

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

*04 JUL -6 P12:02

NECEIVED BY:

SENATE

1397

S. Bill. No.

Introduced by Senator Ralph G. Recto

EXPLANATORY NOTE

This legislation seeks to regulate the practice of dentistry, dental hygiene and dental technology in the Philippines.

With the protection and safeguarding of the public interest as a primordial concern, the measure provides for the following:

- a. regulation, control, and supervision of the practice of dentistry, dental hygiene and dental technology in the Philippines;
- b. giving of licensure examinations to graduates of recognized dental schools of dentistry, dental hygiene and dental technology for the purpose of registration;
- c. accreditation of the various specialties of dentistry;
- d. promotion and development of continuing dental education and research in the country;
- e. enforcement of the Code of Ethics and Code of Dental Practice in the Philippines; and
- f. stipulation of penalties for infractions or violations of this Act or any other laws, rules and regulations authorized under the provisions of this Act.

This legislation likewise proposes the creation of a Professional Regulatory Board of Dentistry for the purpose of attaining and carrying out the objectives and implementation of the provisions of this Act.

In view of the foregoing, the immediate approval of this measure is urgently sought.

RALPH G. RECTO

13 th CONGRESS OF THE REPUBLIC OF THE PHILIPPINES First Regular Session)	*04 JUL -6 P12:01
S E S. Bill. No	NATE 1397	HECEIVED BY:
Introduced by Se	enator Ralph G. Rec	to

TO REGULATE THE PRACTICE OF DENTISTRY, DENTAL HYGIENE AND DENTAL TECHNOLOGY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE RA 4419 OTHERWISE KNOWN AS "AN ACT TO REGULATE THE PRACTICE OF DENTISTRY IN THE PHILIPPINES, AND FOR OTHER PURPOSES', AND RA 768, OTHERWISE KNOWN AS "AN ACT TO REGULATE THE PRACTICE OF DENTAL HYGIENISTS IN THE PHILIPPINES AND FOR OTHER PURPOSES", APPROPRIATING FUNDS THEREFOR.

AN ACT

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

ARTICLE I Definition and Scope of Practice

1	SECTION 1.	Title This Act shall be known as the "Dentistry Act of 2004".
2		
3	SEC.2.	Professional Regulatory Board of Dentistry For the purpose of
4	attaining or carrying	out the objectives of this Act, and in order to implement the
5	provisions thereof, th	e Professional Regulatory Board of Dentistry shall be constituted.
6		
7	SEC.3.	Objectives - This Act provides for:
8		
9	a.	the regulation, control, and supervision of the practice of dentistry,
10		dental hygiene and dental technology in the Philippines;
11	b .	the giving of licensure examinations to graduates of recognized
12	:	dental schools of dentistry, dental hygiene and dental technology
13	1	for the purpose of registration;
14	c.	the accreditation of the various specialties of dentistry;
15	d.	the promotion and development of continuing dental education and
16	:	research in the country;
17	e.	the enforcement of the Code of Ethics and Code of Dental Practice
18	1	in the Philippines; and

f. the stipulation of penalties for infractions or violations of this Act or any other laws, rules and regulations authorized under the provisions of this Act.

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Sec. 4 Definition and Scope of Practice

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a person who is a holder of a valid certificate of A. Dentist registration/professional license and professional identification card in Dentistry and who renders dental service within the meaning and intent of this law, who shall, for a fee, salary, compensation, or any form of reward, paid to him or through another, or even without such compensation or reward, perform any operation or part of an operation, upon the human oral cavity, jaws, teeth and surrounding tissue; prescribe drugs or medicines for the treatment of oral diseases and lesions; or correct malpositions of the teeth; teaches subjects in the licensure examination; or engaged in dental research. Provided, however, That this provision shall not apply to dental technologists engaged in the mechanical construction of artificial dentures or fixtures and other oral devices, as long as none such procedure is done inside the mouth of the patient, nor shall this provision apply to students of dentistry undergoing practice training in a legally constituted dental school or college under the direction or supervision of a member of the faculty who is duly licensed to practice dentistry in the Philippines; or to registered dental hygienist who may be allowed to perform preventive oral hygiene procedures and other procedures or to underboard dental graduates working as dental assistants to licensed and registered dentists authorized to practice dentistry in the Philippines who are engaged in private practice. Provided, further, that these underboard dental graduates work under their direct supervision.

