

Thirteenth Congress of the Republic)
Of the Philippines)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

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SENATE

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S.B. No. 1541


Introduced by Senator Aquilino Q. Pimentel Jr.

EXPLANATORY NOTE

Over the years, dramatic advances in various disciplines in the science and technology of medicine have revolutionized the diagnosis, treatment, and management of disease. The rapid progress of modern medicine dictates the need to upgrade and update the curriculum of the study and practice of medicine. There is an urgent need therefore, to update the existing Medical Act of 1959 that has been the standard reference in the practice of medicine.

This proposed legislation aims to govern the standardization, upgrading and regulation of the operation of medicine-proper courses including internship training; the examination for registration and licensure; the supervision, control and regulation of the practice of medicine; the integration of the profession; and the development of the competence, moral values, and the professional attitude of physicians through continuing professional medical education (CPME).

To meet the challenges of improving the quality of health care of our citizenry and the imperatives of global competitiveness in medicine, the passage of this bill is urgently requested.


AQUILINO Q. PIMENTEL, JR.

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**"AN ACT
REGULATING THE EDUCATION AND LICENSURE OF
PHYSICIANS AND THEIR PRACTICE OF MEDICINE
AND FOR OTHER PURPOSES"**

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

ARTICLE I

TITLE, POLICY AND OBJECTIVES

1 **SECTION 1. Title.** - This shall be known as the "Physician's
2 Act of 2004"

3
4 **SEC. 2. Declaration of Policy** - The State recognizes
5 the vital role of physicians as professionals involved in the
6 preservation, safeguard, cure and enhancement of life, health, and
7 general welfare of the citizenry. Physicians' professional services
8 shall, therefore, be promoted as a regular component of the
9 primary health care system and as a vehicle towards the progress of
10 the country.

11
12 **SEC. 3. Objectives.**- This Act provides for and shall
13 govern: (a) the standardization, upgrading, and regulation of the
14 operation of medicine-proper courses including internship training;
15 (b) the examination for registration and licensure; (c) supervision,
16 control and regulation of the practice of medicine; (d) the
17 integration of the profession; and (e) the development of the
18 competence, moral values, and professional attitude of physicians
19 through continuing professional medical education (CPME).

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ARTICLE II

THE BOARD OF MEDICAL EDUCATION

SEC. 4. Composition of the Board of Medical Education

The Board of Medical Education (BME) shall be headed by the Chairperson of the Commission on Higher Education (CHED) and composed of the following as members: the Secretary of the Department of Health (DOH) or his/her duly authorized representative; the Chairperson of the Professional Regulation Commission, hereinafter referred to as the Commission; the President of the integrated association of physicians; the President of the Philippine Medical Colleges and the Chairperson of the Board of Medicine.

The Chairperson and members of the Board of Medical Education shall hold office during their incumbency in their respective positions.

The Board of Medical Education shall, within sixty (60) days after the effectivity of this Act, appoint a technical panel composed of specialists and academicians from the Government and private sector to be appointed by the BME in the discharge of its functions and powers.

SEC.5 Compensation and other Benefits. - The

Chairperson, members, and the staff of the Board of Medical Education shall receive compensation and other benefits as may be provided for by law.

SEC. 6. Functions and Duties.- The Board of

Medical Education shall have the following functions and duties:

- (a) To determine and prescribe requirements for admission into a recognized college of medicine;
- (b) To determine and prescribe requirements for minimum physical facilities of colleges of medicine, to wit: buildings including hospital equipment and supplies, apparatus, instruments, appliances,

1 laboratories and bed capacity for instruction
2 purposes, operating and delivery rooms, facilities for
3 outpatient services and other requirements used for
4 didactic and practical instruction in accordance
5 with modern trends;

6 (e) To determine and prescribe the minimum number
7 and standard and qualification of teaching
8 personnel including student-teacher ratio;

