

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

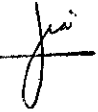


Senate
Office of the Secretary

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SENATE

Senate Bill No. 1294

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

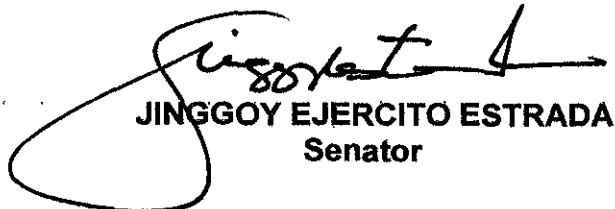
Republic Act No. 2382 or "The Medical Act of 1959", as amended by Republic Act Nos. 4224 and 5946 has been the foundation of the medical profession in the country for the longest time. However, the changing times bring about changing demands and developing technologies that require a law that is more appropriate and responsive to the current circumstances.

The *Physician's Act of 2013* promotes the professional services of the physicians by ensuring the efficiency and responsiveness of the different aspects of the medical profession: medical education including internship training; licensure examination and registration of physicians; practice of medicine; integration in one Accredited Professional Organization; and promotion of competence, moral values and professional attitude.

We entrust our health and our lives to our doctors and it is only proper that we equip them with the legislation that will both promote their profession and protect their rights.

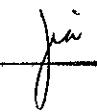
This measure was submitted by the Committees on Civil Service and Government Reorganization; Education, Culture and Sports; and Finance during the Fifteenth Congress but was unfortunately not passed into law.

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


JINGGOY EJERCITO ESTRADA
Senator

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SENATE
Senate Bill No. 1294

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

**AN ACT
REGULATING THE EDUCATION AND LICENSURE OF PHYSICIANS AND
THE PRACTICE OF MEDICINE IN THE PHILIPPINES, REPEALING FOR THE
PURPOSE REPUBLIC ACT NO. 2382, AS AMENDED, AND FOR OTHER
PURPOSES**

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

**ARTICLE I
GENERAL PROVISION**

SECTION 1. *Title.* – This Act shall be known as the “*Physicians’ Act of 2013*”.

SEC. 2. *Declaration of State Policy.* – The State recognizes the vital role of physicians in the preservation, maintenance, safeguard, cure and enhancement of life, health and general welfare of the citizenry. Physicians’ professional services shall, therefore, be promoted as a regular component of the total health care system.

SEC. 3. *Objectives.* – This Act provides for and shall govern the:

- a. Standardization, upgrading and regulation of the medical education including internship training;
- b. Administration of the medical licensure examination, licensure and registration of the physicians;
- c. Supervision, control and regulation of the practice of medicine;
- d. Integration of the profession under one national Accredited Professional Organization (APO) of Physicians; and,
- e. Promotion of competence, moral values and professional attitude of physicians through the integrated national APO of Physicians.

1 **SEC. 4. Enforcement.** – For the purpose of implementing the provisions of this
2 Act, there shall be created the following: Council of Medical Education,
3 hereinafter referred to as the Council, and the Professional Regulatory Board of
4 Medicine, hereinafter referred to as the Board, under the Professional Regulation
5 Commission (PRC), hereinafter referred to as the Commission.
6
7

8 **ARTICLE I**
9 **GENERAL PROVISION**

10
11
12 **SEC. 5. Composition of the Council of Medical Education.** – The Council of
13 Medical Education shall be composed of the following:
14

- 15 (a) The Chairperson of the Commission on Higher Education (CHED) or his
16 duly authorized representative as chairperson;
17
18 (b) The Secretary of the Department of Health (DOH) or his duly authorized
19 representative as member;
20
21 (c) The Chairperson of the Professional Regulatory Board of Medicine or his
22 duly authorized representative as member;
23
24 (d) The President of the integrated national Accredited Professional
25 Organization (APO) of Physicians or his duly authorized representative as
26 member;
27
28 (e) The President of the Association of the Philippine Medical Schools
29 (APMS) or his duly authorized representative as member;
30
31 (f) The President of the Philippine Hospital Association (PHA) or his duly
32 authorized representative as member; and,
33
34 (g) The Dean of the National Teacher's Training Center, University of the
35 Philippines - Manila or his duly authorized representative as member.
36

37 The Chairperson and members of the Council shall hold office during their
38 incumbency in the respective institutions that they represent.
39

40 The Council, within sixty (60) days after the effectivity of this Act, shall appoint a
41 technical panel composed of seven (7) outstanding members of the academe
42 and/or the profession whose responsibility is to assist the Council in carrying out
43 its functions and powers.
44
45

46 **SEC. 6. Functions and Duties.** – The Council shall have the following functions
47 and duties:
48

- 49 (a) To determine the requirements for admission into a recognized college
50 of medicine. Considering the fact that medicine is a service-oriented
51 profession, such criteria should not be limited to academic qualifications
52 but should also include screening for aptitude, attitude and inter-personal
53 skills necessary to ensure compassionate care for patients as well as
54 psychological stability and fitness to withstand the rigors of studying
55 medicine;
56

