

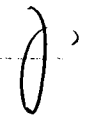
SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

Office of the Secretary

1969 JUL 19 AM 10:00

SENATE

S. No. 454

RECEIVED BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
REGULATING THE REGISTRATION, LICENSURE, AND PRACTICE OF
OCCUPATIONAL THERAPY, PROVIDING FUNDS THEREFOR AND FOR
OTHER RELATED PURPOSES

EXPLANATORY NOTE

On June 21, 1969, Republic Act 5680, "An Act Creating the Board for Physical Therapists and Occupational Therapists" was approved. Unlike all other regulatory acts that enforce the laws on one profession, Republic Act 5680 was created to regulate two different allied health professions, Physical therapy and Occupational therapy. Since then, said act had never been amended to respond to current global trend and national development.

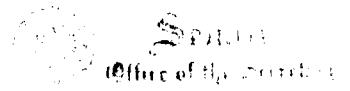
Physical therapy is a separate and distinct profession from Occupational Therapy by definition, scope of practice and educational requirements. Physical therapy has its own professional association, the Philippine Physical Therapy Association (PPTA) which is duly accredited by the Professional Regulation Commission (PRC) and duly-registered with the Securities and Exchange Commission (SEC). The association is well recognized as a member of the World Confederation of Physical Therapists and Asian Confederation for Physical Therapy. Likewise, Occupational Therapy has a separate and distinct professional association, the Occupational Therapy Association of the Philippines, Inc. (OTAP) which is duly accredited by the PRC and duly registered by the SEC, and well recognized and accepted as a member of the World Federation of Occupational Therapists (WFOT) since 1908.

In the event of the approval of the General Agreement of Trade in Services (GATS) and its implementation in the ASEAN region, in so far as the business service sector which includes professional services is concerned, the already marketable Filipino physical therapists and occupational therapists will be further catapulted to overseas employment. Global demand tempered by national and regional economic constraints, new immigration laws and international competition is fast requiring more quality in health care professionals, including physical therapists and occupational

therapists. It then becomes imperative to align regulatory functions, such as professional standards and competencies, among physical therapists only and separate them only from those for occupational therapists.

Thus, this bill seeks the amendment of R.A. 5680 for the purpose of upgrading and updating the competence, knowledge, skills and attitudes of the Filipino occupational therapists and physical therapists to make them globally competitive and nationally accessible to the disabled population of the Philippines. It is for these reasons that the approval of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator



76 JUL 19 AM 2016

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OTHER RELATED PURPOSES

1 **SEC. 1. Short Title of Act.** – This Act shall be known as "*The Philippine Occupational*
2 *Therapy Law of 2016*".
3

4 **SEC. 2. Statement of Policy.** – The State recognizes the importance of occupational
5 therapists in nation building. Hence, it shall develop and nurture competent, virtuous, productive and
6 well-rounded occupational therapists whose standards of practice and service shall be excellent, world
7 class and globally competitive through inviolable, honest, effective and credible licensure
8 examinations and through regulatory measures, programs and activities that foster their continuing
9 professional growth.
10

11 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall mean:
12

13 a.) Occupational therapy - is a client-centered health profession concerned with promoting
14 health and well-being through occupation. The primary goal of occupational therapy is to
15 enable people to participate in the activities of everyday life. Occupational therapists
16 achieve this outcome by working with people and communities to enhance their ability to
17 engage in the occupations they want to, need to, or are expected to do, or by modifying
18 the occupation or the environment to better support their occupational engagement.
19

20 b.) The Scope and Nature of the Practice of Occupational Therapy – shall embrace, but is not
21 limited to, the analysis and application of purposeful and meaningful activities need to, or
22 are expected to do, or by modifying the occupation or the environment to better support
23 their occupational engagement.