9 (d) To determine and prescribe the minimum required
10 curriculum with internship leading to degree of
11 Doctor of Medicine;

12
13 (e) To authorize and regulate the implementation of
14 experimental or innovative medical curriculum in a
15 medical school that has exceptional faculty and
16 instrumental facilities. Such an experimental or
17 innovative curriculum may prescribe admission and
18 graduation requirements other than those
19 prescribed in this Act: *Provided*, That only
20 exceptional students shall be enrolled in the
21 experimental curriculum;

22 (f) To accept applications and issue eligibility for
23 certification for admission to a medical school and
24 keep a registry of those issued with said certificate;
25 and to collect from said applicants a reasonable
26 fees as may be determined by the Board which shall
27 accrue to the operating funds of the CHED;

28 (g) To select, determine and approve hospitals, or some
29 departments of the hospitals, for training which
30 comply with the minimum specific physical facilities
31 as provided in subparagraph (b) hereof;

32 (h) To recommend to the CHED the closure or
33 suspension of the degree of Doctor of Medicine
34 program of a College of Medicine upon evaluation
35 of the statistical information on the performance of
36 the said college in the Physician Licensure
37 Examination as furnished by the Board of Medicine
38 and the Commission; and

39 (i) To promulgate, prescribe, and enforce the
40 necessary rules and regulations for the proper
41 implementation of the foregoing functions.

42
43 **SEC. 7. Minimum Required Course** – Students seeking
44 admission to medical course must have a bachelor's degree in
45 science or arts. The medical course leading to the degree of

1 doctor of medicine shall be five (5) years including internship
2 and shall consist of the following subjects:

3
4 Anatomy
5 Physiology
6 Biochemistry and Molecular Biology
7 Pharmacology and Therapeutics
8 Microbiology and Parasitology
9 Medicine
10 Pathology and Oncology
11 Psychiatry
12 Gynecology
13 Pediatrics and Nutrition
14 Neurology and Psychiatry
15 Ophthalmology, Otology and Laryngology
16 Orthopedics
17 Urology
18 Radiology
19 Surgery
20 Preventive Medicine and Public Health/Family and
21 Community Medicine
22 Legal Medicine, Medical Jurisprudence, Ethics and Health
23 Economics
24

25 Provided, that the Board of Medical Education is hereby
26 authorized to modify, rearrange, recluster, add to or reduce
27 the subjects listed above as the needs and demands of
28 progress in the medical profession may require.

29 **SEC. 8. Admission Requirements.** - The medical
30 college may admit any student who has not been finally
31 convicted by any court of any criminal offense involving moral
32 turpitude and who presents: (a) a record showing completion of
33 a bachelor's degree in science or arts; (b) a certificate of
34 eligibility for entrance to a school of medicine from the Board
35 of Medical Education; (c) a certificate of good moral
36 character issued by two former professors in the college
37 offering the pre-medicine course(s); and (d) certificate of live
38 birth. Nothing in this Act shall be construed to inhibit any
39 college of medicine from establishing, in addition to the
40 preceding, any other entrance requirements that may be
41 deemed reasonable.
42

43 For the purpose of this Act, the term "College of
44 Medicine" shall include faculty of medicine, institute of

1 medicine, school of medicine or of her similar institution that
 2 has met the standards and requirements set forth by the Board
 3 of Medical Education, offering a complete medical course
 4 leading to the degree of Doctor of Medicine or its equivalent
 5 course obtained.