- 1 (b) To determine the minimum requirements for physical facilities of colleges
2 of medicine, to wit: buildings including hospitals, equipment and
3 supplies, apparatus, instruments, appliances, laboratories and bed
4 capacity for instruction purposes, operating and delivery rooms, facilities
5 for out-patient services and others used for didactic and practical
6 instruction in accordance with modern trends;
7
8 (c) To determine the minimum number and the standard qualifications of
9 teaching personnel, including student-teacher ratio;
10
11 (d) To determine the minimum required curriculum including internship
12 leading to the degree of Doctor of Medicine;
13
14 (e) To authorize the implementation of an acceptable innovative medical
15 curriculum/strategy in a medical school that has the appropriate faculty
16 expertise and suitable teaching and clinical practicum resources
17 available. Such an innovative curriculum may prescribe admission and
18 graduation requirements other than those prescribed in this Act to
19 ensure that only exceptional and/or appropriately prepared students shall
20 be enrolled in the innovative curriculum;
21
22 (f) To develop and put into place programs as well as adopt and implement
23 policies which will encourage and allow applicants coming from
24 marginalized areas and/or groups as well as financially-challenged
25 families to be admitted into medical colleges and complete their medical
26 education;
27
28 (g) To accept applications and issue certificates of admission to a medical
29 school and keep a registry of those issued said certificate; and to collect
30 from said applicants reasonable fees as may be determined by the
31 Council which shall accrue to the operating funds of the Council of
32 Medical Education;
33
34 (h) To recommend to the CHED the closure or suspension of the degree of
35 Doctor of Medicine program of a college of medicine when called for
36 based on the evaluation of the statistical information on the performance
37 of the said college in the Physician Licensure Examination as furnished
38 by the Board of Medicine and the Commission and upon inspection of
39 the college of medicine by the Council, for various deficiencies and/or
40 violations;
41
42 (i) To promulgate, prescribe and enforce policies and programs which will
43 ensure the proper and orderly operations and upkeep of medical
44 colleges as well as in order to ensure that medical education is not
45 treated merely as a business enterprise but one with a social dimension;
46
47 (j) To select and approve hospitals or departments of hospitals for training
48 which comply with the minimum specific physical facilities as provided in
49 subparagraph hereof; and,
50
51 (k) To promulgate, prescribe and enforce the necessary rules and
52 regulations for the proper implementation of the foregoing functions.
53
54

55 **SEC. 7. Minimum Required Course.** – The medical course leading to the degree
56 of Doctor of Medicine shall be five (5) years inclusive of clinical clerkship and
57 internship and shall consist of the following subjects:

- 1
- 2 (a) Anatomy and Histology;
- 3 (b) Physiology;
- 4 (c) Biochemistry and Molecular Biology;
- 5 (d) Pharmacology and Therapeutics;
- 6 (e) Microbiology and Parasitology;
- 7 (f) Internal Medicine, Radiology;
- 8 (g) General and Clinical Pathology and Oncology;
- 9 (h) Obstetrics and Gynecology;
- 10 (i) Pediatrics and Nutrition;
- 11 (j) Surgery, Preventive Medicine and Public Health;
- 12 (k) Otorhinolaryngology, Ophthalmology, Neurology, Psychiatry;
- 13 (l) Family Medicine, Preventive Medicine and Public Health; and,
- 14 (m) Legal Medicine, Medical Jurisprudence, Medical Ethics and Economics.
- 15

16 *Provided*, That the Council may recommend to the CHED to rearrange, recluster
17 or integrate and/or revise the abovementioned subjects to keep up to with the
18 latest developments and trends in the medical profession.

19
20
21 **SEC. 8. Admission Requirements.** – (a) A medical college may admit any
22 student who has not been finally convicted by a court of competent jurisdiction of
23 any criminal offense involving moral turpitude and who presents all of the
24 following:

- 25
- 26 (1) Record showing completion of a Bachelor's Degree in Science or Arts;
- 27
- 28 (2) Certificate of eligibility for entrance to a school of medicine from the Board
29 of Medical Education;
- 30
- 31 (3) Certificate of good moral character issued by two (2) former professors in
32 the college offering the pre-medical course(s);
- 33
- 34 (4) Birth certificate duly authenticated by the National Statistics Office (NSO);
35 and,
- 36
- 37 (5) Proof of successfully passing the National Medical Admission Test.
- 38

39 Nothing in this Act shall be construed to inhibit any college of medicine from
40 establishing, in addition to the requirements set forth in this section, any other
41 reasonable entrance requirements relevant to the degree.

42
43 For the purpose of this Act, the term "College of Medicine" shall mean to include
44 faculty of medicine, institute of medicine, school of medicine and other similar
45 institution which has complied with the standards and requirements set forth by
46 the Board, offering a complete medical course leading to the degree of Doctor of
47 Medicine.

48
49 (b) Every college of medicine shall keep complete records of enrollment, grades,
50 graduates and must publish each year a catalogue giving the following
51 information:

- 52
- 53 (1) Date of publication;
- 54
- 55 (2) Calendar of academic year;
- 56

- 1 (3) Roll of faculty members indicating whether on full-time or part-time
2 basis and their curriculum vitae;
3
4 (4) Requirements for admission;
5
6 (5) Grading system;
7
8 (6) Requirements for promotion;
9
10 (7) Requirements for graduation;
11
12 (8) Curriculum and description of course by department; and,
13
14 (9) Number of students enrolled in each class in the preceding year.
15
16

17 **ARTICLE III**
18 **THE PROFESSIONAL REGULATORY BOARD OF MEDICINE**
19

20
21 **SEC. 9. *Composition of the Board.*** – There is hereby created a Professional
22 Regulatory Board of Medicine, hereinafter referred to as the Board, under the
23 administrative control and supervision of the Professional Regulation
24 Commission, hereinafter referred to as the Commission, composed of a
25 Chairperson, a Vice Chairperson and five (5) members to be appointed by the
26 President of the Philippines from among three (3) recommendees for each
27 position, chosen and ranked by the Commission from a list of five (5) nominees
28 for each position submitted by the integrated and accredited professional
29 organization for medicine. The Board shall be organized not later than six (6)
30 months from the effectivity of this Act.
31

