

THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'04 JUN 30 P2:14

SENATE

RECEIVED BY: 

S.B. No. 185

Introduced by **SENATOR LUISA "LOI" P. EJERCITO ESTRADA**

EXPLANATORY NOTE

Oral and dental health care practitioners are an important resource in our mission to provide complete health care services to our people. At the same time, it is our duty to maintain and safeguard the standards of the medical profession.

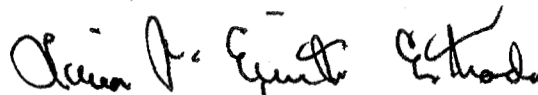
The Philippine Dental Association has discovered that various dental services— from tooth extraction to orthodontic treatment — has increasingly been dispensed by unlicensed dental practitioners mostly through stealth or deceit. Some of these unlicensed dental practitioners have even gone to the extent of acquiring falsified dental licenses.

If permitted to proliferate, the situation may give rise to adverse effects. This not only lowers the morale of the members of the medical profession, but also erodes the quality of dental health care received by our people.

It is our duty to maintain the professionalism in the field of dental care as it is also our duty to safeguard our people from "quack" doctors who, because of their practice, put our people at dental and other medical risks.

The current penalties imposed by the Philippine Dental Act of 1965 is perceived to be too light to be an effective deterrent in the proliferation of illegal dental practitioners. Hence, it is proposed that the penalties for illegal dental practice provided for in Section 36 of Republic Act No. 4419 be increased to show our commitment against illegal dental practice.

For all of the foregoing, the passage of this bill is earnestly requested.



LUISA "LOI" P. EJERCITO ESTRADA
Senator

THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

04 JUN 30 P2:14

SENATE

RECEIVED BY: 

S.B. No. 185

Introduced by **SENATOR LUISA "LOI" P. EJERCITO ESTRADA**

AN ACT
AMENDING REPUBLIC ACT NUMBERED 4419 ALSO KNOWN AS THE
PHILIPPINE DENTAL ACT OF 1965, AND FOR OTHER PURPOSES

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

SECTION 1. Section 14, Article IV of RA 4419 is hereby amended to read as
follows:

SEC. 14. *Definition of practice of Dentistry.* - A person shall be regarded
as [engaged in the practice of] PRACTICING dentistry or rendering dental
service, within the meaning and intent of this Act[,] who shall for a fee, salary,
compensation, or [any form of] reward[,] paid to him or through another, or even
without such compensation or reward, perform any operation or part of an
operation, upon the human mouth, jaws. teeth[,] and surrounding tissues;
prescribe drugs or medicines for the treatment of oral diseases and lesions[:]; or
correct malpositions of the teeth:

Provided, however, [T]that this provision shall not apply to the artisans or
DENTAL technicians engaged in the mechanical construction of artificial dentures or
fixtures [and] OR other oral devices, as long as none of such procedures is done inside
the mouth of the patient; nor shall this provision apply to students of dentistry undergoing
practical training in a legally constituted dental school or college under the direction or
supervision of a member of the faculty who is duly licensed to practice dentistry in the
Philippines; or to registered dental hygienists serving as [dentists] DENTAL assistants
who may be allowed to perform PREVENTIVE oral [prophylaxis] HYGIENE
PROCEDURES and [such] OTHER procedures which the law regulating the practice of
dental hygienists may permit[:]; OR TO UNDERBOARD DENTAL GRADUATES
WORKING AS DENTAL ASSISTANTS TO LICENSED AND REGISTERED
DENTISTS AUTHORIZED TO PRACTICE DENTISTRY IN THE PHILIPPINES
WHO ARE ENGAGED IN PRIVATE PRACTICE. PROVIDED THAT, THESE

UNDERBOARD DENTAL GRADUATES WORK UNDER THEIR DIRECT SUPERVISION.