6
 7 Every college of medicine must keep complete records of
 8 enrolment, grades, graduates and must publish each year a
 9 catalogue giving the following information:

- 10
 11 1. date of publication
 12 2. calendar of academic year
 13 3. faculty roll indicating whether on full or part time
 14 basis
 15 4. requirements for admission
 16 5. grading system
 17 6. requirements for promotion
 18 7. requirements for graduation
 19 8. curriculum and description of course by department
 20 9. number of students enrolled in each class in the
 21 preceding year

22 23 **ARTICLE III**

24 25 **BOARD OF MEDICINE**

26
 27 **SEC. 9. Composition of the Board.** – The Board of Medicine,
 28 hereinafter referred to as the Board, is hereby created as a collegial
 29 body under the administrative control and supervision of the
 30 Commission, composed of a Chairman, a Vice-Chairman and five
 31 (5) members to be appointed by the President of the Philippines
 32 from among three (3) recommendees of the Board for every
 33 vacancy chosen from nominees of the integrated national
 34 organization of physicians.

35
 36 **SEC. 10. Qualifications of Board Members.** – Each Board
 37 Member must, at the time of his appointment,

- 38
 39 (a) Be a natural born Filipino citizen and a resident of
 40 the Philippines for at least (10) consecutive years;
 41
 42 (b) Be at least forty (40) years old;
 43
 44 (c) Be a holder of a valid certificate of registration and
 45 a valid professional identification card as a
 46 physician and a practitioner for at least ten (10)
 47 years;

1
2 (d) Be a *bona fide* member of the integrated national
3 organization of physicians accredited by the Board
4 of Medicine and the Commission.;

5
6 (e) Not be convicted by final judgment by a
7 competent court of a criminal offense involving
8 moral turpitude;

9
10 (f) Have an experience of at least two (2) years as
11 faculty member in a college of medicine;

12
13 (g) Not be a member of the faculty or a lecturer, nor
14 shall have any direct or indirect pecuniary interest
15 in any institute, school or college offering the course
16 of Doctor of Medicine or conducting review classes
17 for the licensure examinations; and

18
19 (h) Not be an officer of the integrated national
20 organization of physicians accredited by the Board
21 of Medicine and the Commission.

22
23 **SEC. 11. Term of Office.** – The Members of the Board shall hold
24 office from the date of their appointment for a term of three (3)
25 years or until their successors shall have been appointed and
26 qualified. They may, however, be reappointed for another term
27 after the expiry of their first term. Appointments to fill up nominees
28 created by causes other than through expiration of regular terms
29 shall be for the unexpired period only. Each member shall qualify by
30 taking an oath of office before entering upon the performance of
31 his duties. The incumbents whose terms have not yet expired or who
32 are merely holding over, at the effectivity of this Act, shall be
33 allowed to serve the unexpired portion of their terms or may be
34 appointed under this Act.

35
36 **SEC. 12. Removal of Board Member.** – The President, upon
37 recommendation of the Commission after due investigation, may
38 remove any member of the Board on the following grounds:

- 39
40 (a) Neglect of duty or incompetence;
41 (b) Unprofessional, unethical or dishonorable conduct;
42 (c) Manipulation or rigging of the Physician Licensure
43 Examination's results, or disclosure of the examination
44 questions prior to the conduct of the said
45 examination, or tampering of the grades therein; or
46 (d) Final conviction by the court of a criminal offense
47 involving moral turpitude.
48

1 **SEC. 13. Compensation of the Board Members.** — The
2 Chairman, Vice-Chairman and Members of the Board shall receive
3 compensation and allowances or other benefits in accordance with
4 law and the rules of the Commission.
5

6 **SEC. 14. Powers and Duties of the Board.** — The Board shall
7 exercise executive/administrative or quasi-legislative or quasi-judicial
8 powers in carrying out the provisions of this Act. It shall be vested
9 with the following specific powers, functions, duties and
10 responsibilities:
11

