

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



Senate  
Office of the Secretary

15 DEC 16 P5:04

SENATE  
S. No. 3045

RECEIVED BY: 

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
TO ENSURE THE SAFETY OF COSMETIC SURGERY PATIENTS

EXPLANATORY NOTE

The Constitution, Article 2, Section 15, provides:

Section 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.

The number of Filipinos and foreigners seeking cosmetic surgery in the country continue to rise. The other side of this good news is reports about permanent disfigurement and untimely death due to botched surgeries performed by incompetent or even unlicensed individuals. The State has the duty to regulate this field of medical practice in order to give life to the abovementioned Constitutional provision.

This bill seeks to better protect those who choose elective surgery by requiring written clearances prior to surgery.<sup>1</sup>

  
MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> This bill was originally filed during the Fourteenth Congress, Second Regular Session.

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

1           SECTION 1. *Cosmetic Surgery.* – For the purposes of this Act, “Cosmetic  
2           Surgery” shall mean an elective surgery that is performed to alter or reshape normal  
3           structures of the body in order to improve the patient’s appearance, including, but not  
4           limited to, liposuction and elective facial cosmetic surgery

5           SECTION 2. *Requisite Clearance.* – Notwithstanding any other provision of law,  
6           a cosmetic surgery procedure shall not be performed on a patient unless, prior to such  
7           surgery, a licensed physician, surgeon, and psychiatrist have completed their respective  
8           examination on such patient and have submitted clearances for such procedure.

9           SECTION 3. *Agency Involved.* – The Department of Health shall promulgate rules  
10          and regulations to effectuate the purposes of this Act.

11          SECTION 4. *Penalty.* – Any violation of Section 2 of this Act shall be punishable  
12          by a civil penalty of Fifty Thousand Pesos (P50,000.00) for the first offense, One  
13          Hundred Thousand Pesos (P100,000.00) for the second offense, and closure of the  
14          business establishment thereafter.

1           SECTION 5. *Separability Clause.* – If any provision of this Act is held invalid or  
2 unconstitutional, the same shall not affect the validity and effectivity of the other  
3 provisions hereof.

4           SECTION 6. *Repealing Clause.* – All laws, decrees, orders, and issuances, or  
5 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
6 repealed, amended or modified accordingly.

7           SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after  
8 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/fm25Nov2015