

13th CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SECRETARY

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SENATE

S. No. 1149

Introduced by Senator Aquilino Q. Pimentel, Jr.

EXPLANATORY NOTE

The Legislative measure seeks to set a national standard for the practice of psychology by:

1. Creating a psychology board tasked to oversee the practice of the profession as well as to issue licenses to its practitioners;
2. Defining the scope of psychological services as well as psychologists and psychometricians;
3. Setting the criteria or qualification for the licensure of practitioners of the profession;
4. Mandating the criteria for the granting of such licenses; and
5. Prescribing penalties for violators of the provisions of the Act.

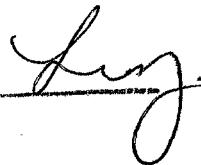
The passage of this measure will serve to strengthen the psychology profession, uplift its standards, and safeguard the interest of the public as social developments envelop them. It will also spur the development of the science that seeks to facilitate the wholeness of the person.

In this regard, early approval of the bill is earnestly requested.

[Signature]
AQUILINO Q. PIMENTEL, JR.

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AN ACT
TO REGULATE THE PRACTICE OF PSYCHOLOGY, CREATING FOR THIS
PURPOSE A PSYCHOLOGY BOARD

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

SECTION 1. *Objectives.* - This Act shall govern: (a) the supervision, control and regulation of the practice of psychology as a separate profession in the Philippines; and (b) the licensure of psychologists and the certification of psychometrists.

SECTION 2. *Definitions of Terms.* - As used in this Act:

(a) "Practice of Psychology" refers to the rendering or offering of any psychological service to individuals or groups, organizations or to the public in general. The practice of psychology does not include teaching, prescribing drugs, performing surgery or administering medical treatment;

(b) "Psychological Service" consists of or requires the application of psychological principles and procedures for the purpose of understanding, predicting and influencing the behavior of individuals or groups in order to assist in the attainment of optimal human growth and functioning. The application of

psychological principles and procedures includes, but is not limited to, interviewing, counseling and psychotherapy directed to deviant behaviors which are not organically caused; administering, scoring and psychologically interpreting instruments of the assessment and evaluation of mental abilities, aptitudes, personal characteristics, emotions and motivations; and assessment or diagnosis or dysfunction; personnel selection; planning and evaluation; the use of industrial organization psychology in human resource training and development, organizational development, and career development; teaching of psychology; and training and research;

(c) "Licensed Psychologist" means a person to whom a license has been issued to render psychological services pursuant to the provisions of this Act;

(d) "Certified Psychometrist" means a person whose functions are supervised by a licensed psychologist and are limited to the following services: administering, scoring and interpreting standardized psychological tests for mental ability, achievement, aptitude, interest, attitudes and personality characteristics, and to whom a certificate has been issued pursuant to the provisions of this Act.

SECTION 3. *Psychology Board: Compositions and Qualifications.* - To implement the provisions of this Act, there is hereby created a Psychology Board which shall be composed of a Chairperson and four (4) members representing the varied specialization and sectors of the profession, who shall be appointed by the President of the Philippines from a list of recognized psychologists nominated by the different psychological associations of the Philippines, colleges, universities and institutions and subject to confirmation by the Commission on Appointments, and who at the time of their appointment they are:

- (a) Citizens and residents of the Philippines;
- (b) At least forty (40) years of age;
- (c) Of good moral character;
- (d) Holders of at least a master's degree in Psychology conferred by a duly recognized university, college or school;
- (e) With at least ten (10) years of practice in the Philippines in a duly recognized institution, clinic, or center, or teaching experience in psychology for the same period of time;
- (f) Licensed psychologists, except in the case of the members of the first Board, who shall automatically be conferred professional licenses in psychology upon appointment to the Board;
- (g) Not members of the faculty of any university, college, institute or school within two (2) years immediately preceding their appointment where the regular course of their profession is taught or review classes conducted;
- (h) Not financially interested, directly or indirectly, in any university, college, institute or school where the regular course of their profession is taught or review classes conducted; and
- (i) Not elected officers of any professional association or organization of their profession or federation or its equivalent; *Provided*, That qualifications (g), (h), and (i) are not required of members of the first Board but upon taking their oath they shall resign as members in the said faculty, and they shall divest themselves of their financial interest in the said institution and officership in the said organization.

SECTION 4. *Tenure of Office.* - The members of the Board shall hold office for a term of three (3) years or until their successors shall have been appointed and duly qualified: *Provided*, That the members of the first Board shall hold office for the

following terms: the Chairman for three (3) years; two members for three (3) years; and two other members for two (2) years, which shall be specified in their appointment. Thereafter, the chairmanship shall be determined on the basis of seniority in the appointment. Any vacancy occurring within the term of a member shall be filled for the unexpired portion of the term only.