- 12 (a) Supervise and promulgate regulations on the practice of
13 medicine;
14
- 15 (b) Determine and evaluate qualifications of the applicants
16 for registration with physician licensure examinations and for
17 the grant of temporary/special permits;
18
- 19 (c) Prepare the examination questions in accordance with
20 Section 25 hereof or the modifications thereof, prescribe the
21 syllabi of the subjects and their relative weights for the
22 licensure examinations; formulate or adopt test questions in
23 accordance with the rules of the Commission and conduct
24 the examinations; correct and rate the examination papers
25 through process of computerization and submit the
26 examination results to the Commission within the period
27 provided for by the rules of the Commission;
28
- 29 (d) Prescribe, amend or revise the requirements for the
30 subjects in the physician licensure examination and their
31 relative weights, subject to the approval of the Commission;
32
- 33 (e) Register successful examinees in the physician licensure
34 examination and issue the corresponding certificates of
35 registration and professional identification card;
36
- 37 (f) Issue special/temporary permits to foreign physicians to
38 practice medicine for specific projects and for a specific
39 duration of time;
40
- 41 (g) Look into the conditions affecting the practice of
42 medicine, adopt measures for the enhancement of the
43 profession and the maintenance of high professional,
44 technical, and ethical standards and conduct ocular
45 inspections of places where physicians practice their
46 profession whenever necessary;
47
- 48 (h) Promulgate rules and regulations including a Code of Ethics
49 and Code of Technical Standards for physicians,

1 administrative policies, orders, and issuances to carry out
2 the provisions of this Act;

3
4 (i) Upon verified complaint, investigate violations of this Act
5 and the rules and regulations, Code of Ethics, administrative
6 policies, orders and issuances promulgated by the Board.
7 The rule on administrative investigation promulgated by the
8 Commission shall govern in such investigation;

9
10 (j) Issue subpoena *ad testificandum* or subpoena *duces*
11 *tecum* to secure the attendance of respondents or
12 witnesses or the production of documents at and relative to
13 the investigation conducted by the Board;

14
15 (k) Delegate to the Chairman, Vice-Chairman, member of the
16 Board, or a Commission Attorney (PRC attorney) the
17 hearing of an administrative case. If the case is technical
18 or concerns strictly the practice of the profession, the
19 investigation shall be presided by the Chairman, Vice-
20 Chairman or a Member of the Board with the assistance of
21 a PRC attorney and/or representative of the integrated
22 national organization of physicians;

23
24 (l) Render decision, order or resolution on preliminary
25 investigation or inquiry against violators of this Act, rules and
26 regulations or any policy on undocketed cases and on
27 docketed administrative cases against examinees or
28 registrants which shall become final and executory unless
29 appealed with the Commission within fifteen (15) days from
30 receipt of the copy thereof. The decision of the
31 Commission may be appealed to the Court of Appeals in
32 accordance with the procedures provided in the Rules of
33 Court;

34
35 (m) After due notice and hearing, if found guilty, cancel
36 examination papers and/or bar any examinee from future
37 examination; refuse or defer his registration; reprimand the
38 registrant with stern warning; suspend him from the practice
39 of his profession; revoke his certificate of registration; cancel
40 special/temporary permit; remove his name from the roll of
41 physicians for continuous non-payment of annual
42 registration fees and non-compliance with the CPE
43 requirements; reinstate or re-enroll his name in the said roll;
44 reissue or return his certificate of registration and
45 professional license. A decision of suspension, revocation of
46 the certificate of registration or removal from the roll by the
47 Board as provided herein maybe appealed initially to the
48 Commission within fifteen (15) days from receipt thereof.
49 The decision of the Commission may be appealed to the

1 Court of Appeals in accordance with the procedures
2 provided in the Rules of Court;

3
4 (n) Administer oath in connection with the administration,
5 implementation, or enforcement of this Act;

6
7 (o) Prosecute or institute criminal action against any violator
8 of this Act and or the rules and regulations of the Board;

9
10 (p) Adopt an official seal;

11
12 (q) Coordinate with the Board of Medical Education in
13 prescribing, amending and/or revising the courses;

14
15 (r) Assist the Commission in the implementation of its
16 prescribed guidelines and criteria on the CPE for registered
17 and licensed physicians; and

18
19 (s) Perform such other functions and duties as may be
20 necessary to effectively implement this Act.