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B. Dental Hygienist - a person who is a holder of a valid certificate of registration/professional license and professional identification card and one who has undergone a two (2) year-course in dental hygiene from a government recognized school under a college of dentistry and passing the prescribed board examination for dental hygienist, renders oral health promotion and preventive measures, performs scaling and polishing, oral examination, taking brief clinical history, taking radiograph, and giving oral health education to patients under the supervision of a licensed dentist.

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C. Dental Technologist - a person who is a holder of a valid certificate of registration/professional license and professional identification card and who renders technical service such as mechanical construction of artificial denture and other oral

1	devices, and one who has finished in a two-year certificate course in dental technology
2	from any government recognized school under the college of dentistry.
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4	ARTICLE II
5	The Professional Regulatory Board of Dentistry
6	SEC. 5. Composition There is hereby created a Professional Regulatory
7	SEC. 5. Composition There is hereby created a Professional Regulatory Board of Dentistry, hereinafter referred to as the Board, under the administrative control
8	and supervision of the Professional Regulation Commission, hereinafter referred to as the
	Commission, composed of a Chairperson and four (4) members who shall be appointed
10 11	by the President of the Philippines from the recommendees chosen and ranked by the
12	Commission from a list of nominees submitted by the accredited professional
12	organization.
13	organization.
15	SEC.6 Powers and Functions of the Board - The Board shall have
16	the following powers and functions:
17	the following powers and functions.
17	a. promulgate, administer and enforce rules and regulations necessary for
19	carrying out the provision of this Act;
20	b. administer oaths in connection with the administration of this Act;
21	c. study the conditions affecting the practice of dentistry, dental hygiene and
22	dental technology in the Philippines;
23	d. adopt or recommend such measures or discharge such duties, as may be
24	deemed proper for the advancement of the profession and the vigorous
25	enforcement of this Act;
26	e. ensure, in coordination with the Commission on Higher Education
27	(CHED), Accredited Professional Organization, and Association of Dental
28	Colleges, that all educational institutions offering dentistry, dental hygiene
29	and dental technology comply with the policies, standards and
30	requirements of the course prescribed by CHED in the areas of
31	curriculum, faculty, library and facilities;
32	f. supervise and regulate the registration, licensure and practice of dentistry,
33	dental hygiene and dental technology in the Philippines
34	g. adopt official seal of the Board;
35	h. issue, reinstate, suspend or revoke the certificate of
36	registration/professional license and professional identification card or
37	cancel permits for the practice of dentistry, dental hygiene and dental
38	technology;

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1	i.	prescribe and/or adopt a Code of Ethics and a Code of Dental Practice for
2	1.	the practice of dentistry, dental hygiene and dental technology;
3	j.	prescribe guidelines and criteria in the Continuing Professional Education
4	J.	(CPE) program for dentistry, dental hygiene and dental technology;
5	k.	hear or investigate any violation of this Act, its implementing rules and
6		regulations, and the code of ethics for dentists as shall come to the
7		knowledge of the Board and for this purpose, issue a subpoena duces
8		tecum to secure the appearance of witnesses and the production of
9		documents in connection therewith;
10	1.	accredit various specialties, dental societies/organizations; and
11	m.	perform such other powers and functions as it may deem necessary to
12		carry out the objectives of this Act.
13		
14	SEC.7	Qualifications of the Chairperson and Members of the Board-
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16	The C	Chairperson and members of the Board shall, at the time of his/her
17	appointment p	possesses the following:
18		
19	a.	be a natural born citizen of the Philippines and actually resident thereof;
20	b .	be a duly registered dentist in the Philippines;
21	c.	must be a member of good standing of accredited professional
22		organization for the last five years. Provided, that no member of the Board
23	•	may qualify to any position, elective or appointive during his/her
24		incumbency as such;
25	d.	have at least ten years of continuous experience as a Dentist and
26		preferably with three years of teaching experience;
27	e.	not a member of the faculty of any school, college or university where
28		undergraduate and graduate courses in dentistry are taught and where
29		dental hygiene and dental technology courses and review courses are
30		offered, nor shall have, directly or indirectly, any pecuniary interest in
31		such institutions; and
32	f.	not be connected in any capacity with any business enterprises, firm or
33		company in the buying, selling or manufacture of dental goods,
34		equipment, materials or supplies.
35		
36	SEC.8	Term of Office - The members of the Board shall serve for a
37		vears after their appointment. The member serving the last year of his term
38	shall automat	ically become the chairman of the Board, and shall not be able to succeed

