


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

5 MAR 22 7:16

SENATE
S. B. No. 1971

RECEIVED BY: 

Introduced by the HONORABLE MAR ROXAS

EXPLANATORY NOTE

This bill seeks to strengthen the practice of midwifery in the country by clearly defining the practice of midwifery, with particular emphasis on their role to provide primary and community health care, and mandating the Board of Midwifery to monitor the condition of the profession and ensure quality midwifery education.

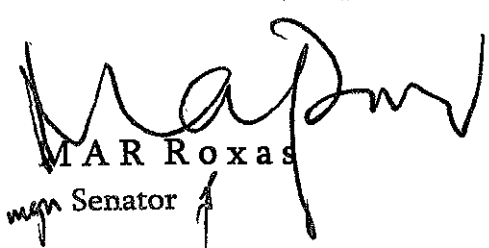
Data as of December 28, 2004 reveal that there are 143,998 registered midwives in the country today. The practice of midwifery was first regulated in the Philippines with the enactment of Public Act No. 310 on December 4, 1901, which created the Medical Board of Examiners that regulated both the medicine and midwifery professions. When Republic Act No. 2382 or the "Medical Act of 1959" was approved, the regulation of midwifery was separated from medicine. A Board of Examiners for Midwives was subsequently created with the enactment of Republic Act No. 2644 on June 18, 1960. Midwifery in the formal education started when Dr. Jose Fabella initiated the curriculum for direct-entry midwives in the mid 1900s. Midwifery is also a direct-entry course in Canada and two schools in the United States- the Seattle School of Midwifery and Bastyr University, both in Washington. In recent years, these institutions were sending students to the country for an elective. However, this was stopped in 2002.

Midwives serve as front-liners in the country's health-care-delivery system. They are the ones you find in rural health units, helping deliver babies and giving care to women before, during, and after pregnancy, and to their babies as well. They have also been involved in immunization and family-planning programs.

According to the World Health Organization, Mother-Baby Package, *"the person best equipped to provide community-based, technologically appropriate, and cost-effective care to women during their reproductive lives is the person with midwifery skills who lives in the community alongside the women she treats. Midwives understand women's concerns and preoccupations."* And according to Dr. Frank Oski, Professor and Director of the Department of Pediatrics, Johns Hopkins School of Medicine, US\$13 to US\$20 billion a year could be saved in health-care costs by demedicalizing childbirth, developing midwifery, and encouraging breastfeeding.

This bill also seeks to enhance the general welfare, commitment to service and professionalism of midwives by providing a minimum base pay for those working in public health institutions.

In view of the foregoing, the immediate approval of this measure is earnestly requested.


MAR ROXAS
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC)
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SENATE
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Introduced by the HONORABLE MAR ROXAS

AN ACT
INSTITUTING REFORMS IN THE PROFESSION OF MIDWIFERY, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 7392 OR THE PHILIPPINE MIDWIFERY ACT OF 1992, AND
FOR OTHER PURPOSES

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

SECTION 1. Short Title – This Act shall be known as the “Philippine Midwifery Act of 2005.”

SEC. 2. Declaration of Policy.– It is hereby declared the policy of the state to assume responsibility for the protection and improvement of the midwifery profession by instituting measures that will result in relevant midwifery education, humane working conditions, better career prospects and dignified existence of midwives.

The State hereby guarantees the prioritization for the needs of women and the delivery of quality health services through an adequate midwifery personnel all over the country.

SEC. 3 Objectives.– This Act provides for and shall govern:

- a) The standardizing and regulation of the midwifery profession;
- b) The examination of midwives; and
- c) The supervision, control and regulation of the practice of midwifery

SEC. 4. Definition of Terms. – For the purpose of this Act, the following terms are hereby defined.

- a) Midwife – is bona fide holder of a valid Certificate of Registration/Professional Identification Card issued by the Professional Regulatory Board and the Professional Regulation Commission;
- b) Commission – as used in this Act shall refer to the Professional Regulation Commission.
- c) Board – as used in this Act shall refer to the Professional Regulatory Board of Midwifery.
- d) CHED – means the Commission on Higher Education.