21
22 The policies, resolutions, rules and regulations, orders or
23 decisions issued or promulgated by the board shall be subject to the
24 review and approval by the Commission; however, the Board's
25 decisions, resolutions or orders which are not interlocutory, rendered
26 in an administrative case, shall be subject to review only if on
27 appeal.

28
29 **SEC. 15. Administrative Management, Custody of**
30 **Records, Secretariat and Support Services.** - The Board shall be
31 under the administrative and executive management of the
32 Commission with the Commission Chairman as the Chief
33 Executive Officer thereof. All records of the Board shall be
34 under the custody of the Commission.

35
36 The Commission shall designate the Secretary of the Board
37 and shall provide the Secretariat and other support services to
38 implement the provisions of this Act.

39
40
41 **SEC. 16. Implementing Rules and Regulations.** - The
42 Board with the approval of the Commission shall prescribe, issue,
43 and promulgate Rules and Regulations implementing and carrying
44 out the provisions of this Act, which shall be effective after fifteen
45 (15) days following the completion of its publication in the *Official*
46 *Gazette* or a major daily newspaper of general circulation in the
47 Philippines, or whichever comes earlier.

48

1 **SEC. 20. Venue and Schedule of Examination.** - The
 2 Examination shall be held simultaneously in venue/s and schedule/s
 3 that the Commission shall fix after consultation with the Board.

4
 5 **SEC. 21. Scope of Examination.** - The Physician Licensure
 6 Examination shall cover the following thirteen (13) individual or
 7 combined/clustered subjects with equal weights for each in one
 8 final examination after completion of internship.

- 9
 10 1. Anatomy
 11 2. Physiology
 12 3. Biochemistry
 13 4. Pharmacology and Therapeutics
 14 5. Microbiology and Parasitology
 15 6. Medicine
 16 7. Pediatrics and Nutrition
 17 8. Pathology and Oncology
 18 9. Obstetrics and Gynecology
 19 10. Surgery/Otolaryngology/otorhinotoryngology/ophthalmolo
 20 gy
 21 11. Preventive Medicine and Public Health
 22 12. Legal Medicine, Code of Ethics for Physicians, and
 23 Jurisprudence on the Practice of Medicine.
 24 13. Psychiatry/Neurology

25
 26 As urgent and important need arises so as to conform to
 27 technological, modern changes, the Board may recluster,
 28 rearrange, modify the foregoing, subjects, add to or exclude any
 29 subject, prescribe the number of final examination(s) per year in
 30 consultation with the Technical Panel and after approval by the
 31 Commission. The Board resolution thereon shall not only be officially
 32 published in the Official Gazette or major daily newspapers of
 33 general circulation but also circularized and disseminated to all
 34 colleges of medicine.

35
 36
 37 Each of the thirteen (13) subjects shall have its syllabus or table
 38 of specification. The Board shall apply the syllabi only after
 39 necessary consultation with the concerned academe, approval by
 40 the Commission, publication of its Board Resolution pursuant to legal
 41 requirements, dissemination to all colleges of Medicine, and a lapse
 42 of at least three (3) months from its effectivity. Each syllabus shall be
 43 subject to modification or amendment, as the need arises.

44
 45 **SEC. 22. Rating in the examination.** - To pass the Physician
 46 Licensure Examination, an examinee must obtain a general average
 47 rating in all thirteen (13) subjects of no less than seventy-five percent
 48 (75%) with no rating in any subject below fifty percent (50%).
 49

1 appurtenant to the practice of his profession provided that he does
 2 not violate this Act, the Rules and Regulations, Code of Ethics for
 3 Physicians, and other regulatory policies of the Commission and
 4 Board, and that he holds a valid and unexpired professional
 5 identification card.

6 The professional identification card shall bear the name of the
 7 registered/licensed physician, his registration number and date of
 8 issuance and its date of expiry, and shall be an evidence that he
 9 can lawfully practice his profession.

