act, and is a holder of a valid certificate of registration and  
7 professional identification card or a valid temporary/special permit duly  
8 issued to him/her by the Board and the Commission.

9

10 **SEC. 29. Prohibited Acts.** – No person shall:

- 11 (a) Engage in the practice of respiratory therapy by representing  
12 himself/herself as a respiratory therapist without a valid  
13 certificate of registration and professional identification card or  
14 a valid temporary/special permit granted by the Board  
15 pursuant to this Act;
- 16 (b) Represent himself/herself as a respiratory therapist during the  
17 time that his/her certificate of registration and professional  
18 identification card is not valid or has been suspended or  
19 revoked, or that his/her temporary/special permit is cancelled;
- 20 (c) Allow anybody to use his/her certificate of registration and  
21 professional identification card or temporary/special permit as  
22 a respiratory therapist to enable such unqualified individual to  
23 engage in the practice of respiratory therapy;
- 24 (d) Use as his/her own the certificate of registration and  
25 professional identification card or temporary/special permit of  
26 another.

27

28 **SEC. 30. Employment of Respiratory Therapists in Pulmonary**  
29 **Units and Laboratories.** – Hospitals, clinics, home care, medical  
30 centers and similar establishments shall be required to employ and  
31 station at least three (3) registered respiratory therapists, under the  
32 direction of a physician, who shall be on duty for each shift to ensure that  
33 the services they offer comply with professional standards.

34

35 **SEC. 31. Code of Ethics and Standards for Respiratory**  
36 **Therapists.** – The Board shall adopt and promulgate the Code of Ethics



1 and Standards for Respiratory Therapists prescribed and issued by the  
2 accredited national organization of respiratory therapists.

3  
4 **SEC. 32. Continuing Professional Education (CPE) Program.** –

5 All respiratory therapists shall abide by the requirements, rules and  
6 regulations regarding continuing professional education as promulgated  
7 by the Board in collaboration with the integrated professional  
8 organization of respiratory therapists.

9  
10 **SEC. 33. Integration of Associations of Respiratory**

11 **Therapists.** – All associations of respiratory therapists shall be integrated  
12 into one (1) and only national organization which shall be recognized by  
13 the Board, subject to the approval by the Commission, as the only  
14 accredited and integrated professional organization of registered  
15 respiratory therapists.

16 A respiratory therapist duly registered by the Board and the  
17 Commission shall automatically become a member of the said  
18 organization and shall receive the benefits and privileges appurtenant  
19 thereto upon payment of required fees and dues. Membership in the  
20 accredited and integrated professional organization of respiratory  
21 therapists shall not be a bar to membership in other associations of  
22 respiratory therapists.

23  
24 **SEC. 34. Foreign Reciprocity.** – No foreigner shall be admitted to

25 the examination or be given a certificate of registration or be entitled to  
26 any of the privileges under this Act unless the country of which he/she is  
27 a subject or citizen specifically permits Filipino respiratory therapists to  
28 practice within its territorial limits on the same basis as the subjects or  
29 citizens of such foreign state or country.

30  
31 **ARTICLE V**

32 **FINAL PROVISIONS**

33  
34 **SEC. 35. Penalties for Violations.** – Any person who shall

35 violate any of the provisions of this Act or any of its implementing rules  
36 and regulations as promulgated by the Board subject to the approval of

1 the Commission shall, upon conviction, be punished by a fine of not less  
2 than Twenty Thousand Pesos (P 20,000.00) or by imprisonment of not  
3 less than six (6) months, at the discretion of the court.

4  
5 **SEC. 36. Funding.** – The Chairperson of the Professional  
6 Regulation Commission shall include in the Commission’s programs the  
7 implementation of this Act, the funding of which shall be included in the  
8 Annual General Appropriations Act.

9  
10 **SEC. 37. Implementing Rules and Regulations.** – To implement  
11 the provisions of this Act, the Board shall, subject to the approval of the  
12 Commission and in coordination with the integrated and accredited  
13 professional organization, promulgate the rules and regulations and the  
14 Code of Ethics for respiratory therapists within ninety (90) days after the  
15 effectivity of this Act.

16  
17 **SEC. 38. Interpretation of this Act.** – Nothing in this Act shall  
18 be construed to effect or prevent the practice of any other legally  
19 recognized profession.

20  
21 **SEC. 39. Separability Clause.** – If any section or provision of  
22 this Act shall be declared invalid or unconstitutional, such shall not  
23 invalidate any other section or provision of this Act.

24  
25 **SEC. 40. Repealing Clause.** – All laws, decrees, orders,  
26 issuances, or parts thereof, which are inconsistent with the provisions of  
27 this Act are hereby repealed, modified or superseded.

28  
29 **SEC. 41. Effectivity Clause.** – This Act shall take effect after  
30 fifteen (15) days following its publication in two (2) major newspapers of  
31 national circulation.

32 Approved,