SEC. 5. Section 2 of Republic Act No. 7392 is hereby amended to read as follows:

“Sec. 2. Composition. — There shall be a Board of Midwifery, hereinafter referred to as the Board, which shall be under the direct supervision of the Professional Regulation Commission (PRC). It shall be a collegial body composed of a chairman and four (4) members to be appointed by the President of the Philippines from among A LIST OF

THREE [the] recommendees FOR EACH POSITION of the Commissioner of the Professional Regulation Commission, FROM A LIST OF FIVE (5) NOMINEES FOR EACH POSITION SUBMITTED BY ACCREDITED PROFESSIONAL ORGANIZATION CONCERNED, PROVIDED THAT, IN ALL CASES, [T] the Commission shall recommend three (3) registered midwives from the list submitted by the association of midwives; one (1) obstetrician from the list submitted by the association of obstetricians; and one (1) registered nurse-midwife from the list submitted by the association of midwives: Provided, FURTHER, That said associations are accredited in accordance with Presidential Decree No. 223: Provided, [further] FINALLY, That the nominees submitted shall possess the appropriate qualifications prescribed in [Section 3 hereof] IN THIS ACT."

SEC 6. Section 3 of Republic Act No. 7392 is hereby amended to read as follows:

"Sec. 3. Qualifications and Disqualifications of the Board Members. — (a) Each member of the Board shall at the time of his appointment:

- (1) be a citizen and resident of the Philippines;
- (2) be of good moral character AND MUST NOT HAVE BEEN CONVICTED OF ANY CRIME INVOLVING MORAL TURPITUDE;
- (3) be at least thirty (30) years of age; [and]
- (4) BE A GRADUATE OF A SCHOOL OF MIDWIFERY DULY RECOGNIZED BY THE GOVERNMENT AND A DEGREE HOLDER PREFERABLY IN THE FIELD OF HEALTH AND SOCIAL SCIENCES, PROVIDED, THAT THE CHAIRMAN SHALL BE A HOLDER OF A MASTER'S DEGREE IN HEALTH AND SOCIAL SCIENCES;
- (5) REGISTERED AND LICENSED MIDWIFE WITH AT LEAST TEN (10) YEARS OF CONTINUOUS PRACTICE PRIOR TO HIS/HER APPOINTMENT, FIVE (5) YEARS OF WHICH MUST BE IN THE SUPERVISORY FUNCTION; AND
- [[4] 6) not a member of the faculty, whether full time, part time or lecturer, of any school, college or university where a regular course in midwifery is taught, and shall not have any pecuniary interest directly or indirectly, in such institution during his term of office as a Board member. LIKEWISE, HE OR SHE MUST NOT BE A MEMBER

(b) The Chairman of the Board shall at the time of his appointment:

- (1) be a registered obstetrician;
- (2) have at least ten (10) years practice as an obstetrician prior to his appointment; AND
- (3) MUST HAVE AN EXPERIENCE IN MIDWIFERY TRAINING AND EDUCATION

[(c) Three (3) members of the Board shall at the time of their appointment:

- (1) be registered midwives;
- (2) be degree holders, preferably in the field of health and social sciences; and

- (3) have at least ten (10) years practice as midwives prior to their appointment, five (5) years of which are in supervisory positions.
- (d) One (1) member of the Board shall at the time of his appointment:
 - (1) be a registered nurse-midwife; and
 - (2) have at least ten (10) years practice as a nurse-midwife.]”

SEC. 7. Section 4 of Republic Act 7392 is hereby amended to read as follows:

“ Sec. 4. Term of Office. — The Chairman and the four (4) 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. [, without prejudice to reappointment for another term] **THEY MAY HOWEVER BE REAPPOINTED FOR A SECOND TERM ONLY.** Each member of the Board shall qualify by taking his/her oath of office before entering upon the performance of his/her duties.