32
33 **SEC. 10. *Powers and Duties.*** – The Board shall be vested with the following
34 specific powers, functions, duties and responsibilities:
35

- 36 (a) Supervise and regulate the practice of medicine in the Philippines;
37
38 (b) Determine and evaluate qualifications of the applicants for registration with
39 physician licensure examinations and for special permits;
40
41 (c) Prepare the questions in physicians' licensure examinations in accordance
42 with recognized principles of evaluation and of pertinent provisions of
43 Section 23, Article IV of this Act; prescribe the syllabi of the subjects and
44 their relative weights for the licensure examinations; formulate or adopt
45 test questions and deposit them in a test question bank; draw the test
46 questions at random through the process of computerization; conduct the
47 examination; correct and rate the examination papers; and submit the
48 examination results to the Commission within the period provided for by
49 the rules of the Commission. The above test questions should be in
50 congruence with the syllabi and the table of specifications of the
51 Association of Philippine Medical Colleges (APMC);
52
53 (d) In the formulation of test questions, the Board shall see to it that the
54 questions shall have relevant distributions as to the knowledge, skill and
55 attitude of the examinees;
56

- 1 (e) Determine, amend or revise the requirements for the subjects in the
2 physician licensure examinations and their relative weights and the
3 manner of giving the examination, subject to the approval of the
4 Commission;
5
- 6 (f) To explore and develop ways on how to measure and evaluate the clinical
7 competence of applicants and to introduce and integrate the same into the
8 physician's licensure examination to ensure not only the theoretical
9 knowledge but also the clinical skills of successful examinees;
10
- 11 (g) Register successful examinees in the physician licensure examinations in
12 the rolls of physicians and issue the corresponding certificates of
13 registration;
14
- 15 (h) Issue special/temporary permits to foreign physicians to practice medicine
16 for specific projects and for a specific duration of time, in coordination with
17 the integrated APO for Physicians;
18
- 19 (i) Administer the qualifying examinations given to physicians who wish to
20 train in the Philippines for a specialty field, in coordination with the
21 integrated APO for Physicians;
22
- 23 (j) In coordination with the integrated APO for Physicians, look into the
24 conditions affecting the practice of medicine, adopt measures for the
25 enhancement of the profession and the maintenance of high professional,
26 technical and ethical standards, in coordination with the Council and
27 conduct ocular inspections of places where physicians practice their
28 profession;
29
- 30 (k) Monitor the performance of medical schools and their compliance with the
31 rules and regulations of the Council of Medical Education;
32
- 33 (l) In coordination with the integrated APO for Physicians, promulgate rules
34 and regulations including a Code of Ethics for Physicians, administrative
35 policies, orders and Issuances to carry out the provisions of this Act;
36
- 37 (m) Investigate violations of this Act and the rules and regulations, Code of
38 Ethics, administrative policies, orders and issuances promulgated by the
39 Board. The rule on administrative investigation promulgated by the
40 Commission shall govern in such investigation;
41
- 42 (n) Issue *subpoena ad testificandum* or *subpoena duces tecum* to secure
43 attendance of respondents or witnesses as well as the production of
44 documents relative to the investigation conducted by the Board; *Provided,*
45 That failure of the party to whom a subpoena has been issued to comply
46 therewith shall be punishable by way of indirect contempt of the Board.
47 For this purpose, the Board is hereby vested the power to cite any party
48 for contempt which may be exercised pursuant to the applicable
49 provisions of the Rules of Court;
50
- 51 (o) At the Board's discretion, delegate to the Chairperson, Vice chairperson or
52 any member of the Board, or a Commission attorney (PRC attorney) the
53 hearing of an administrative case. If the case concerns strictly the
54 practice of medicine as defined in Section 27 hereof, the investigation
55 shall be presided over by a member of the Board with the assistance of a
56 PRC attorney; *Provided,* That the power to cite a party in contempt shall

1 be issued exclusively by the Board, upon recommendation of the member
2 charged with such investigation;

3
4 (p) After due notice and hearing, cancel examination papers and/or bar any
5 examinee from future examination; refuse or defer his/her registration;
6 reprimand the registrant with stern warning; suspend him/her from the
7 practice of his/her profession; revoke his/her certificate of registration;
8 cancel special/temporary permit; remove his/her name from the roll of
9 physicians for continuous nonpayment of annual registration fees and
10 noncompliance with the CME requirement; reinstate or reenroll his/her
11 name in the said roll; and reissue or return his/her certificate of registration
12 and professional identification card. A decision of suspension, revocation
13 of the certificate of registration or removal from the roll by the Board as
14 provided herein may be appealed initially to the Commission within fifteen
15 (15) days from receipt thereof;

16
17 (q) Administer the physician's oath pursuant to Section 26 herein;

18
19 (r) Institute and prosecute or cause to be instituted and prosecuted any and
20 all criminal action against any violation of this Act and/or the rules and
21 regulations of the Board, subject to the provisions of Section 5, Rule 110
22 of the Rules of Criminal Procedure, as amended;

23
24 (s) Adopt an official seal;

25
26 (t) Coordinate with the Council of Medical Education and the integrated APO
27 for Physicians in prescribing, amending and/or revising the courses in a
28 medical program;

29
30 (u) Assist the Commission in the implementation of its prescribed guidelines
31 and criteria on the Continuing Professional Education (CPE) for registered
32 licensed physicians;

33
34 (v) Set the standards and guidelines for the issuance and re-issuance of
35 certificates of registration; and,

36
37 (w) Perform such other functions and duties as may be necessary to efficiently
38 and effectively implement the provisions of this Act.