10
 11 A successful examinee who has been finally convicted by a
 12 court of a criminal offense involving moral turpitude, or found guilty
 13 by the Board for dishonorable or immoral conduct, or declared by
 14 the court to be of unsound mind shall not be registered. The
 15 decision of the Board, finding the examinee guilty of dishonorable or
 16 immoral conduct, may be appealed by the examinee to the
 17 Commission and/or to the Court of Appeal. The facts and the
 18 reasons for refusal to register shall be in writing communicated to the
 19 examinee, and duly incorporated in the records of the Commission.

21 22 **ARTICLE VI**

23 24 **THE PRACTICE OF MEDICINE**

25
 26 **SEC. 26. Prerequisite to the Practice of Medicine** – No
 27 person shall engage in the practice of medicine unless he/she
 28 holds a (1) a valid certificate of registration and a valid
 29 professional identification card issued by the Commission, or (2)
 30 a valid special/temporary permit issued by the Board of
 31 Medicine subject to approval by the Commission, unless he/she
 32 is exempted from this Act from holding any of the foregoing
 33 license.

34
 35 **SEC. 27. Acts Constituting Practice of Medicine.** - A
 36 person shall be considered as engaged in the practice of
 37 medicine who shall:

- 38
 39 (1) for compensation, fee, salary or reward in any form
 40 paid to him directly or through another, even without
 41 the same, physically examine any person, and
 42 diagnose, treat, operate or prescribe any remedy for
 43 human disease, injury, deformity, physical, mental,
 44 psychical condition or any ailment, real or imaginary,
 45 regardless of the nature of the remedy or treatment
 46 administered, prescribed or recommended, or

1
2 (2) by means of signs, cards, advertisements, written or
3 printed matter, or through the radio, television or any
4 other means of communication, either offer or
5 undertake by any means or method to diagnose, treat,
6 operate or prescribe any remedy for any human
7 disease, injury, deformity, physical, mental or physical
8 condition.
9

10
11 **SEC. 28. Practice through Special Permit/Temporary**
12 **Permit.** - Special/ Temporary permit may be issued by the
13 Board subject to approval by the Commission and payment of
14 the fees it has prescribed and charged thereof to the following
15 persons:
16

17 (1) Licensed physicians from foreign countries/states whose
18 services are either for a fee or free.

19
20 (a) if they internationally well-known specialists or
21 outstanding experts in any branch or specialty of
22 medicine; and
23

24
25 (b) if their services are urgently and importantly
26 necessary for lack or inadequacy of available local
27 specialists/experts or for the promotion or
28 advancement of the practice of medicine through
29 transfer of technology;
30

31 (2) Licensed physicians from foreign countries/states whose
32 services shall be free and limited to indigent patients in a
33 particular hospital, center of clinic;
34

35 (3) Licensed physicians from foreign countries/states employed
36 as exchange professors in a branch of specialty of medicine
37 by colleges of medicine.
38

39 The permit shall, among other things, include these limitations
40 and conditions: the period for no more than one (1) year subject to
41 renewal, the branch or specialty of medicine, and the specific
42 place of practice such as clinic, hospital, center, college of
43 medicine. The Board, subject to approval by the Commission, shall
44 prescribe rules and regulations on the implementation of this
45 particular Section.
46

- 1 (i) cosmetologists who compound and sell beauty skin
2 products provided they do not perform surgical
3 intervention.
4
5

6 **SEC. 30. Revocation of the Certificate of Registration,**
7 **Suspension from the Practice of the Profession, Reprimand,**
8 **Cancellation of the Temporary/Special Permit.** – The Board shall
9 have power, upon proper notice and hearing, to revoke the
10 certificate of registration of a physician, suspend him from the
11 practice of his profession or reprimand him, or to cancel the
12 special/temporary permit issued to a foreign physician, for any of
13 the following grounds/causes:
14