SEC. 2. Section 15, Article IV of RA 4419 is hereby amended to read as follows:

SEC. 15. *Exemption from registration.* - Certificates of Registration shall not be required of Commissioned dental officers of the army, navy and air forces of any foreign country[,] whose operations in the Philippines are permitted by the government, while rendering DENTAL service as such for the members of said forces only, aid of dentists [or] AND oral surgeons from other countries who are invited for consultations [or] AND demonstrations[.]. [p]Provided, that in such cases their work shall be limited to the specific tasks assigned to them, and provided, further, THAT A SPECIAL PERMIT HAS BEEN PREVIOUSLY GRANTED BY THE BOARD OF DENTISTRY STATING THEREIN THE DURATION OF SUCH PERMIT, [that a previous authority has been granted by the Board of Dental Examiners, who shall have the discretion to determine the duration of said authority,] but in no case shall it exceed the period of [thirty] FIFTEEN days SUBJECT TO EXTENSION FOR ANOTHER FIFTEEN (15) DAYS; PROVIDED FURTHER THAT THE PHILIPPINE DENTAL ASSOCIATION, THROUGH ITS CONSTITUENT CHAPTER AND AFFILIATE, MONITOR SUCH ACTIVITIES.

SEC. 3. Section 17. Article IV of RA 4419 is hereby amended to read as follows:

Sec. 17. *Qualifications for Admission To Examination.* - In order to be admitted to the licensure examination for dentists, an applicant must, at the time of filing his application therefor establish to the satisfaction of the Board that: (a) he is a citizen of the Philippines; OR IF HE IS A CITIZEN OF ANY FOREIGN COUNTRY, THAT HE SATISFIES THE REQUIREMENT FOR FOREIGN RECIPROCITY AS CONTEMPLATED UNDER SECTION 38 OF THIS ACT, AS WELL AS THE PROVISIONS OF THE RECIPROCITY AGREEMENT BETWEEN THE TWO COUNTRIES WHETHER AN EXAMINATION IS REQUIRED OR NOT; (b) he possesses good moral character; (c) [he had finished at least a two-year pre-dental course which complies with the minimum requirements of the Council on Dental Educational and (d) he shall be a holder of the degree of either Doctor of Dental Medicine (D.M.D.) or Doctor of Dental Surgery (D.D.S.), or their equivalents, conferred by a recognized and legally constituted university, college, school or institute.] THAT HE IS A GRADUATE OF RECOGNIZED

AND LEGALLY CONSTITUTED UNIVERSITY, COLLEGE, SCHOOL OR INSTITUTE WITH A DEGREE OF DOCTOR OF DENTAL MEDICINE OR ITS EQUIVALENT; AND (d) IF HE HAD FAILED IN EITHER THE THEORETICAL OR BOTH LICENSURE EXAMINATION FOR DENTISTS FOR THREE TIMES, HE MUST TAKE A REFRESHER COURSE FOR ONE YEAR IN A DENTAL SCHOOL OR COLLEGE ACCREDITED BY THE PROFESSIONAL REGULATION COMMISSION; PROVIDED THAT, SUCH APPLICANT MUST PRESENT A CERTIFICATION TO THIS EFFECT FROM THE DEAN OF THE COLLEGE OF DENTISTRY WHERE HE TOOK THE REFRESHER COURSE; AND PROVIDED, FURTHER, THAT THIS GIVES THE APPLICANT THE OPPORTUNITY FOR ANOTHER THREE EXAMINATIONS THEREAFTER.

SEC. 4. Section 36, Article VII of RA 4419 is hereby amended to read as follows:

SEC. 36. *Penal Provisions.* - (A) Any person who shall practice dentistry in the Philippines as defined in this [Act][,] without a certificate of registration issued in accordance with the provisions of this [Act][,]; or has been declared exempt[.]; (B) ANY OF THOSE TO WHOM THE DEFINITION OF THE PRACTICE OF DENTISTRY DOES NOT APPLY, SUCH AS, ARTISANS OR DENTAL TECHNICIANS ENGAGED IN THE MECHANICAL CONSTRUCTION OF ARTIFICIAL DENTURES OR FIXTURES AND OTHER ORAL DEVICES OR STUDENTS OF DENTISTRY, UNDERGOING PRACTICAL TRAINING, IF THEY LIKEWISE VIOLATE THE SAVING CLAUSE OF THE LAW, AND PERFORM ANY OF THE ACTS CONSTITUTING THE PRACTICE OF DENTISTRY AS DEFINED IN THIS LAW OUTSIDE OF THE CONFINES OF THE DENTAL SCHOOL OR COLLEGE OR UNIVERSITY IN WHICH THEY ARE UNDERGOING SUCH PRACTICAL TRAINING UNDER THE DIRECTION OR SUPERVISION OF A MEMBER OF THE FACULTY WHO IS DULY LICENSED TO PRACTICE DENTISTRY IN THE PHILIPPINES OR UNDERBOARD DENTAL GRADUATES AS SPECIFIED BY SECTION 14 OF THIS ACT IF THEY DON'T WORK UNDER THE DIRECT SUPERVISION OF A DULY LICENSED DENTIST AS PROVIDED HEREIN; OR (C) any person presenting or using as his own the certificate of registration of another[.];