39
40 The policies, resolutions, rules and regulations, orders or decisions issued or
41 promulgated by the Board shall be subject to the review, revision and approval
42 by the Commission. However, the Board's final decisions, resolutions or orders
43 rendered in an administrative case shall be immediately executory.

44
45
46 **SEC. 11. *Qualifications of the Board Members.*** – Each Board member must, at
47 the time of his/her appointment:

48
49 (a) be a natural born Filipino citizen and has been a resident of the
50 Philippines for at least ten (10) consecutive years;

51
52 (b) be at least forty (40) years old;

53
54 (c) be a holder of a valid certificate of registration and a valid professional
55 identification card as a physician;

56
57 (d) Has been a practitioner for at least ten (10) years;

- 1
2 (e) Be a bona fide member of the integrated APO of Physicians;
3
4 (f) Has not been convicted by final judgment by a competent court of a
5 criminal offense involving moral turpitude;
6
7 (g) Has an experience of at least two (2) years, as a faculty member of a
8 college of medicine;
9
10 (h) Is not a current member of the faculty of an institute, school or college of
11 medicine nor have any pecuniary interest in any institution which offers
12 and operates the course or degree of Doctor of Medicine; and,
13
14 (i) Is not connected with a review center/school/group or association offering
15 classes or lectures in preparation for the physician licensure examination.
16
17

18 **SEC. 12. Term of Office.** – The members of the Board shall hold office from the
19 date of their appointment for a term of three (3) years or until their successors
20 shall have been appointed and qualified. They may, however, be reappointed for
21 another term but not for a third (3rd) term. Appointments to fill up positions
22 created by causes other than through expiration of regular terms shall be for the
23 unexpired period only. Each member shall qualify by taking an oath of office
24 before the performance of his/her duties. The incumbents whose terms have not
25 yet expired or who are merely holding over, at the effectivity of this Act, shall be
26 allowed to serve the unexpired portion of their terms or may be appointed under
27 this Act.
28
29

30 **SEC. 13. Compensation of the Board Members.** – The Chairperson, Vice
31 Chairperson and members of the Board shall receive compensation and
32 allowances or other benefits pursuant to the provisions of the "PRC
33 Modernization Act of 2000" and other pertinent laws and comparable to the
34 compensation and allowances received by the Chairperson and members of
35 existing professional regulatory boards.
36
37

38 **SEC. 14. Suspension or Removal of Board Member.** – The President, upon
39 recommendation of the Commission, after giving the member concerned an
40 opportunity to be heard by himself or counsel in a proper administrative
41 investigation to be conducted by the Commission, may suspend or remove any
42 member of the Board on any the following grounds:
43

- 44 (a) Neglect of duty or incompetence;
45
46 (b) Unprofessional, unethical or dishonorable conduct;
47
48 (c) Manipulation or rigging of results of any physician licensure examination,
49 divulging of secret information or disclosure of the said examination, or
50 tampering of the grades therein; and,
51
52 (d) Final conviction by the court of any criminal offense involving moral
53 turpitude.
54
55

56 **SEC. 15. Administrative Management, Custody of Records, Secretariat and**
57 **Support Services.** – The Board shall be under the administrative and executive

1 management of the Commission, with the Commission chairperson as the chief
2 executive officer thereof. All records of the Board shall be under the custody of
3 the Commission. The Commission shall designate the Secretary of the Board
4 and shall provide the Secretariat and other support services to implement the
5 provisions of this Act.
6
7

8 **SEC. 16. *Implementing Rules and Regulations.*** – The Board, with the approval
9 of the Commission, shall prescribe, issue and promulgate rules and regulations
10 implementing and carrying out the provisions of this Act, which shall take effect
11 after fifteen (15) days following the completion of their publication in the *Official*
12 *Gazette* or in a major daily newspaper of general circulation in the Philippines.
13
14

15 **SEC. 17. *Annual Report.*** – The Board shall, on or before the end of January of
16 the following year, submit to the Commission its annual report of
17 accomplishments on programs, projects and activities for the calendar year
18 together with its appropriate recommendations on issues or problems affecting
19 the practice of medicine.
20
21

22 **ARTICLE IV** 23 **PHYSICIAN LICENSURE EXAMINATION** 24 25

26 **SEC. 18. *Prerequisites to the Practice of Medicine.*** – No person shall engage in
27 the practice of medicine in the Philippines unless he/she:
28

- 29 (a) Holds a valid certificate of registration and a valid professional
30 identification card issued by the Commission;
31
32 (b) Holds a valid special/temporary permit issued by the Board of Medicine
33 subject to approval by the Commission, or unless he/she is exempted by
34 this Act from holding any of the foregoing certificates of registration; and,
35
36 (c) Is a member of the integrated APO of Physicians and its component
37 society in good standing. Any foreign doctor who intends to undergo
38 specialty training in the practice of medicine must pass the qualifying
39 examination given by the Board of Medicine.
40
41

42 **SEC. 19. *Examination Required.*** – All applicants for registration, before they can
43 be issued a certificate of registration and a professional identification card as a
44 physician shall be required to pass a written licensure examination for physicians
45 as provided for in this Act, subject to the payment of the fees prescribed by the
46 Commission.
47
48

49 **SEC. 20. *Qualifications of Applicants for the Physician Licensure Examination.*** –
50 All applicants for the physician licensure examination must possess all
51 qualifications and none of the disqualifications hereunder set forth, as follows:
52

- 53 (a) He/she is a citizen and resident of the Philippines or a citizen of a foreign
54 country/state which observes reciprocity in the practice of medicine with
55 the Philippines or who has been a permanent resident of the Philippines
56 for at least one (1) year prior to the examination;
57