1 c.) The Scope and Nature of the Practice of Occupational Therapy – shall embrace, but is not
2 limited to, the analysis and application of purposeful and meaningful activities
3 specifically directed to occupational performance in the areas of self-care, work, play, and
4 leisure. Reference to occupation is in the context of the individual’s goal-directed use of
5 time, energy, interest, and attention. Upon referral, occupational therapists interpret and
6 intervene or address problems impeding functional or adaptive performance. The purpose
7 is to prevent limitations in participation, and to promote, maintain, or restore occupational
8 performance, health, and psychosocial wellbeing. Occupational therapy may be part of
9 the health and/or social services in hospitals, community settings such as residential,
10 vocational, and leisure centers, schools, day programs, private agencies, the academe,
11 clinics, the work place and other organizations which provide preventive or health
12 promotive services.

13
14 d.) Occupational Therapist – refers to a person who is a holder of a valid registration and
15 professional license issued by the Board of Occupational Therapy and the Professional
16 Regulation Commission, and who is legally qualified to practice occupational therapy in
17 the Philippines pursuant to this Act.

18 19 20 **ARTICLE II**

21 **CREATION OF THE PROFESSIONAL REGULATORY** 22 **BOARD OF OCCUPATIONAL THERAPY**

23
24 **SEC. 4. *Creation and Composition of the Board.*** – There is hereby created a Board of
25 Occupational Therapy, hereafter referred to as the Board, under the administrative supervision of the
26 Professional Regulation Commission, hereinafter referred to as the Commission, composed of a
27 chairperson and two (2) members appointed by the President of the Philippines within six (6) months
28 from the enactment of this Act upon the recommendation of the Commission from among
29 occupational therapists of recognized standing nominated by the accredited and integrated
30 professional organization of occupational therapists.

31
32 **SEC. 5. *Powers and Functions of the Board.*** – The Board shall have the following powers
33 and functions:

34
35 a.) Promulgate, administer, and enforce rules and regulations necessary for carrying out the
36 provisions of this Act;

- 1 b.) Supervise and regulate the registration, licensure and practice of occupational therapy in
2 the Philippines;
- 3 c.) Administer oaths in connection with the administration of this Act;
- 4 d.) Adopt an official seal of the Board;
- 5 e.) Maintain a roster of occupational therapists indicating therein the basic information about
6 the registered professionals;
- 7 f.) Issue, reinstate, suspend, cancel or revoke the registration and license, or special permits
8 for the practice of occupational therapy;
- 9 g.) Study and monitor conditions affecting the practice of occupational therapy and adopt
10 such measures as may be deemed necessary for the enhancement of the profession and
11 maintenance of high professional and ethical standards;
- 12 h.) Ensure, in collaboration with the Commission on Higher Education (CHED) or its
13 equivalent, that all educational institutions offering occupational therapy education
14 comply with the prescribed policies, standards, and guidelines;
- 15 i.) Prescribe the Code of Ethics and Standards of Practice for occupational therapists
16 endorsed by the accredited and integrated professional organization of occupational
17 therapists;
- 18 j.) Hear or investigate any violations of this Act, its implementing rules and regulations and
19 the Code of Ethics, and for this purpose, issue *Subpoena duces tecum* and/or *ad*
20 *testificandum* to secure the appearance of the witnesses and the production of documents
21 in connection therewith; Provided that the decision of the Board shall, unless appealed to
22 the Commission, become final and executory after fifteen (15) days from receipt of
23 judgment or decision;
- 24 k.) Prescribe guidelines and criteria in the Continuing Professional Development (CPD)
25 program for occupational therapists;
- 26 l.) Prescribe the subjects in the licensure examination and table of specifications, determine
27 the syllabi of the subjects and their relative weights, score and the rate examination
28 papers, and submit the results to the Commission within the period provided for in the
29 rules of the Commission;
- 30 m.) Administer the examinations to applicants for the practice of occupational therapy in
31 accordance with the provisions of this Act;
- 32 n.) Adopt a program for the full computerization of the licensure examination;
- 33 o.) Grant registration without examination subject to approval by the Commission;
- 34 p.) Issue special permits to persons admitted to the practice of occupational therapy for a
35 specific duration of time, and certificates of recognition for advanced studies, researches
36 and accomplishments that contribute to the enrichment of the Profession;

1 q.) Perform such other powers and functions as deemed necessary to carry out the objectives
2 of this Act.