1.	himself immediately after the expiration of his/her term of office so that the term of one		
2	member shall be due to expire every year; Provided however, that all appointments as		
3	Chairperson shall be approved by the President; Provided, further, that an appointment		
4	for any existing vacancy or vacancies shall be made within one (1) month from the time		
5	the vacancy occurred and shall be for the unexpired portion of the term only.		
6			
7	SEC.9 Compensation and Allowances of the Board The Chairperson and		
8	members of the Board shall receive compensation and allowances comparable to that		
9	being received by the Chairman and members of existing regulatory boards under the		
10	Commission as provided for in the General Appropriations Act.		
11			
12	SEC. 10 Suspension and Removal from Office Any member of the Board,		
13	may, upon recommendation of the Commission after due process of law and investigation		
14	conducted by the Commission, be suspended or removed by the President from office for		
15	cause such as incompetence or neglect of duty, for commission or toleration of		
16	irregularities in the examination, and for unprofessional or dishonorable conduct.		
17			
18	SEC.11. Supervision of the Board - The Secretary of the Board shall be		
19	appointed by the Commission subject to the provisions of existing laws and all records		
20	and minutes of the deliberations and proceedings of the Board and other confidential		
21	documents shall be kept under the direct custody of the Commission. The Commission		
22	shall provide the secretariat and other support services to implement the provisions of this		
23	Act.		
24			
25	SEC.12. Annual Report -The Board shall, within sixty days after the close		
26	of each fiscal year, prepare and submit an annual report to the Commission giving a		
27	detailed account of the proceedings of the Board during the year, recommending		
28	measures to be adopted, with the end in view of upgrading and improving the conditions		
29	affecting the practice of Dentistry in the Philippines.		
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32	ARTICLE III		
33	Licensure Examination and Registration		
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35	SEC.13 Examination Required All applicants for registration for the		
36	practice of Dentistry, Dental Hygiene and Dental Technology shall be required to		
37	undergo a licensure examination to be given by the Board in such places and dates as the		

1	Commission may designate subject to the compliance with the requirement prescribed by			
2	the Commission.			
3				
4	SEC.14	Qualification for Admission to the Licensure Examination		
5				
6	A.	For Dentistry - An applicant for the licensure examination for dentists		
7	shall establish	to the satisfaction of the Board, that;		
8				
9	a.	he/she is a citizen of the Philippines, or if a foreigner, must prove that the		
10		country of which he/she is a subject or citizen permits Filipino dentists to		
11		practice within its territorial jurisdiction on the same basis as the subjects		
12	•	or citizens of such country;		
13	ъ.	he/she has not been convicted of an offense involving moral turpitude; and		
14	c.	he/she is a graduate of a recognized and legally constituted university,		
15		college, school or institute the degree of either Doctor of Dental Medicine		
16		or its equivalents.		
17				
18	. В.	For Dental Hygiene - in order to be admitted to the licensure examination		
19	for dental hyg	ienists, an applicant must at the time of the filing of his application thereof,		
20	establish to th	e satisfaction of the Board, that:		
21				
22	a.	he/she is a citizen of the Philippines;		
23	ъ.	he possesses good moral character;		
24	c.	he had finished the two-years certificate in dental hygiene conferred by a		
25		recognized and legally constituted college, or school of dentistry.		
26				
27	C.	For Dental Technology - In order to be admitted to the licensure		
28	examination	for Dental Technology, an applicant must at the time of the filing of his		
29	application the	ereof, establish to the satisfaction of the Board, that:		
30				
31	a.	he/she is a citizen of the Philippines;		
32	ъ.	he/she possesses good moral character;		
33	c.	he/she had finished the two-years certificate in dental technology		
34		conferred by a recognized and legally constituted college, or school of		
35		dentistry; and		
36	d.	he/she had undergone on-the-job training in a registered/accredited dental		
37		laboratory for at least six (6) months.		
38				