1 (b) He/she is mentally, emotionally and physically sound;
2

3 (c) He/she has not been convicted in a final judgment by a court of any
4 criminal offense involving moral turpitude;
5

6 (d) He/she is a holder of the degree of Doctor of Medicine conferred by a
7 College of Medicine established in the Philippines and duly recognized by
8 the CHED or a degree conferred by a college of medicine abroad and
9 accredited by the CHED as substantially equivalent to the degree of
10 Doctor of Medicine offered by a Philippine College of Medicine.
11

12
13 **SEC. 21. *Venues and Schedule of Examinations.*** – The Board shall give
14 examinations for the registration of physicians at least twice a year, in such
15 places as the Commission may designate in accordance with the provisions of
16 Republic Act No. 8981, otherwise known as the "*PRC Modernization Act of*
17 *2000*".
18

19
20 **SEC. 22. *Registration, Issuance of Certificate of Registration and Professional***
21 ***Identification Card; APO Membership Card; Non-registration; Grounds Therefor.***
22 – All successful examinees, upon compliance with all legal requirements and
23 payment of fees prescribed by the Commission, shall be registered and issued
24 certificates of registration and professional identification cards. They shall
25 likewise be deemed members of the duly recognized integrated APO for
26 Physicians upon compliance with all requirements and payment of compulsory
27 dues, and shall be issued the necessary identification cards proving such
28 membership therein, upon presentation of their certificates of registration and
29 professional identification card.
30

31 The certificate of registration of a physician shall bear the registration number
32 and the date of issuance and the signatures of the chairperson of the
33 Commission and the members of the Board stamped with the seals of the
34 Commission and the Board, certifying that the name of the person stated therein
35 appears in the Registry/Roster/Roll of Physicians under the custody of the
36 Commission; that the person has met or complied with all the legal requirements
37 for registration as a physician; and that the person is entitled to exercise all the
38 privileges appurtenant to the practice of his/her profession;
39

40 *Provided, That he or she does not violate this Act, the rules and regulations,*
41 *Code of Ethics for Physicians, and other regulatory policies of the Commission*
42 *and the Board. The professional identification card shall bear the name of the*
43 *registered licensed physician, the registration number and the date of issuance,*
44 *and its date of expiry and, together with the membership identification card*
45 *issued by the integrated APO of Physicians, shall be sufficient evidence that the*
46 *physician can lawfully practice his/her profession.*
47

48 A successful examinee who has been finally convicted by a competent court of a
49 criminal offense involving moral turpitude, or found guilty by the Board of
50 dishonorable or immoral conduct, or declared by the court to be of unsound mind
51 shall not be registered. The decision of the Board, finding the examinee guilty of
52 dishonorable or immoral conduct, may be appealed by the examinee to the
53 Commission within fifteen (15) days from receipt of the Board's decision or
54 resolution, and to the Court of Appeals within the same period from the receipt of
55 the decision or resolution of the Commission. The facts and the reasons for
56 refusal to register shall be clearly stated in writing, communicated to the
57 examinee and duly incorporated in the records of the Commission.

1
2
3 **SEC. 23. Scope of Examination.** – The physician licensure examination shall
4 cover the following thirteen (13) individual or combined/clustered subjects with
5 relative weights for each one final examination after completion of internship:
6

- 7 (a) Anatomy and Histology;
8 (b) Physiology;
9 (c) Biochemistry and Molecular Biology;
10 (d) Pharmacology and Therapeutics;
11 (e) Microbiology and Parasitology;
12 (f) Internal Medicine, Radiology;
13 (g) General and Clinical Pathology and Oncology;
14 (h) Obstetrics and Gynecology;
15 (i) Pediatrics and Nutrition;
16 (j) Surgery, Preventive Medicine and Public Health;
17 (k) Otorhinolaryngology, Ophthalmology, Neurology, Psychiatry;
18 (l) Family Medicine, Preventive Medicine and Public Health; and,
19 (m) Legal Medicine, Medical Jurisprudence, Medical Ethics and
20 Economics.
21

22 When an urgent and important need arises in order to conform to technological
23 advancements and other changes, the Board and the Council, in coordination
24 with the APO of Physicians, may revise the substance and the conduct of such
25 examinations.
26

27 Each of the thirteen (13) subjects shall have its syllabus or table of specifications.
28 The Board shall apply each syllabus after a lapse of three (3) months reckoned
29 from the concurrence of all the following requisites:
30

- 31 (a) Consultation with the concerned members of the academe;
32
33 (b) Approval by the Commission;
34
35 (c) Publication of the Board resolution in a newspaper of general circulation;
36 and,
37
38 (d) Dissemination to all Colleges of Medicine.
39
40

41 **SEC. 24. Rating in the Examination.** – To pass the physician licensure
42 examination, an examinee must obtain a general average rating of at least
43 seventy-five percent (75%) in all thirteen (13) subjects, with no rating in any
44 subject below fifty percent (50%).
45
46

47 **SEC. 25. Report and Publication of the Results of Examination.** – The Board
48 shall report the rating of each examinee to the Commission within ten (10) days
49 from the last day of examination. The official results of the examination
50 containing the list of topnotcher examinees without indication of their respective
51 schools/colleges, the names of the schools/colleges obtaining top percentages of
52 successful graduate-examinees shall be published by the Commission in the
53 major daily newspapers of general circulation.
54

55 The report of rating of every examinee shall be mailed to his/her given address
56 using the mailing envelope he/she submitted during the examination.
57

1
2 **SEC. 26. Oath.** – All successful examinees shall be required to take their oath
3 before the Board or any person authorized by the Commission to administer oath
4 before they are issued their certificates of registration and professional
5 identification cards and before they start the practice of the profession.
6