3
4 The policies, resolutions, rules and regulations, orders or decisions issued or promulgated by
5 the Board shall be subject to review and approval of the Commission.
6

7 **SEC. 6. *Qualifications of Board Members.*** - The members of the Board shall, at the time of
8 their appointment, possess the following qualifications:

- 9 a.) A resident of the Philippines for at least (5) years;
10 b.) A duly registered occupational therapists under this Act, with a valid certificate of
11 registration and professional license;
12 c.) Has engaged in rendering occupational therapy services for at least five (5) continuous
13 years immediately preceding appointment;
14 d.) A member of good standing of the accredited and integrated professional organization of
15 occupational therapists, and not an officer thereof;
16 e.) Has no prior conviction by any competent court, of an offense involving moral turpitude;
17 and
18 f.) Has no pecuniary interest, directly or indirectly, in any school, college or university or
19 institution conferring an academic degree necessary for admission to the practice of
20 occupational therapy; or where review classes in preparation for licensure examination
21 are offered or conducted; nor be a member of faculty or administration thereof.
22

23 **SEC. 7. *Term of Office.*** - The members of the Board shall hold office for a term of three (3)
24 years or until their successors have been appointed and duly qualified; *Provided, That*, members of
25 the first Board to be appointed after the approval of this Act shall hold office for the following terms:
26 the chairperson for three years, one member for two years, and the other member for one year;
27 *Provided, Further*, that a chairperson or member may be re-appointed for a second term, but may not
28 serve more than two consecutive three-year terms or six consecutive years. Interim vacancies shall be
29 filled for the unexpired term only.
30

31 **SEC. 8. *Removal of Board Members.*** - Any member of the Board may, upon the
32 recommendation of the Commission after due process of law and investigation conducted by the
33 Commission, be suspended or removed by the President from office for cause such as gross neglect of
34 duty, incompetence, malpractice, unprofessionalism, immorality, unethical or dishonorable conduct,
35 final judgment of crimes involving moral turpitude, and manipulating or rigging of the licensure
36 examination results, disclosure of secret and confidential information in the examination questions
37 prior to the conduct of the said examination, or tampering of grades.

1 **SEC. 14. *Scope of Examination.*** – The licensure examination for occupational therapists
2 shall cover the basic sciences and health science foundations integrated into the following domains:

3
4 a.) Occupational Therapy Application 1

- 5 1. Occupational Therapy Theories and Frames of Reference
- 6 2. Growth and Human Development
- 7 3. Occupational Performance and Behavior Across the Lifespan
- 8 4. Occupational-based practice

9
10 b.) Occupational Therapy Application 2

- 11 1. Adult Physical Dysfunction
- 12 2. Occupational Therapy in Pediatrics
- 13 3. Occupational Therapy in Geriatrics
- 14 4. Psychosocial Dysfunction
- 15 5. Community-based Practice

16
17 c.) Occupational Therapy Application 3

- 18 1. Professional Reasoning and Behavior
- 19 2. Professional Competence and Ethics
- 20 3. Organization, Administration and Management
- 21 4. Research Process

22
23 The Board, subject to approval by the Commission, may revise or exclude any of the subjects
24 or add new ones as the need arises, and may adjust or modify the percentage weight of the subjects in
25 order to keep the examination abreast and in conformity with the latest developments in the profession
26 here and abroad.

27
28 **SEC. 15. *Ratings in the Examination.*** – To be qualified as having passed the licensure
29 examination for occupational therapists, a candidate must have obtained a general average of seventy-
30 five percent (75%), with no grade lower than sixty percent (60%) in any given subject.