SECTION 5. *Meeting of the Board.* - The Board shall hold a regular annual meeting and at least three (3) regular meetings a year at such times as the rules of the Board may provide. Special meetings may also be held upon the call of the Chairman or request by a majority of the Board. Reasonable notice of all meetings shall be given in the manner prescribed by the rules of the Board. A quorum of the Board shall consist of a majority of its members.

SECTION 6. *Powers and Duties.* - The Board shall have the following powers and duties:

(a) Administer and enforce the provisions of this Act and promulgate rules and regulations or amendments thereto;

(b) Authorize expenditures necessary to carry out the provisions of this Act from funds made available to the Board in accordance with law;

(c) Fix and revise the schedule of fees for licensing of psychologists and for the certification of psychometrists in accordance with the rules and regulations of the Professional Regulations Commission;

(d) Designate the dates or the period within which applications for examination may be received and to transmit to the office of the Civil Service Commission the names of eligible applicants for examination;

(e) Prepare, administer and grade such examinations for applicants, as

required by this Act;

(f) Keep a record of action taken on all applicants for licensure and certification; the names of all persons licensed or certified; actions involving suspension, revocation or denial of license or certification; recommendations for reciprocity, receipt and disbursement of any monies and such matters that may be required by law;

(g) Promulgate a set of ethical and professional standards for the practice of psychology in the Philippines and cause the same to be published and disseminated accordingly;

(h) Issue permits to and exercise visitorial powers over agencies, institutions, associations, corporations, and partnerships to verify that the persons practicing psychology therein are licensed psychologists and certified psychometrists; and that they possess the necessary instruments and facilities in carrying out their functions;

(i) Perform such other functions and duties as it may deem necessary to carry out the objectives of this Act.

SECTION 7. *Compensation and Allowances.* - The Chairman and members of the Board shall be entitled to such compensation and allowances as may be provided by law to the Chairman and member of other professional boards.

SECTION 8. *Removal of Board Members.* - Any member of the Board may after due process of law be suspended or removed from office for cause, such as gross neglect of duty, incompetence, malpractice, unprofessionalism, immorality, unethical or dishonorable conduct.

SECTION 9. *Licensure Requirements.* - Any person may take the psychologist licensure examination scheduled by the Board after furnishing satisfactory evidence of the following qualifications:

- (a) A citizen and resident of the Philippines;
- (b) At least twenty-one (21) years of age;
- (c) Of good moral character;
- (d) A holder of at least a Master's degree in Psychology from a duly recognized university, college or school; and
- (e) Not being otherwise disqualified under this Act.

SECTION 10. *Certification Requirements.* - Any person may apply to take the examination for psychometrists by furnishing evidence satisfactory to the Board that the applicant is:

- (a) A citizen and resident of the Philippines;
- (b) At least twenty-one (21) years of age;
- (c) Of good moral character;
- (d) A graduate with a bachelor's degree in psychology from a duly recognized university, college or school; and
- (e) Not being otherwise disqualified under this Act.

SECTION 11. *Exception.* - The license/certificate requirements shall not apply to any student enrolled in a practicum course in Psychology under the supervision of a licensed psychologist.

SECTION 12. *Testimonial Licensing for Psychologists.* - A person who possesses the qualifications required for admission in the examination for license as

a psychologists pursuant to the provisions of this Act may be granted a license without examination provided the applicant files with the Board, within one (1) year after its creation, an application for the issuance of a license by submitting credential showing that the applicant:

(a) Is a holder of a doctoral degree in Psychology and has at least three (3) years of teaching experience in Psychology, or has full-time work experience in the practice of psychology in the Philippines; or

(b) Holds a masteral degree in Psychology, and has at least five (5) years of teaching experience in Psychology, or full-time work experience in the practice of psychology in the Philippines; or

(c) In the case of a bachelor's degree holder in Psychology, has been the head or assistant head of a psychological office, department or section, with at least ten (10) years of full-time work experience in the practice of Psychology in the Philippines.

SECTION 13. *Testimonial Certification for Psychometrists.* - A person who possesses the qualifications required for admission in the examination for certification as a psychometrist may be granted a certificate without examination, provided the applicant files with the Board, within one (1) year after its creation, an application for the issuance of such certificate by submitting credentials showing that the applicant holds a bachelor's degree in Psychology and has at least two (2) years of teaching experience in Psychology or full-time work experience in the practice of psychometry in the Philippines.

SECTION 14. *Ratings in the Examination.* - The Board shall fix the passing grade for the scheduled examination.

SECTION 15. *Report of Results of Examination.* - The Board shall submit the names and ratings of all examinees to the Civil Service Commission and the Professional Regulation Commission and publish the names of all successful examinees.

SECTION 16. *Oath of Psychologists and Psychometrists.* - All successful examinees for licensure and certification shall be required to take an oath of office at such place and time as the Board may schedule, or before any member of the Board in the event of failure to participate in the mass oath taking, or before any person authorized to administer oaths, prior to entering into the practice of psychology in the Philippines.