7
8 **ARTICLE V**
9 **REGULATION OF THE PRACTICE OF THE MEDICAL PROFESSION**
10

11
12 **SEC. 27. Acts Constituting the Practice of Medicine.** – (a) A person who shall be
13 considered as engaged in the practice of medicine under any of the following
14 circumstances:
15

- 16 (1) Physically examining any person for any disease, injury or deformity, or
17 diagnosing, treating, operating, prescribing or dispensing any remedy
18 therefor;
19
20 (2) Examining a person's mental condition for any ailment, real or imaginary,
21 regardless of the nature of the remedy or treatment administered,
22 prescribed or recommended;
23
24 (3) Offering or undertaking to diagnose, treat, operate or prescribe and
25 administer any remedy for any human disease, injury, deformity, physical
26 or mental condition either personally or by means of signs, cards or
27 advertisements by way of mass media or any other means of
28 communication;
29
30 (4) Using or affixing "MD" with his/her name in the practice of the medical
31 profession or in his/her written or oral communications; or
32
33 (5) Conducting formal medical classes in medical schools, seminars, lectures,
34 symposia and the like.
35

36 (b) Practice through Special Temporary Permit – A special/temporary permit may
37 be issued by the Board in consultation with the APO for Physicians and the
38 DOH, subject to approval by the Commission and the Department of Labor
39 and Employment (DOLE) pursuant to its mandate as provided for in Articles
40 40 to 42 of the Labor Code. Such permits shall likewise be issued, only after
41 payment of fees as prescribed by the Commission, to the following:
42

- 43 (1) Physicians licensed from foreign countries/states whose services are
44 either for a fee or free:
45
46 i. If they are internationally well-known specialists or publicly
47 acknowledged as experts in any area of medical specialization;
48 and,
49
50 ii. If their services are urgently necessary, owing to the lack of
51 available local specialists/experts, or for the promotion or
52 advancement of the practice of medicine including, but not limited
53 to, the conduct of formal classes, acting as resource persons in
54 medical seminars, fora, symposia and the like;
55
56

1 (2) Physicians licensed in foreign countries/states who intend to render
2 services for free and limited only to indigent patients in a particular
3 hospital, center or clinic; *Provided, however,* That they render such
4 services under the direct supervision and control of a duly
5 registered/licensed physician; and,
6

7 (3) Physicians licensed in foreign countries/states employed as exchange
8 professors in any area of medical specialization.
9

10 (c) The permit shall, among others, provide for such limitations, specifications
11 and conditions hereunder cited, as follows:
12

13 (1) A period of not more than one (1) year subject to renewal or extension;
14 *Provided,* That such renewal or extension shall be under the same
15 process and requirements hereinabove provided;
16

17 (2) The specific area of medical specialization; and,
18

19 (3) The specific place of practice, such as clinic, hospital, center, college of
20 medicine.
21

22 (d) The Board, subject to approval by the Commission and the DOLE, shall
23 prescribe rules and regulations for the implementation of this particular
24 section.
25

26
27 **SEC. 28. Disciplinary Sanctions.** – The Board shall have the power, upon proper
28 notice and hearing, to suspend from the practice of profession or revoke the
29 certificate of registration of a physician, or issue a reprimand or cancel the
30 special/temporary permit issued to a foreign physician for any of the following
31 grounds/causes:
32

33 (a) Final conviction by a court of competent jurisdiction of any criminal offense
34 involving moral turpitude;
35

36 (b) Immoral or dishonorable conduct;
37

38 (c) Insanity;
39

40 (d) Fraud in the acquisition of the certificate of registration and the
41 professional identification card or special/temporary permit;
42

43 (e) Gross negligence, ignorance or incompetence in the practice of his/her
44 profession, resulting in an injury to or death of the patient;
45

46 (f) Addiction to alcoholic beverages, to any habit forming drug or to any form
47 of illegal gambling, rendering him incompetent to practice his/her
48 profession;
49

50 (g) Making or causing to be made false, misleading, extravagant or unethical
51 advertisements wherein things other than his name, profession, limitation
52 of practice, clinic hours, office and home address are mentioned;
53

54 (h) Issuance of any false statement or spreading any false news or rumor
55 which is derogatory to the character and reputation of another physician
56 without justifiable motive;
57

- 1 (i) Knowingly issuing any false medical certificates and/or findings, or making
2 any fraudulent claims with government or private health insurance;
3
4 (j) Performance of, or aiding in, any criminal abortion;
5
6 (k) Performing any act constituting the practice of an area of medical
7 specialization without fulfilling the specialization requirements prescribed
8 by the Board;
9
10 (l) Knowingly aiding or subjecting one's self to be a patient of any person who
11 is unqualified or unregistered to practice medicine or an area of medical
12 specialization, except in aid of training of a medical student, or performing
13 any act constituting the practice of medicine or an area of medical
14 specialization in behalf of any such unlicensed or unregistered person;
15 *Provided, however,* That this provision shall not apply when an act
16 constituting the practice of medicine or an area of medical specialization is
17 performed in a hospital, clinic or medical center as an accredited
18 practitioner of such hospital, clinic or medical center. For this purpose, all
19 hospitals, clinics and medical centers are hereby required to furnish the
20 appropriate regional office of the DOH a list of all medical practitioners
21 duly accredited to practice within their respective institutions every three
22 (3) months;
23
24 (m) Violation of any provision of the Code of Ethics for Physicians as
25 prescribed by the integrated APO of Physicians and adopted and
26 promulgated by the Board, subject to approval by the Commission;
27
28 (n) Practice of profession during the period of his suspension; and,
29
30 (o) Willful failure or refusal to be a member of the integrated Accredited
31 Professional Organization (APO) for Physicians or expulsion or
32 termination of membership therefrom.
33
34