31
32 **SEC. 16. *Report of Ratings.*** – The Board shall submit to the Commission the ratings
33 obtained by each candidate within ten (10) calendar days after the examination, unless extended for
34 just cause.

1 **SEC. 17. Issuance of the Certificate of Registration, Professional License, and Professional**
2 **Identification Card.** – Registration and a professional license shall be issued to examinees who pass
3 the licensure examination for occupational therapists subject to payment of fees prescribed by the
4 Commission. The registration and professional license shall bear the signature of the chairperson of
5 the Commission and the members of the Board, stamped with the official seal, indicating that the
6 person named therein is entitled to practice the profession with all the privileges appurtenant thereto.
7 The registration and license shall remain in full force and effect until revoked or suspended in
8 accordance with this Act.

9
10 **SEC. 18. Initial.**– The initials OTRP, which stands for Occupational Therapists Registered
11 Philippines, shall be used following the name of the registered occupational therapist, especially when
12 signing documents pertinent to the practice of the profession.

13
14 **SEC. 19. Refusal to Register.** – The Board shall refuse to register any successful examinee
15 who has been convicted by a court of competent jurisdiction of any criminal offence involving moral
16 turpitude, or has been found guilty of immoral or dishonorable conduct after investigation by the
17 Board, or has been declared to be of unsound mind. The reason for the refusal shall be set forth in
18 writing.

19
20 **SEC. 20. Reinstatement, Re-issuance or Replacement of Certificate of Registration and**
21 **Professional License.** – Two years after the date of revocation, the Board may, upon application and
22 for reasons deemed proper and sufficient, reinstate any revoked certificate of registration or
23 professional license, and in so doing, may, in its discretion, exempt the applicant from taking another
24 examination.

25
26 A new certificate of registration, professional license, or special permit, to replace lost,
27 destroyed, or mutilated ones, may be issued subject to the rules as implemented by the Board.

28
29 **SEC. 21. Oath of Occupational Therapists.** – Successful examinees qualified for registration,
30 and qualified applicants for registration without examination, shall be required to take an oath of
31 profession before any member of the Board or any government official authorized by the Commission
32 to administer oaths, prior to entering into the practice of occupational therapy in the Philippines.

33
34 **SEC. 22. Indication of Licensure and Privilege Tax Receipt.** – The occupational therapist
35 shall be required to indicate his/her registration/professional license number and date of issuance
36 thereof, the duration of validity of said license, including his or her privilege tax receipt number, on
37 the documents he/she signs, uses or issues in connection with the practice of his/her profession.

1 **SEC. 23. *Revocation or Suspension of the Certificate of Registration and Cancellation of***
2 ***Special Permit.*** – The Board may, after giving proper notice of hearing to the party concerned, revoke
3 the practitioner’s certificate of registration and professional license, or be suspended from the practice
4 of the profession; or cancel the special permit for any of the causes or grounds mentioned in Section
5 25 of this Act or for any unprofessional or unethical conduct, malpractice, violation of any of the
6 provisions of this Act, its rules and regulations, the Code of Ethics, and Standards of Practice for
7 occupational therapists.

8
9 **SEC. 24. *Roster of Occupational Therapists.*** – The Board shall prepare, update and maintain
10 a roster of occupational therapists which shall contain the name of each registered occupational
11 therapist, his residence and office addresses, the date of registration and issuance of certificates, and
12 other data which the Board may deem pertinent. The roster shall be open to the public, copies of
13 which shall be mailed to each person listed therein.

14
15 **SEC. 25. *Issuance of Special and Temporary Permit.*** – Special or temporary permits upon
16 recommendation of the integrated professional organization of occupational therapists may be issued
17 by the Board, subject to the approval by the Commission and payment of the fees the latter has
18 prescribed and charges, to the following persons:

- 19
20 1) Foreign-licensed occupational therapists called for consultation or a specified purpose that is
21 deemed essential to national development; *Provided, That,* the practice shall be limited only
22 for the particular work being engaged; *Provided, Further,* that there is no Filipino therapists
23 qualified for such consultation or purpose.
- 24 2) Foreign-licensed occupational therapists whose service shall be free and who are highly
25 needed under particular settings;
- 26 3) Foreign-licensed occupational therapists engaged as professors, lecturers, or critics in fields
27 essential to occupational therapy education in the Philippines, whose engagement is limited
28 to teaching only; and
- 29 4) Foreign-licensed occupational therapist recognized as an expert or specialist whose service is
30 deemed essential to the advancement of the profession in the Philippines.