or (D) any person who shall give any false or forged evidence to the Board in obtaining a certificate of registration[,]; or (E) ANY PERSON WHO SHALL IMPERSONATE ANY REGISTRANT OF LIKE OR DIFFERENT NAME; or (F) any person who shall assume, use or advertise as a bachelor of dental surgery, doctor of dental surgery, master of dental surgery, licentiate of dental surgery, doctor of dental medicine, or dental surgeon, or append to his name the letter D.D.S, B.D.S., L.D.S., OR D.M.D. without having been conferred such title or decree in a legally constituted school, college or university, duly recognized and authorized to confer the same, or OTHER DEGREES; or (G) advertise any title or description tending to convey the impression that he is a dentist without holding a valid certificate of registration from the Board, (H) USE REVOKED AND/OR EXPIRED LICENSE; or (I) any person who shall violate any provision of this Act[,]; [shall be guilty of misdemeanor and shall, upon conviction, be sentenced to a fine of not less than three thousand pesos nor more man five thousand pesos or to suffer imprisonment for a period of not less than one year nor more than five years, or both, in the discretion of the court.] OR ANY RULE OR REGULATION WITHIN ITS AUTHORITY, SHALL BE GUILTY OF FELONY AND UPON CONVICTION, BE SENTENCED TO A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (P50,000.00) NOR MORE THAN TWO HUNDRED THOUSAND PESOS (P200,000.00) OR TO SUFFER IMPRISONMENT FOR A PERIOD OF NOT LESS THAN TEN YEARS AND ONE DAY NOR MORE THAN TWENTY (20) YEARS OR BOTH.

SEC. 5. Section 37, Article VII of RA 4419 is hereby amended to read as follows;

Sec. 37. Display of Name and Certificate of Registration. – Every registered practicing dentist shall display in a conspicuous place in the [house] BUILDING or office where he practices, his name and surname and he shall further display his certificate of registration in his office in plain sight of patients [occupying his dental chair] WHO ENTER THE DENTAL OFFICE, OR DENTAL CLINIC. IN THE CASE WHERE THE DENTIST HAS MORE THAN ONE CLINIC, HE SHALL DISPLAY HIS ORIGINAL CERTIFICATE OF REGISTRATION IN HIS MAIN OFFICE OR CLINIC, AND SHALL DISPLAY A COPY OF HIS CERTIFIED ORIGINAL CERTIFICATE OF REGISTRATION IN THE

OTHER BRANCH OR BRANCHES OF HIS PRACTICE. [Any owner or proprietor of a dental office or establishment is also under obligation to display, in conspicuous places in the office or establishment, and to display the certificates of registration of each and everyone herebefore provided.]

SEC. 6. Section 38, Article VII of RA 4419 is hereby amended to read as follows:

Sec. 38. *Foreign Reciprocity.* - Except in the case of persons otherwise exempt under the provisions of this Act, no dentist who is a citizen of a foreign country or a particular state shall be granted any of the rights or privileges under this Act, unless the country or state of which he is a subject or [a] citizen permits dentists who are Filipino citizens to practice within its territorial limits on the same basis as the subjects or citizens of such country or state, but under no circumstance shall such a set-up be initiated by the Philippine [g]Government[.]; PROVIDED HOWEVER, THAT SUCH FOREIGN DENTIST SHOULD BE LICENSED BY THE PROFESSIONAL REGULATION COMMISSION.

SEC. 7. **Repealing Clause.** - All laws, or portions thereof, orders, ordinances, or rules and regulations in conflict with the provisions of this Act, as pertain to the practice of Dentistry shall be, and are hereby repealed.

SEC. 8. **Effectivity.** - This Act shall take effect upon its approval.

Approved,