- SEC.15. Scope of Examination An examination shall be given to the licensure applicants for dentists, dental hygienists, and dental technologists, which shall include, but not limited, to the following:
- A. For Dentists general anatomy, oral anatomy, general and microscopic anatomy and embryology, general and oral pathology, general and oral physiology, pharmacology, microbiology, nutrition, dental materials, restorative dentistry, prosthodontics, orthodontics, pedodontics, pediatric dentistry, anesthesiology, oral diagnosis and treatment planning, endodonties, periodonties, roentgenology, oral surgery, dental jurisprudence, ethics, community dentistry and practice management.
- B. Dental Hygienist oral anatomy, oral physiology, periodonties, preventive dentistry, roentgenology, pedodontics, dental anesthesiology and pharmacology, pathology, dental jurisprudence and ethics.
- 13 C. Dental Technologists oral anatomy, oral physiology, complete, fixed and 14 removable prosthodontics, ceramics, orthodontic appliances, dental materials, dental 15 jurisprudence and ethics.
- The Board may recluster, rearrange, modify, add or exclude and prescribe subjects as the need arises.
- SEC. 16. Ratings in the Examinations The licensure examination shall consist of both written and practical tests and in order to pass the examination, an examinee must obtain a general weighted average of at least seventy five percent (75%), with no rating below fifty percent (50%) in any subject.
- SEC. 17. Report of the Results of the Examinations The Board shall submit to the Commission the ratings obtained by each candidate within twenty (20) days after the last day of examination unless extended for just cause.
- SEC. 18. Oath All successful examinees and registrants without examination shall be required to take a professional oath before any member of the Board or any person authorized by the Commission or by law before they start their practice.
- 28 Issuance of the Certificate of Registration/Professional License 29 and Professional Identification Card - A certificate of registration/professional license 30 shall be issued to examinees who pass the licensure examination for dentistry subject to 31 payment of fees prescribed by the Commission. The certificate 32 registration/professional license shall bear the signature of the Board stamped with the official seal of the Board and the Commission, indicating that the person named therein is 33

entitled to practice the profession with all the benefits and privileges appurtenant thereto. 1 The certificate of registration/professional license shall remain in force and effect until 2 revoked or suspended in accordance with this Act. 3 A professional identification card bearing the registration number, date of 4 issuance, expiry date, duly signed by the chairperson of the Commission shall likewise be 5 issued to every registrant upon payment of the required fees. The professional б identification card shall be renewed every three (3) years and upon payment of fees and 7 upon satisfying the requirements of the Board. 8 9 SEC.20. Fees for Examination and Registration - Every applicant to the licensure examination for dentistry shall pay an examination fee and a registration fee as 10 11 determined and fixed by the Commission. SEC. 21. Refusal to Issue Certificates for certain Causes - The Board shall 12 refuse to issue a certificate of registration to any successful examinee or to any examinee 13 14 registered without examination who has been convicted by a court of competent 15 jurisdiction of any criminal offense involving moral turpitude, and to any person guilty of immoral or dishonorable conduct after investigation by the Board or has been declared to 16 17 be of unsound mind. The reason for the refusal shall be set forth in writing. 18 SEC.22. Certificate 19 Revocation orSuspension ofof Registration/Professional License and Professional Identification Card and Cancellation 20 of Temporary/Special Permit -The Board shall also have the power to recommend 21 the nullification or suspension of the validity of the certificate of registration/professional 22 license and professional identification card of a dentist, dental technologist/dental 23 hygienist or the cancellation of a temporary/special permit for any of the causes 24 25 mentioned in the preceding section, or for: 26 27 a. unprofessional and unethical conduct; 28 b. malpractice; 29 c. incompetency, or serious ignorance or negligence in the practice of dentistry 30 and dental technology; 31 d. willful destruction or mutilation of a nature tooth of a patient with the 32 deliberate purpose of substituting the same by an unnecessary or unessential 33 artificial tooth 34 e. for making use of fraud, deceit or false statements to obtain a certificate of 35 registration;