31
32 The permit shall among other things, include these limitations and conditions: valid only for a
33 period of not more than one year subject to renewal; the branch or specialty of occupational therapy
34 which the permit holder can practice, and; the specific place or places of practice such as clinic,
35 hospital, center, school/college/university offering the course of occupational therapy. The Board,
36 subject to the approval by the Commission, shall prescribe rules and regulations for the
37 implementation of this particular section.

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ARTICLE IV

PRACTICE OF OCCUPATIONAL THERAPY

SEC. 26. *Prohibition on the Practice of Occupational Therapy.* – No person shall practice or offer to practice occupational therapy, nor offer to be an occupational therapists, or use the title, word, letter, figure, or any sign tending to convey the impression of being an occupational therapists, nor advertise or indicate in any manner whatsoever to be qualified to perform the work of an occupational therapists without passing the licensure examination given by the Board, except as otherwise provided in this Act.

SEC. 27. *Prohibited Acts.* – No person shall:

- a.) Engage in the practice of occupational therapy by representing himself/herself as an occupational therapists without a valid registration, professional license, or a valid temporary/ special permit granted by the Board pursuant to this Act.
- b.) Represent to be an occupational therapists during the time that his or her professional license is not valid or that his/her certificate of registration has been suspended or revoked, or that his/her temporary or special permit has been cancelled;
- c.) Allow anybody to use his/her certificate of registration and/or professional license and/or temporary/special permit as an occupational therapist to enable such unqualified individual to engage in the practice of occupational therapy;
- d.) Use as his/her own the certificate of registration, professional license, or temporary/ special permit of another person; and
- e.) Violate any provision of the Code of Ethics as recommended by the accredited national organization of occupational therapists.

SEC. 28. *Code of Ethics and Standards of Practice for Occupational Therapists.* – The Board shall adopt and promulgate the Code of Ethics and Standards of Practice for occupational therapists prescribed and issued by the Accredited and Integrated Professional Organization (AIPO) of occupational therapists.

SEC. 29. *Continuing Professional Development (CPD) Program.* – All occupational therapists shall abide with the requirements, rules and regulation on continuing professional development to be promulgated by the Professional Regulatory Board on Occupational Therapy, subject to the approval of the Commission, in coordination with the AIPO of occupational therapists and/or the recognized representative of duly accredited education institutions. For this purpose, the Board may create a CPD council to implement the CPD program, subject to such guidelines as may be prescribed by the Commission.

1 **SEC. 35. *Transitory Provisions.*** – The existing Board of Physical Therapy and Occupational
2 Therapy shall continue to function in the interim until such time that the new and separate
3 Professional Regulatory Board of Occupational Therapy shall be constituted pursuant to this Act.
4

5 **SEC. 36. *Separability Clause.*** – If any part, portion, section or provision of this Act shall be
6 declared invalid or unconstitutional, such shall not invalidate any other part, portion, section or
7 provision of this Act and the same shall continue to be in force and effect.
8

9 **SEC. 37. *Repealing Clause.*** – All laws, decrees, orders, issuances or parts thereof which are
10 inconsistent with the provisions of this Act are hereby modified, revised, superseded or repealed.
11 Republic Act. No. 5680 is hereby modified accordingly.
12

13 **SEC. 38. *Effectivity.*** – This Act shall take effect after fifteen (15) days following its
14 publication in the Official Gazette, or in two (2) major newspaper of national circulation, whichever
15 comes earlier.

Approved,