- 15 1. Final conviction by a court of a criminal offense involving
16 moral turpitude;
17
- 18 2. Immoral or dishonorable conduct;
19
- 20 3. Insanity;
21
- 22 4. Fraud in the acquisition of the certificate of registration
23 and professional license or temporary/special permit;
24
- 25 5. Gross negligence, ignorance or incompetency in the
26 practice of his profession, resulting in an injury to or death
27 of the patient;
28
- 29 6. Addiction to alcoholic beverages or to any habit-forming
30 drug rendering him incompetent to practice his profession;
31
- 32
- 33 7. False, extravagant; or unethical advertisements.
34
- 35 8. Performance of or aiding in any criminal abortion;
36
- 37 9. Knowingly issuing any false medical certificate;
38
- 39 10. Issuing any statement or spreading any news or rumor
40 which is derogatory to the character and reputation of
41 another physician ;
42
- 43 11. Aiding or acting as a dummy of unqualified or unregistered
44 or unlicensed person to practice medicine;
45
- 46 12. Violation of any provision of the Code of Ethics for
47 Physicians as prescribed by the organization of physicians
48 accredited by the Commission or by the integrated and
49 accredited national organization of physicians, and

1 adopted and promulgated by the Board subject to
2 approval by the Commission;

3
4 13. Practicing his profession during the period of his suspension
5 from the practice thereof;

6
7 14. Violation of this Act, the Rules and Regulations, and other
8 policies of the Board and the Commission issued pursuant
9 to this Act.

10
11 The rules on administrative investigation prescribed and
12 promulgated by the Commission shall govern the procedures and
13 conduct of administrative investigation before the Board. The rules
14 on evidence in the Rules of Court shall be supplementary to the
15 Commission rules. The Board may delegate the investigation of the
16 case to any of its members or any attorney of the Commission. A
17 case that directly and technically involves the practice of the
18 profession shall require the presence of a Board Member and an
19 attorney of the Commission.

20
21 **SEC. 31. Rights of Respondents.** – The respondent physician
22 shall be entitled to be represented by counsel or be heard in person,
23 to have a speedy and public hearing, to confront, and to cross-
24 examine witnesses against him, and to all other rights guaranteed
25 by the Constitution and provided for in the Rules of Court.

26
27 **SEC. 32. Appeal from Judgment.** – The decision of the Board
28 shall automatically become final fifteen (15) days after the date of
29 its promulgation unless the respondent, during the same period, has
30 appealed the said decision to the Commission. If the final decision
31 is not satisfactory, the respondent may appeal the decision to the
32 Court of Appeals.

33
34 **SEC. 33. Reissuance of Revoked Certificate of Registration**
35 **and Professional Identification Card and Replacement of Lost**
36 **Certificate of Registration and Professional Identification Card.** –
37 After two years, the Board may order the reinstatement of any
38 physician whose certificate of registration has been revoked, if the
39 respondent has acted in an exemplary manner in the community
40 wherein he resides and has not committed any illegal, immoral or
41 dishonorable act.

42
43 A new certificate of registration or professional identification
44 card that has been lost, destroyed or mutilated may be reissued,
45 subject to the rules of the Commission.

46
47 **SEC. 34. Indication of Professional Identification Card Number**
48 **and Professional Tax Receipt.** – A registered and licensed physician
49 shall indicate his certificate of registration/professional identification

1 card number with date of issuance, the expiry date of the
2 professional identification card, and the professional tax receipt
3 number, if required, on the prescription and other documents he
4 signs, uses or issues in connection with the practice of his profession.
5

6 **SEC. 35. *Integration of the Profession.*** – The profession shall be
7 integrated into one national organization of registered and licensed
8 physicians upon recognition and accreditation by the Board and
9 the Commission. A physician duly registered and licensed by the
10 Board and the Commission shall automatically become a member
11 of the said organization and shall receive the benefits and privileges
12 appurtenant hereto upon payment of required fees and dues.
13 Membership in the integrated organization shall not be a bar
14 membership in any other association of physicians.
15