SEC. 8. Section 5 of Republic Act 7392 is hereby amended to read as follows:

“ Sec. 5. Duties and Functions of the Board. — The Board shall have the following duties and functions:

- (a) to enforce the provisions of this Act;
- (b) to administer oaths in accordance with the provisions of this Act;
- (c) to issue and, after due investigation, suspend or revoke certificates or registration for the practice of midwifery;
- (d) to investigate any violation of this Act or of the rules and regulations issued thereunder, as may come to the knowledge of the Board; and for this purpose, to issue subpoena and subpoena duces tecum to alleged violators or witnesses to secure their attendance in investigations or hearings, and the production of books, papers and documents in connection therewith and compel their attendance by the power of contempt;
- (e) to conduct yearly [board] LICENSURE examinations to QUALIFIED [midwifery] examinees under the supervision of the Commission;
- (f) to MONITOR [look, from time to time, into] the condition affecting the practice of midwifery in the Philippines and ENFORCE [adopt] such measures as may be deemed necessary for the maintenance of the standards and ethics of the profession;
- (G) ENSURE QUALITY MIDWIFERY EDUCATION BY EXAMINING THE PRESCRIBED FACILITIES OF UNIVERSITIES AND COLLEGES OF MIDWIFERY AND THOSE SEEKING PERMISSION TO OPEN MIDWIFERY COURSES TO ENSURE THAT STANDARDS OF MIDWIFERY EDUCATION ARE PROPERLY COMPLIED WITH AND MAINTAINED AT ALL TIMES;

(H) PRESCRIBE, ADOPT, ISSUE AND PROMULGATE GUIDELINES, REGULATIONS, MEASURES AND DECISIONS AS MAY BE NECESSARY FOR THE IMPROVEMENT OF THE PRACTICE OF MIDWIFERY, ADVANCEMENT OF THE PROFESSION AND FOR THE PROPER AND FULL ENFORCEMENT OF THIS ACT SUBJECT TO THE REVIEW AND APPROVAL BY THE COMMISSION; and

(I) [(g)] to adopt an official seal to authenticate its official documents.

The Board shall exercise these powers and duties in accordance with [Presidential Decree No. 223] REPUBLIC ACT NO. 8981.”

SEC. 9. Sec. 6 of Republic Act 7392 is hereby amended to read as follows:

“Sec. 6. Compensation of Board Members. — The Chairman and the Members of the Board shall receive the same compensation AND ALLOWANCES COMPARABLE TO THE COMPENSATION AND ALLOWANCES RECEIVED BY [granted] [to] the Chairman and members of [the boards of similar nature as provided for in the General Appropriations Act] OTHER PROFESSIONAL REGULATORY BOARDS

SEC. 10. Sec. 7 of Republic Act No. 7392 is hereby amended to read as follows:

“Sec. 7. SUSPENSION AND Removal of CHAIRMAN AND MEMBERS OF THE Board [Members]. — Any member of the Board may be SUSPENDED OR removed from office by the President, upon the recommendation of the Professional Regulation Commission, for neglect of duty, ABUSE OF AUTHORITY, OPPRESSION, incompetence, COMMISSION OR TOLERATION OF IRREGULARITIES IN THE CONDUCT OF EXAMINATION OR TAMPERING OF GRADES THEREIN, or for unprofessional, immoral, UNETHICAL or dishonorable conduct, after having been given the opportunity to defend himself in a proper administrative investigation conducted by the Commission.”

SEC. 11. Sec. 12 of Republic Act 7392 is hereby amended to read as follows:

“Sec. 12. Scope of Examinations. — The scope of examinations for the practice of midwifery shall consist of the following:

- (a) Infant AND CHILD care and feeding;
- (b) Obstetrical anatomy and physiology;
- (c) Principles of bacteriology as applied to midwifery practice;
- (d) Obstetrics AND BASIC GYNECOLOGY;
- (e) Midwifery procedures;
- (f) Domiciliary midwifery;
- (g) Community hygiene and first aid;
- (h) Nutrition;
- (i) Ethics of midwifery practice;
- (j) Primary AND COMMUNITY health care;
- (k) Professional Growth and Development;
- (l) Family planning; and

- (m) PRINCIPLES OF MICROBIOLOGY AS APPLIED TO MIDWIFERY PRACTICE
- (n) REPRODUCTIVE HEALTH; AND
- (o) Other subjects within the Board may deem necessary for addition or inclusion from time to time

SEC. 12. Sec. 14 of Republic Act No. 7392 is hereby amended to read as follows:

“Sec. 14. Schools of Midwifery - To be recognized as a duly accredited and legally constituted institution for midwifery education a school/college of Midwifery shall have a permit AND RECOGNITION from the COMMISSION ON HIGHER EDUCATION (CHED) [Department of Education, Culture and Sports (DECS)]. The school shall have A BASE HOSPITAL WITH at least fifty (50) maternity beds WITH 80% OCCUPANCY RATE, AND OTHER PROVISIONS REQUIRED BY THE POLICIES AND STANDARDS OF MIDWIFERY EDUCATION AS PROMULGATED BY THE COMMISSION ON HIGHER EDUCATION (CHED), affiliated with an accredited hospital duly accredited by an authorized government agency or instrumentality”.