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	1	f. for alcoholism or drug addictions, causing him to become incompetent to
	2	practice dentistry, dental technology and dental hygiene
	3	g. for the employment of persons who are not duly authorized to do the work
	4	which under this Act can only be done by persons who have certificates of
·	5 6	registration to practice dentistry, dental technology and dental hygiene in the Philippines;
	7	h. for the employment of deceit or any form of fraud with the public in general
	8	or some clientele;
	9	i. for making false advertisements, publishing or circulating fraudulent or
•	10	deceitful allegations regarding his/her professional attainment, skill or
	11	knowledge, or the methods of treatment employed by him;
	12	j. utter disregard and continued violation of any of the provisions of this Act:
	13	Provided, that the action of the Board in the exercise of this power shall be
	14	appealable to the Commission.
	15	
	16	SEC.23 Reinstatement, Reissuance or Replacement of Certificate of
	17	Registration/Professional License and Professional Identification Card - Two (2)
	18	years after the date of revocation, the Board may, upon application and for reasons
	19	deemed proper and sufficient, reinstate any revoke certificate of registration/professional
	20	license and reissue a professional identification card and in doing so, may, in its
	21	discretion, exempt the applicant from taking another examination.
	22	
	23	SEC.24 Issuance of Special/Temporary Permit to Foreigners - Certificates
	24	of Registration shall not be required of:
	25	
	26	a. commissioned dental officers of the army, navy, and air force of any
	27	foreign country whose operations in the Philippines are permitted by the
	28	government while rendering dental service as such for the members of
	29	said forces only; and
	30	b. of dentist and oral surgeons from other countries who are invited for
	31	consultation, demonstrations, medical missions or under an exchange
	32	visitor program as a member of a teaching faculty. Provided, that, in such
	33	cases their work shall be limited to the specific task assigned to them, and
	34	Provided, further, that a special permit has been previously granted by the
	35	Board and the Commission stating therein the duration of such permit.
	36	Provided furthermore, that the Board may designate the accredited
	37	professional organization, through its constituent chapters and affiliates, to
	38	monitor such activities.

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ARTICLE IV Practice of Dentistry, Dental Hygiene and Dental Technology

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SEC.25 Code of Ethics and Code of Dental Practice for Dentists - The Board shall adopt and promulgate the Code of Ethics and Code of Dental Practice for Dentists, Dental Hygienists and Dental Technologists prescribed and issued by the accredited professional organization of dentists.

SEC.26 Vested Rights - All dentists and dental hygienists registered at the time this law takes effect shall automatically be registered under the provisions hereof, subject however to the provisions herein set forth as to the future requirements. Certificates of registration/professional license held by such persons in good standing shall have the same force and effect as though issued after the passage of this Act.

