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SENATE

S. NO. 1179

RECEIVED BY: *jo*

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

The United Nations Population Fund underlines the critical role of midwives in the reduction of child mortality and delivery of quality maternal healthcare in the country. "Midwives are key healthcare facilitators in helping to achieve Millennium Development Goals 4 (reducing child mortality), 5 (improving maternal health) and 6 (combating HIV/AIDS, malaria and other diseases)."¹

Cognizant of the above magnitude of their task, this measure seeks to strengthen and expand the scope of the midwifery profession by amending the 20-year old Philippine Midwifery Act of 1992, with the end in view of reducing maternal and prenatal morbidity and mortality.

This measure seeks to put forward the following amendments:

- *grant additional powers as well as enhances the general welfare and commitment to service and professionalism of midwives;*
- *allow midwives to administer life-saving drugs when no physician is available provided they are appropriately trained for such purpose;*
- *require midwives to be certified proficient to perform the necessary care and services to prevent maternal deaths and allow them to administer essential newborn care;*
- *require practicing midwives who intend to perform Emergency Obstetric and neonatal Care (E/EmONC) to apply for and acquire accreditation from the Department of Health (DoH);*
- *require registered midwives to maintain competence by continual learning through continuing professional education (CPE) to be provided by the accredited professional organization or any recognized professional midwifery organization;*
- *provide for a mandated comprehensive midwifery program which includes a valid assessment of career performance and potential of midwives;*
- *provide for the minimum base pay of midwives in public health institutions which shall not be lower than the 1st step of the hiring rate prescribed for the positions under the revised SSL III.*

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


ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ 'Skilled Midwives Essential For Safer Maternal, Newborn And Reproductive Health,' Says FIGO. Information retrieved from <http://www.figo.org/news/%E2%80%99skilled-midwives-essential-safer-maternal-newborn-and-reproductive-health%E2%80%99-says-figo> 6/23/2013.



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AN ACT
EXPANDING THE SCOPE OF THE PRACTICE OF MIDWIFERY, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 7392, OTHERWISE KNOWN AS THE
"PHILIPPINE MIDWIFERY ACT OF 1992", AND FOR OTHER PURPOSES

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

1 SECTION 1. Article III. Section 23 of Republic Act No. 7392 is hereby amended to read
2 as follows:

3 "SEC 23. *Practice of Midwifery Defined.* – The practice of midwifery consist in
4 performing or rendering or ordering to perform or render, for a fee, salary, or other
5 reward or compensation, services requiring an understanding of the principles and
6 application of procedures and techniques in the supervision and care of women during
7 pregnancy, labor and puerperium management of normal deliveries, including the
8 performance of internal examination during labor except when patient is with antenatal
9 bleeding: health education of the patient, family and community: primary health care
10 services in the community, including nutrition and family planning in carrying out the
11 written order of physicians with regard to antenatal, intra-natal and post-natal care of the
12 normal pregnant mother in giving immunization, including oral and parenteral dispersing
13 of oxytoxic drug after delivery of placenta, suturing perennial lacerations to control
14 bleeding, to give intravenous fluid during obstetrical emergencies, **ADMINISTER**
15 **LIFE-SAVING DRUGS SUCH AS MAGNESIUM SULPHATE, OXYTOCIN,**
16 **STEROIDS AND ORAL ANTIBIOTICS WHEN NO PHYSICIAN IS**
17 **AVAILABLE,** provided they [have been] **ARE APPROPRIATELY** trained for that
18 purpose [:] **AND CERTIFIED PROFICIENT TO PERFORM THE NECESSARY**

1 CARE AND SERVICES TO PREVENT MATERNAL DEATHS, MIDWIVES ARE
2 ALSO HEREBY ALLOWED TO ADMINISTER ESSENTIAL NEWBORN CARE
3 INCLUDING, BUT NOT LIMITED TO IMMUNIZATION and [may inject]
4 INJECTING Vitamin K to the newborn. *Provided however.* That this provision shall not
5 apply to students in midwifery schools who perform midwifery service[s] under the
6 supervision of the instructors [, nor to emergency cases].

7 "THE DEPARTMENT OF HEALTH (DOH) SHALL ISSUE GUIDELINES ON
8 THE ACCREDITATION OF MIDWIVES TO PERFORM EMERGENCY
9 OBSTETRIC AND NEONATAL CARE (E/EmONC), ALL PRACTICING
10 MIDWIVES WHO INTEND TO PERFORM E/EmONC MUST APPLY FOR AND
11 ACQUIRE ACCREDITATION FROM THE DOH AFTER NECESSARY
12 TRAININGS AND EXAMINATION AND COMPLIANCE OF OTHER
13 REQUIREMENTS AS MAY BE DETERMINED BY THE DOH."