35 **SEC. 29. *Rights of the Parties.*** – The private complainant and the respondent
36 physician shall be entitled to counsel and to be heard in person, to have a
37 speedy and public hearing, to confront and to cross-examine witnesses, and to
38 all other rights guaranteed by the Constitution and the Rules of Court. All cases
39 filed or pending under this Act shall not be discussed or taken in any forum until
40 after the same shall have been decided with finality.
41
42

43 **SEC. 30. *Appeal from Judgment.*** – The decision of the Board shall become final
44 fifteen (15) days from the date of receipt of such decision by the parties or their
45 counsel. Within the same period, the aggrieved party may ask for a
46 reconsideration of the decision for being contrary to law or for insufficiency of
47 evidence. No second motion for reconsideration to the Board shall be allowed.
48 A decision of suspension, revocation of the certificate of registration or removal
49 from the roll by the Board as provided herein may be appealed initially to the
50 Commission within fifteen (15) days from receipt thereof.
51

52 The aggrieved party may appeal to the Court of Appeals under Rule 43 of the
53 Rules of Court. A decision rendered by the Commission against the respondent
54 shall be executory.
55
56

1 **SEC. 31. *Re-issuance of Revoked Certificate of Registration and Professional***
2 ***Identification Card and Replacement of Lost Certificate of Registration and***
3 ***Identification Card.*** – After two (2) years and after due consultation with the
4 integrated APO of Physicians organization of physicians, the Board may order
5 the reinstatement of any physician whose certificate of registration has been
6 revoked, if the respondent has acted in an exemplary manner in the community.
7

8 A new certificate of registration or professional identification card that has been
9 lost, destroyed or mutilated may be issued, subject to the rules of the
10 Commission.
11

12
13 **SEC. 32. *Mandatory Use of Certificate of Registration, Professional and APO***
14 ***Membership Card and Professional Tax Receipt Number.*** – A registered
15 physician shall indicate his/her certificate of registration number, the number and
16 the expiry date of the professional identification card and his/her APO
17 membership card, and the professional tax receipt number on the prescription
18 and other documents he/she signs, uses or issues in connection with the practice
19 of his/her profession.
20

21
22 **SEC. 33. *Vested Rights.*** – All physicians registered at the time this law takes
23 effect shall be automatically registered under the provisions hereof, without
24 prejudice to the other requirements herein set forth.
25

26
27 **SEC. 34. *Exceptions.*** – For purposes of this Act, any medical student duly
28 enrolled in an accredited medical college or school, or any graduate of medicine
29 undergoing training, serving without any professional fee in any government or
30 private hospital, shall not be considered as engaging in the practice of medicine;
31 *Provided, That he/she renders such service under the direct supervision and*
32 *control of a duly registered/licensed physician.*
33

34
35 **SEC. 35. *Integration of the Profession.*** – The profession shall be integrated into
36 one (1) national Accredited Professional Organization (APO) of Physicians to be
37 duly recognized and accredited by the Board and the Commission. A physician
38 duly registered and licensed by the Board and the Commission shall
39 automatically become a member of the said APO and shall receive the benefits
40 and privileges appurtenant thereto upon payment of required fees and dues.
41 Membership in the integrated APO shall not be a bar to membership in any other
42 association of physicians.
43

44
45 **SEC. 36. *Mandatory Continuing Medical Education.*** – The Board shall
46 implement a mandatory continuing medical education among practicing
47 physicians in consonance with the guidelines of the CPE as shall hereafter be
48 promulgated by the Commission.
49

50
51 **SEC. 37. *Automatic Registration of Physicians.*** – All physicians whose names
52 appear at the Registry/Roll/Roster of Physicians at the time of the effectivity of
53 this Act shall automatically be registered by the Board and the Commission as
54 physicians and, thereafter, by the Accredited Professional Organization (APO) of
55 registered and licensed physicians as its *bona fide* members, pursuant to Section
56 22 of this Act.
57

1
2 **SEC. 38. Foreign Reciprocity.** – Unless the country of which he/she is a subject
3 or citizen specifically permits Filipino physicians to practice within its territorial
4 limits on the same basis as the subject or citizen of the said foreign state or
5 country under reciprocity and under International agreements, no foreigner shall
6 be admitted to licensure examinations, given a certificate of registration to
7 practice as a physician nor be entitled to any of the privileges under this Act.
8
9

10 **ARTICLE VI**
11 **PENAL PROVISIONS**
12

13
14 **SEC. 39. Penalties.** – (a) The penalty of imprisonment of not less than one (1)
15 year but not exceeding five (5) years or a fine of not less than Two Hundred
16 Thousand Pesos (P200,000.00) but not exceeding Five Hundred Thousand
17 Pesos (P500,000.00), or both, upon the discretion of the court, shall be suffered
18 by:
19