SEC.27 Registration Without Examination for Dental Hygienists and Dental Technologists - A person who possesses the equivalent qualifications required for admission in the examination for dental hygienist or dental technologist pursuant to this Act, may be registered without examination. Provided, that the applicant files with the Board within three (3) years after the effectivity of this Act, an application for registration and issuance of a certificate of registration/professional license and professional identification card, by submitting credentials showing that the applicant, before the effectivity of this Act:

a. had been given a certificate in dental hygiene or dental technology by a duly recognized college, school or institution and had at least three (3) years actual experience as dental hygienist or dental technologist in an accredited or licensed dental clinic or laboratory, or

b. had been practicing as a dental hygienist or dental technologist for at least five (5) years in a licensed dental clinic or laboratory under the supervision of a dentist and had attended a training course given by an accredited school or institution.

SEC.28. Display of Name and Certificate of Registration. - Every registered practicing dentist, dental hygienist or dental technologist shall display in a conspicuous place in the building or office he/she practices, his/her name and his/her certificate of registration in plain sight of patients who enter the dental office or dental clinic or dental laboratory. In the case where the dentist has more than one clinic, the original certificate

of registration should be displayed in his/her main office or clinic and he/she shall display a copy of his/her original certificate of registration in the other branch or branches of his/her practice. Any owner or proprietor of a dental office or establishment shall display the certificates of registration of each and everyone of such persons in the same manner as herein provided.

SEC.29. Integration of Dentists. Dental Hygienists Dental and Technologists - All registered dentist, dental hygienist or dental technologist shall be integrated into one (1) national organization which shall be recognized by the Board and accredited by the Commission as the one and only accredited integrated association to which all dentists, dental hygienists and dental technologists shall belong. Henceforth, all dentists, dental hygienists and dental technologists to be registered with the Board shall automatically become member of the accredited integrated professional organization upon payment of required fees and dues. Membership in the accredited and integrated organization shall not be a bar to membership in other associations of dentists, dental hygienists and dental technologists.

SEC.30. Foreign Reciprocity - No foreigner shall be admitted to the examination and be given a certificate of registration/professional license to practice as a dentist and be entitled to any of the privileges under this Act unless the country of which he/she is a subject or citizen specially permits Filipino dentists to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country under reciprocity and under international agreements.

SEC.31. Roster of Dentists, Dental Hygienists and Dental Technologists - The Board, in coordination with the accredited professional organization, shall maintain a roaster of the name, residence and of the addresses of all registered dentists, dental hygienists or dental technologists and shall make this roster available to the public upon request.

31 ARTICLE V

Penal Provisions and Enforcement of the Act

SEC. 32. *Penal Provision* - The following shall be punished by a fine of not less than Two Hundred Thousand Pesos (P200,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00) or to suffer imprisonment for a period of not less than ten (10) years and one (1) day nor more than twenty (20) years, or both, in the discretion of the court:

SEC. 32. Funding Provision - The Chairman of the Professional Regulation Commission shall immediately include in the Commission's programs the

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Ä	1	implementation of this Act, the funding of which shall be included in the Annual General
	2	Appropriations Act.
	3	Appropriations Act.
	4	SEC. 33. Transitory Provision - The existing Board of Dentistry shall
	5	continue to function in the interim until such time that the new Professional Regulatory
	6	Board of Dentistry shall be constituted pursuant to this Act.
	7	Board of Bennistry sharr se constituted purchasis to the fire
-	8	SEC.34. Implementing Rules and Regulations - The Board, in accordance
	9	with the accredited professional organization and with the approval of the Commission,
	10	shall promulgate, adopt and implement such rules and regulations to carry out the
	11	provisions of this Act.
	12	
	13	SEC.35. Separability Clause - If any section or provision of this
	14	Act shall be declared invalid or unconstitutional, such shall not invalidate any other
	15	section or provision of this Act.
	16	
	17	SEC.36 Repealing Clause - Republic Act No. 4419 and Republic
	18	Act No. 768 are hereby repealed. All other laws or portions thereof, orders, ordinances,
	19	or rules and regulations in conflict with the provisions of this Act as pertain to the
	20	practice of Dentistry shall be, and are hereby repealed.
	21	
	22	SEC.37 Effectivity - This Act shall take effect following its
	23	publication in the Official Gazette or in any newspaper of general circulation.
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	25	Approved.

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