The school shall have a minimum ratio of one (1) clinical instructor to twelve (12) students in the hospital and in the community.

Before allowing a student to graduate, the school shall satisfactorily show to the COMMISSION ON HIGHER EDUCATION [Department of Education, Culture and Sports (DECS)] or other authorized government agencies that the student has completed the course in midwifery as prescribed by the CHED or other duly authorized government agencies, and that during the training, the student has personally attended at least a total of twenty (20) deliveries in the hospital and in its domiciliary services.

SEC. 13. Sec. 15 of Republic Act No. 7395 is hereby amended to read as follows:

“Sec. 15. Qualification of Faculty. – The faculty shall have academic preparation appropriate to teaching assignment, as follows:

- (a) At least a bachelor’s degree holder OF HEALTH OR SOCIAL SCIENCES, PREFERABLY WITH MASTERAL DEGREE, or Doctor of Medicine (M.D.)
- (b) Proof of competence in the field of specialization assigned to him; and :
- (c) A DOCTOR OF MEDICINE, registered nurse or registered midwife in the Philippines with at least [one] three [1] (3) years of satisfactory teaching experience or two (2) years of efficient performance in maternity ward/ community: Provided, That a registered midwife may be allowed to follow-up student midwives in the community ward provided she has at least two (2) years of experience in the area of assignment and has undergone training in the supervision of students.

SEC. 14. Sec. 16 of Republic Act No. 7395 is hereby amended to read as follows:

“Sec. 16. Rating in the Board Examination – To be qualified as having passed the Board Examination for midwives, a candidate must obtain a general rating of seventy-five percent (75%) in the written test with no grade lower than [fifty] SIXTY percent [50%] (60%) in any subject.

SEC. 15. A new provision is inserted between Sections 17 and 18 of Republic Act No. 7395, to read as follows:

SEC. 16. OATH. – ALL SUCCESSFUL CANDIDATES IN THE EXAMINATION SHALL BE REQUIRED TO TAKE AN OATH OF PROFESSION BEFORE THE BOARD OR ANY GOVERNMENT OFFICIAL AUTHORIZED TO ADMINISTER OATHS PRIOR TO ENTERING UPON THE NURSING PROFESSION.

SEC. 16. Sec. 18 of Republic Act No. 7395 is hereby amended to read as follows:

“Sec. 18. Issuance of Certificate of Registration – Certificate of Registration AND A PROFESSIONAL IDENTIFICATION CARD shall, upon payment of required fees, be issued to any applicant who passes the examination. Every certificate of registration shall show the full name of registrant, have a serial number, bear the signatures of the members of the Board, be attested by the Secretary of the Board, and be duly authenticated by the official seal of the Board. The issuance of a certificate of registration by the Board to the registrant shall be evidence that the person named therein is entitled to all rights and privileges of a registered midwife until said certificate, for just cause, is suspended temporarily or revoked.

A PROFESSIONAL IDENTIFICATION CARD BEARING THE REGISTRATION NUMBER, DATE OF ISSUANCE, EXPIRY DATE, AND DULY SIGNED BY THE CHAIRMAN OF THE COMMISSION, SHALL LIKEWISE BE ISSUED TO EVERY REGISTRANT UPON PAYMENT OF THE REQUIRED FEES.