14 SEC. 2. A new provision is inserted between Sections 23 and 24 of Republic Act No.
15 7392 to read as follows:

16 " SEC. 24. CONTINUING PROFESSIONAL EDUCATION. –

17 A REGISTERED MIDWIFE IS REQUIRED TO MAINTAIN COMPETENCE BY
18 CONTINUAL LEARNING THROUGH CONTINUING PROFESSIONAL
19 EDUCATION (CPE) TO BE PROVIDED BY THE ACCREDITED
20 PROFESSIONAL ORGANIZATION OR ANY RECOGNIZED PROFESSIONAL
21 MIDWIFERY ORGANIZATION: *PROVIDED*, THAT THE PROGRAM AND
22 ACTIVITY FOR THE CPE SHALL BE SUBMITTED TO AND APPROVED BY
23 THE PROFESSIONAL REGULATION COMMISSION, AFTER DUE
24 CONSULTATION WITH THE BOARD OF MIDWIFERY: *PROVIDED*,
25 *FURTHER*, THAT THE EARNED CPE UNITS SHALL BE MANDATORILY
26 REQUIRED FOR THE RENEWAL OF THE PROFESSIONAL IDENTIFICATION
27 CARD OF A REGISTERED MIDWIFE."

1 SEC.3. The following provisions shall be inserted between Sections 26 and 27 of
2 Republic Act No. 7392 to read as follows:

3 **“SEC. 28. HEALTH HUMAN RESOURCE PRODUCTION, UTILIZATION,**
4 **PLACEMENT AND DEVELOPMENT. – THE BOARD, IN COORDINATION**
5 **WITH THE ACCREDITED PROFESSIONAL ORGANIZATION AND**
6 **APPROPRIATE GOVERNMENT OR PRIVATE AGENCIES, SHALL**
7 **INITIATE, UNDERTAKE AND CONDUCT STUDIES ON HEALTH HUMAN**
8 **RESOURCE PRODUCTION, UTILIZATION, PLACEMENT AND**
9 **DEVELOPMENT FOR THE CONTINUING PROFESSIONALIZATION OF**
10 **MIDWIFERY.”**

11 **“SEC. 29. COMPREHENSIVE MIDWIFERY PROGRAM. –**
12 **WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT, THE**
13 **BOARD, IN COORDINATION WITH THE ACCREDITED PROFESSIONAL**
14 **ORGANIZATION, NATIONAL ORGANIZATIONS, ACCREDITED SERVICE**
15 **PROVIDERS AND THE DOH, IS HEREBY MANDATED TO FORMULATE**
16 **AND DEVELOP A COMPREHENSIVE MIDWIFERY PROGRAM THAT**
17 **INCLUDES A VALID ASSESSMENT OF CAREER PERFORMANCE AND**
18 **POTENTIAL, THUS, UPGRADE THE LEVEL OF SKILL AND COMPETENCE**
19 **OF MIDWIVES IN THE COUNTRY SUCH AS, BUT NOT LIMITED TO, THE**
20 **AREAS OF SKILL OF MATERNAL AND CHILD CARE AND SUCH AOTEHR**
21 **AREAS AS MAY BE DETERMINED BY THE BOARD. THE BENEFICIARIES**
22 **OF THE PROGRAM ARE OBLIGED TO SERVE IN ANY RURAL OR**
23 **COMMUNITY HOSPITAL FOR A PERIOD OF AT LEAST TWO (2) YEARS**
24 **FROM THE DATE OF TEH COMPLETION OF THE PROGRAM.”**

25 **“SEC. 30. SALARY AND COMPENSATION. – IN ORDER TO ENHANCE**
26 **THE GENERAL WLEFARE AND COMMITMENT TO SERVICE AND**
27 **PROFESSIONALISM OF MIDWIVES, THE MINIMUM BASE PAY OF**

1 MIDWIVEWS WORKING IN PUBLIC HEALTH INSITUTIONS SHALL NOT
2 BE LOWER THAN THE 1ST STEP OF THE HIRING RATE PRESCRIBED FOR
3 THE POSITIONS UNDER REPUBLIC ACT NO. 6758, OTHERWISE KNOWN
4 AS THE "COMPENSATION AND POSITION CLASSIFICATION ACT OF
5 1989", AS AMENDED."

6 "SEC. 31. *FUNDING FOR THE COMPREHENSIVE MIDWIFERY*
7 *PROGRAM.* –

8 THE ANNUAL FINANCIAL REQUIREMENT NEEDED TO TRAIN AT LEAST
9 TEN PERCENT (10%) OF MIDWIVES OF TEH APTICIPATING
10 GOVERNMENT HOSPITAL SHALL BE INCLUDED IN THE ANNUAL
11 GENERAL APPROPRIATIONS ACT; *PROVIDED*, THAT THE DOH SHALL
12 SET THE CRITERIA FOR TEH AVAILMENT OF THIS PROGRAM."

13 SEC. 4. Within one (1) year from the effectivity of this Act, the Professional Regulation
14 Commission, in coordination with the DOH and the accredited professional organization of
15 registered midwives, shall promulgate a new implementing rules and regulations of Republic Act
16 No. 7392 which shall be punished in at least two (2) newspapers of general circulation.

17 SEC. 5. If any part or provision of this Act shall be held unconstitutional or invalid, other
18 provisions which are not affected thereby shall continue to be in full force and effect.

19 SEC 6. All laws, issuances, or parts thereof inconsistent with this Act are hereby repealed
20 or modified accordingly.

21 SEC. 7. This Act shall take effect fifteen (15) days after its publication in the *Official*
22 *Gazette* or in at least two (2) newspapers of general circulation.

Approved,