16 **SEC. 36. *Continuing Medical Education.*** The Board shall
17 implement the continuing medical education among practicing
18 physicians in consonance with the guidelines of the Continuing
19 Professional Education (CPE) of the Commission.
20

21 **SEC. 37. *Automatic Registration of Physicians.*** - All physicians
22 whose name appear in the Registry/Roll/Roster of Physicians at the
23 time of the effectivity of this Act shall be automatically registered.
24
25
26
27
28

29 ARTICLE VII

30 PENALTIES AND SUNDRY PROVISIONS

31
32 **SEC. 38. *Penalties.*** - Any person who shall practice or offer
34 to practice medicine without a valid certificate of registration and a
35 valid professional identification card, or a valid temporary/special
36 permit in accordance with the provision of this Act, or any person
37 presenting or attempting to use as his own the certificate of
38 registration or professional identification card or temporary/special
39 permit of another or any person who shall give any false or forged
40 evidence of any kind to the Board or Commission in obtaining a
41 certificate of registration or professional identification card or
42 temporary/special permit, or any person who shall falsely
43 impersonate any registrant with like or different name, or any
44 registered and licensed physician who shall abet or assist the illegal
45 practice of a person who is not lawfully qualified to practice
46 medicine, or any person who shall attempt to use a revoked or
47 suspended certificate of registration or an invalid or expired
48 professional identification card or a cancelled special/temporary
49 permit of another, or any person who shall use or advertise any title

1 or description tending to convey the impression that he is a
2 registered and licensed physician when he is not in fact a registered
3 and licensed physician, or any person who shall violate any of the
4 provisions of this Act and of the rules and regulations shall, upon
5 conviction by the court, suffer the penalties of imprisonment of not
6 less than one (1) year nor more than five (5) years or not less than
7 fifty thousand pesos (P50,000.00) nor more than two hundred
8 thousand pesos (P200,000.00), or both upon discretion of the court.
9

10 **SEC. 39. Enforcement.** - The Commission shall be the
11 enforcement agency of the Board. As such, the Commission shall
12 implement the concerned provisions of this Act, enforce its
13 implementing rules and regulations as adopted by the Board, assist
14 the Board in the investigations of complains against violators of this
15 Act, its rules and regulation, Code of Ethics for Physicians, and other
16 policies of the Board.
17

18 The Commission or the Board shall call upon or request any
19 department, instrumentality, office, bureau, institution, or agency of
20 the Government including local government units to render such
21 assistance as it may require, or to coordinate or cooperate in order
22 to carry out, enforce or implement the professional regulatory
23 policies of the Government or any program or activity it may
24 undertake.
25

26 **SEC. 40. Appropriations.** - Such sums as may be necessary to
27 carry out the provisions of this Act shall be included in the General
28 Appropriations Act of the year following its enactment into law and
29 thereafter.
30

31 **SEC. 41. Separability Clause.** - If any clause, provision,
32 paragraph or part hereof be declared unconstitutional or invalid,
33 such judgment shall not affect, invalidate or impair any other part
34 hereof, but such judgment shall be merely confined to the clause,
35 provision, paragraph or part directly involved in the controversy in
36 which such judgment has been rendered.
37

38 **SEC. 42. Repealing Clause.** - R. A. No.2382 known as "The
39 Medical Act of 1959", all laws amending the said Act, all other laws,
40 decrees, executive orders, and other administrative issuances and
41 parts thereof which are inconsistent with the provisions of this Act are
42 hereby modified, amended, superseded, or repealed accordingly.
43

44 **SEC. 43. Effectivity.** - This Act shall take effect after fifteen
45 (15) days, following the completion of its publication in the Official
46 Gazette or any major daily newspaper of general circulation in the
47 Philippines, whichever comes earlier.
48

49 **Approved,**