SEC. 17. Sec. 23 of Republic Act No. 7395 is hereby amended to read as follows:

“Sec. 23. Practice of Midwifery Defined.– The practice of midwifery consist in performing or rendering, or offering to perform or render, for a fee, salary, or other reward or compensation, services requiring an understanding of the principles and application of procedures and techniques in the supervision and care of women during pregnancy, labor and puerperium, management of normal deliveries, including the performance of internal examination during labor except when patient is with antenatal bleeding; health education of the patient, family and community, WITH PARTICULAR EMPHASIS ON HYGIENE IN PREGNANCY, PREVENTION OF COMPLICATIONS/RISK FACTOR, BREASTFEEDING, NUTRITION, EXERCISE, MANAGEMENT OF COMMON DISCOMFORTS ASSOCIATED WITH PREGNANCY, PREPARATION FOR DELIVERY, POSTPARTUM CHECK-UP, PREVENTION OF COMPLICATIONS, PREVENTION OF ILLNESS, IMMUNIZATION, RELEVANCE OF NEWBORN SCREENING, IMPORTANCE OF REGISTRATION OF BIRTH OF A NEWBORN; primary health care services in the community, including nutrition, REPRODUCTIVE HEALTH, IMMUNIZATION, HEALTH EDUCATION/COUNSELING, PREVENTION AND CONTROL OF COMMUNICABLE AND NON COMMUNICABLE DISEASES, NEWBORN CARE AND CARE OF THE FAMILY AND COMMUNITY, BASIC LIFE SAVING SKILLS, OBSTETRICS AND BASIC GYNECOLOGY, and family planning; RULES AND PROCEDURES GOVERNING THE REGISTRATION OF BIRTH OF A NEWBORN HE/SHE ATTENDED TO, WITH THE LOCAL CIVIL REGISTRAR; [in] carrying out the written order of physicians with regard to antenatal, intra-natal and post-natal care of the normal pregnant mother in giving immunization, including oral and parenteral dispensing of oxytocic drug after delivery of placenta, suturing parietal lacerations to control bleeding, to give intravenous fluid during obstetrical emergencies provided they

have been trained for that purpose; and may inject Vitamin K to the newborn: Provided, However, That this provision shall not apply to students in midwifery schools who perform midwifery service under the supervision of their instructors, nor to emergency cases.”

AS INDEPENDENT PRACTITIONERS, MIDWIVES ARE PRIMARILY RESPONSIBLE FOR THE PROMOTION OF THE WELFARE OF THE MOTHER AND THE CHILD AT ALL STAGES OF CHILDBEARING AND BIRTH.

AS MEMBERS OF THE HEALTH TEAM, MIDWIVES SHALL COLLABORATE WITH OTHER HEALTH CARE PROVIDERS FOR THE CURATIVE, PREVENTIVE, AND REHABILITATIVE ASPECTS OF CARE, RESTORATION OF HEALTH, ALLEVIATION OF SUFFERING, AND WHEN RECOVERY IS NOT POSSIBLE, TOWARDS A PEACEFUL DEATH. IT SHALL BE THE DUTY OF THE MIDWIFE TO:

- (A) PERFORM PROFESSIONAL RESPONSIBILITIES BASED ON ACCEPTABLE AND SCIENTIFIC STANDARDS, APPLY ETHICAL AND LEGAL PRINCIPLES IN THE PERFORMANCE OF HIS/HER FUNCTIONS, ACTIVELY PARTICIPATE IN THE ACTIVITIES OF THE PROFESSIONAL ORGANIZATION, AND COMPLY WITH CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS
- (B) ESTABLISH LINKAGES WITH COMMUNITY RESOURCES AND COORDINATION WITH THE HEALTH TEAM;
- (C) PROVIDE HEALTH EDUCATION TO INDIVIDUALS, FAMILIES AND COMMUNITIES;

PROVIDED, THAT THIS SECTION SHALL NOT APPLY TO MIDWIFERY STUDENTS WHO PERFORM MIDWIFERY FUNCTIONS UNDER THE DIRECT SUPERVISION OF A QUALIFIED FACULTY: PROVIDED, FURTHER, THAT IN THE PRACTICE OF MIDWIFERY IN ALL SETTINGS, THE MIDWIFE IS DUTY-BOUND TO OBSERVE THE CODE OF ETHICS FOR MIDWIVES AND UPHOLD THE STANDARDS OF SAFE PRACTICE.