- 20 (1) Any person who practices or offers to practice medicine in the
21 Philippines without a valid certificate of registration and a valid
22 professional identification card, or a valid temporary/special permit
23 in accordance with the provisions of this Act;
24
25 (2) Any person using or attempting to use as his/her own the certificate
26 of registration or professional identification card or
27 temporary/special permit duly issued to another;
28
29 (3) Any person who shall give any false or forged documents,
30 credentials and any other proof of any kind to the Board or
31 Commission in order to obtain a certificate of registration or
32 professional identification card or temporary/special permit;
33
34 (4) Any person who shall falsely impersonate any *bona fide* registrant
35 with like or different name;
36
37 (5) Any registered and licensed physician or medical specialist who
38 shall abet or assist in the illegal practice by a person who is not
39 lawfully qualified to practice medicine or any area of medical
40 specialization;
41
42 (6) Any person who actually engages in the practice of medicine as
43 defined in paragraphs (a)(1) and (a)(2) of Section 27 of this Act
44 without any certificate of registration;
45
46 (7) Any person who shall attempt to use a revoked or suspended
47 certificate of registration or a cancelled temporary/special permit;
48
49 (8) Any person who shall use or advertise any title or description
50 tending to convey the impression to the general public that he/she
51 is a registered and licensed physician when in fact he/she is not;
52
53 (9) Any registered and licensed physician or medical specialist who
54 shall use or advertise any title or description tending to convey the
55 impression to the general public that he/she is a specialist in an
56 area of medical specialization when in fact he/she is not; and,
57

1 (10) Any registered physician who shall commit any of the prohibited
2 acts as enumerated in paragraphs (i),(j), (k) and (l) of Section 28
3 hereof.
4

5 (b) When any of the acts defined in paragraphs 5 and 6 of this section is
6 committed by a person against three (3) or more persons, or when any of
7 such acts is committed by at least three (3) persons who shall cooperate and
8 confederate with one another, or when death occurs as a result of the
9 commission of the prohibited act mentioned in paragraph (k) of Section 28 of
10 this Act, the offense shall be considered as a qualified violation of this Act
11 and shall be punishable by life imprisonment and a fine of not less than Five
12 Hundred Thousand Pesos (P500,000.00) but not more than Two Million
13 Pesos (P2,000,000.00). Prosecution of offenses under this Act shall be
14 without prejudice to a separate prosecution under the provisions of the
15 Revised Penal Code and other laws.
16
17

18 **SEC. 40. Injunctions.** –Upon written motion by any interested party and after
19 notice and hearing, the Board may issue an order enjoining any person illegally
20 practicing medicine from performing any act constituting the practice of medicine
21 until the necessary certificate therefor is secured. However, if it is shown in the
22 affidavits attached to the motion that the movant or the general public will suffer
23 grave injustice or irreparable injury, the chairperson of the Board, or, in his/her
24 absence, any Board member holding office may issue a temporary restraining
25 order effective for seventy-two (72) hours. The applicable provisions of Rule 58
26 of the Rules of Court shall govern the issuance of the writ of injunction and lifting
27 thereof, except that where after hearing it is shown that the movant is entitled to
28 the injunction prayed for, such writ of injunction shall be effective until there is
29 clear showing that the respondent is authorized to practice medicine in the
30 Philippines.
31

32 Any such person who, after having been so enjoined, continues on the illegal
33 practice of medicine shall be punished for contempt of court. The issuance of the
34 said injunction shall not relieve the person from criminal prosecution and
35 punishment as provided in the preceding section.
36
37

38 **ARTICLE VII** 39 **FINAL PROVISIONS** 40

41
42 **SEC. 41. Enforcement.** – The Commission shall be the enforcement agency of
43 the Board. As such, the Commission shall implement the provisions of this Act,
44 enforce its implementing rules and regulations as adopted by the Board, assist
45 the Board in the investigation of complaints against violators of this Act, its rules
46 and regulations, the Code of Ethics for Physicians and other policies of the
47 Board.
48

49 The Commission or the Board shall call upon or request any department,
50 instrumentality, office, bureau, institution or agency of the government including
51 local government units (LGUs) to render such assistance as it may require, or to
52 coordinate or cooperate in order to carry out, enforce or implement the
53 professional regulatory policies of the government or any program or activity it
54 may undertake.
55
56

1 **SEC. 42. Appropriations.** – The Chairpersons of the Commission on Higher
2 Education and the Professional Regulation Commission shall immediately
3 include in their programs the implementation of this Act, the funding of which
4 shall be charged against their current years' appropriations and thereafter in the
5 annual General Appropriations Act.
6
7

8 **SEC. 43. Implementing Rules and Regulations.** – Within ninety (90) days after
9 the approval of this Act, the PRC, together with the Board, the integrated APO of
10 Physicians and the Council of Medical Education of the CHED shall prepare and
11 promulgate the implementing rules and regulations (IRRs) to carry out the
12 provisions of this Act and adopt the integrated APO of Physicians' Code of
13 Ethics. The IRRs shall take effect after fifteen (15) days following their
14 publication in two (2) daily newspapers of general circulation.
15
16

17 **SEC. 44. Transitory Provisions.** – The incumbent Board shall continue to
18 function in the interior until such time as the new Board shall have been
19 constituted pursuant to this Act.
20
21

22 **SEC. 45. Separability Clause.** – If any clause, provision, paragraph or part
23 hereof be declared unconstitutional or invalid, such judgment shall not affect,
24 invalidate or impair any other part hereof, but such judgment shall be merely
25 confined to the clause, provision, paragraph or part directly involved in the
26 controversy in which such judgment has been rendered.
27
28

29 **SEC. 46. Repealing Clause.** – Republic Act No. 2382 also known as "The
30 Medical Act of 1959", as amended by Republic Act Nos. 4224 and 5946; all laws
31 amending the said Act, all other laws, decrees, executive orders and other
32 administrative issuances and parts thereof which are inconsistent with the
33 provisions of this Act are hereby modified, amended, superseded or repealed
34 accordingly.
35
36

37 **SEC. 47. Effectivity Clause.** – This Act shall take effect after fifteen (15) days
38 following its publication in the Official Gazette or in at least two (2) newspapers of
39 general circulation in the Philippines.
40
41
42
43
44

45 *Approved,*