SECTION 17. *Issuance of Licenses/Certificates.* - Licenses or certificates shall be issued by the Board to all successful examinees upon compliance with the requirements that may be provided by the Board.

SECTION 18. *Admission to Subsequent Examinations.* - A candidate who fails in three (3) consecutive examinations may be allowed to take another set of examinations only after he/she submits to the Board a certification from a university, college or school that the candidate has re-enrolled in and has been credited with at least twelve (12) units in psychology.

SECTION 19. *Licensing by Reciprocity.* - A license may be issued without examination to a psychologists licensed under the law of any foreign state or country: *Provided*, That the requirements for licensing of psychologists in such

foreign state or country are substantially the same as those provided in this Act and that the laws of said state or country grants a reciprocal privilege to Filipino psychologists.

SECTION 20. Non-refundability of Fees. - Fees paid to the Board, as required by this Act, shall be non-refundable.

SECTION 21. Renewal of Licenses and Certificates. - All licenses and certificates shall be renewable every three (3) years and shall be considered renewed only upon payment of the corresponding fees as may be fixed by the Board and upon fulfillment of the continuing education requirements.

SECTION 22. Procedures for Denial, Suspension, Revocation, or Cancellation of a License or Certificate. - The application for the issuance of a license or certificate may be denied, or a license or certificate duly issued may be suspended or revoked, if it is shown that the applicant or holder thereof has:

- (a) Been convicted of a crime involving moral turpitude;
- (b) Secured a license or a certificate by fraud or deceit;
- (c) Not attended officially-sanctioned, seminars, conferences, conventions or schooling and similar gatherings for the required number of hours to qualify for the renewal of license practice;
- (d) Allowed an unqualified person to advertise or to practice the profession by using the license or certificate of the applicant;
- (e) Violated or conspired to violate any provisions, rules and regulations, or code of ethics promulgated by the Board;
- (f) Been found by the Board to be physically or mentally incompetent to teach

or render psychological services with reasonable skill and safety to his/her clients;

(g) Been found guilty of professional misconduct or negligence in the performance of his/her duties as a psychologist/psychometrist; and

(h) Has been found guilty of any unethical practice of psychology as may be defined by the Board.

The Board shall not refuse to grant, revoke or suspend the license or certificate of any person for any of the reasons herein provided until after sworn charges against such person shall have been filed and heard in a public hearing, or, upon request, a closed-door hearing.

SECTION 23. *Reinstatement.* - A person may apply to the Board for reinstatement of a license or certificate after one (1) year from the date of revocation of said license or certificate. The application shall be in writing and shall conform to the requirements as provided by the Board. No license or certificate shall be reinstated unless the Board is satisfied that a good cause exists to warrant such reinstatement.

SECTION 24. *Rights to Privileged Communication for Psychologists and Psychometrists.* - A licensed psychologist or certified psychometrist who is allowed to practice psychology in accordance with this Act cannot, without the consent of the client, be examined as to any communication or information which was acquired while attending to such client. The protection accorded herein shall also extend to the records and secretary or clerk of such psychologist or psychometrist who may not be examined concerning any fact the knowledge of which has been acquired in such capacity without the consent of the client and the employer.

SECTION 25. *Prohibited Acts.* -

(1) No person shall:

(a) Engage in the practice of psychology by representing himself or herself as psychologist or psychometrist without a license or certificate granted by the Board pursuant to this Act;

(b) Represent himself or herself as a licensed psychologist or certified psychometrist during the time that his or her license or certificate has been suspended or revoked; or

(c) Allow anybody to use his or her license as a psychologist or his or her certificate as a psychometrist to enable such individual to engage in the practice of psychology.

(2) No corporation, partnership, association or entity shall operate a psychological office, center, clinic, or otherwise engage in the practice of psychology without securing a permit from the Board, The permit shall be issued only after the Board is satisfied that such establishment is properly manned by a duly licensed psychologist, certified psychometrist and equipped with sufficient and adequate psychological instruments and facilities.

SECTION 26. *Penalties.* - Any person who violates any provision of this Act shall be punished with imprisonment of not less than three (3) years nor more than eight (8) years, or a fine of not less than Ten thousand pesos (₱10,000.00) but not more than Fifteen thousand pesos (₱15,000.00), or both at the discretion of the Court.

SECTION 27. *Instruction.* - The Board may initiate action to enjoin, restrain, and prosecute any unlicensed or uncertified individual, corporation, association,

partnership or entity operating or engaging in the practice of psychology, in violation of this Act.

SECTION 28. *Separability Clause.* - In case any provision of this Act is found to be unconstitutional or invalid, the remainder thereof which are not affected by such declaration shall remain in force and effect.

SECTION 29. *Repealing Clause.* - All laws, decrees, order, rules or regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 30. *Effectivity.* - This Act shall take effect after fifteen (15) days following its complete publication in the *Official Gazette* or in two (2) national newspapers of general circulation.

Approved,