SEC. 18. A new provision is inserted between Sections 23 and 24 of Republic Act No. 7395, to read as follows:

“SEC. 24. CONTINUING PROFESSIONAL EDUCATION – A REGISTERED MIDWIFE IS REQUIRED TO MAINTAIN COMPETENCE BY CONTINUAL LEARNING THROUGH CONTINUING PROFESSIONAL EDUCATION TO BE PROVIDED BY THE ACCREDITED PROFESSIONAL ORGANIZATION OR ANY RECOGNIZED PROFESSIONAL MIDWIFERY ORGANIZATION: PROVIDED, THAT THE PROGRAM AND ACTIVITY FOR THE CONTINUING PROFESSIONAL EDUCATION SHALL BE SUBMITTED TO AND APPROVED BY THE COMMISSION, AFTER DUE CONSULTATION WITH THE BOARD.”

SEC. 19. The following provisions shall be inserted between Sections 26 and 27 of Republic Act 7392, to read as follows:

SEC. 27. STUDIES FOR MIDWIFERY MANPOWER NEEDS, PRODUCTION, UTILIZATION AND DEVELOPMENT– THE BOARD, IN COORDINATION WITH THE ACCREDITED PROFESSIONAL ORGANIZATION AND APPROPRIATE GOVERNMENT OR PRIVATE AGENCIES, SHALL INITIATE, UNDERTAKE AND

CONDUCT STUDIES ON HEALTH HUMAN RESOURCE PRODUCTION, UTILIZATION, PLACEMENT AND DEVELOPMENT.

SEC. 28. COMPREHENSIVE MIDWIFERY PROGRAM- WITHIN NINETY (90) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE BOARD, IN COORDINATION WITH THE ACCREDITED PROFESSIONAL ORGANIZATION, NATIONAL ORGANIZATIONS, ACCREDITED SERVICE PROVIDERS AND THE DEPARTMENT OF HEALTH IS HEREBY MANDATED TO FORMULATE AND DEVELOP A COMPREHENSIVE MIDWIFERY PROGRAM THAT INCLUDES A VALID ASSESSMENT OF CAREER PERFORMANCE AND POTENTIAL, THUS, UPGRADE THE LEVEL OF SKILL AND COMPETENCE OF MIDWIVES IN THE COUNTRY, SUCH AS BUT NOT TO THE AREAS OF SKILL OF MATERNAL AND CHILD CARE AND SUCH OTHER AREAS AS MAY BE DETERMINED BY THE BOARD.

THE BENEFICIARIES OF THIS PROGRAM ARE OBLIGED TO SERVE IN ANY RURAL OR COMMUNITY HOSPITAL FOR A PERIOD OF AT LEAST ONE (1) YEAR FROM COMPLETION OF THE PROGRAM.

SEC. 29. SALARY AND COMPENSATION - IN ORDER TO ENHANCE THE GENERAL WELFARE AND COMMITMENT TO SERVICE AND PROFESSIONALISM OF MIDWIVES, THE MINIMUM BASE PAY OF MIDWIVES WORKING IN THE PUBLIC HEALTH INSTITUTIONS SHALL NOT BE LOWER THAN THE 1ST STEP OF HIRING RATE PRESCRIBED FOR SALARY GRADE 8 PURSUANT TO RA NO. 6758, OTHERWISE KNOWN AS THE "COMPENSATION AND CLASSIFICATION ACT OF 1989". PROVIDED THAT FOR MIDWIVES WORKING IN LOCAL GOVERNMENT UNITS, ADJUSTMENTS TO THEIR SALARIES SHALL BE IN ACCORDANCE WITH SECTION 10 OF THE SAME ACT.

SECTION 30. FUNDING FOR THE COMPREHENSIVE MIDWIFERY PROGRAM. - THE ANNUAL FINANCIAL REQUIREMENT NEEDED TO TRAIN AT LEAST TEN PERCENT (10%) OF MIDWIVES OF THE PARTICIPATING GOVERNMENT HOSPITAL SHALL BE CHARGEABLE AGAINST THE INCOME OF THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE AND THE PHILIPPINE AMUSEMENT AND GAMING CORPORATION, WHICH SHALL EQUALLY SHARE IN THE COSTS AND SHALL BE RELEASED TO THE DEPARTMENT OF HEALTH SUBJECT TO ACCOUNTING AND AUDITING PROCEDURES: PROVIDED, THAT THE DEPARTMENT OF HEALTH SHALL SET THE CRITERIA FOR THE AVAILMENT OF THIS PROGRAM.

SEC. 20. Sec. 27 of Republic Act No. 7392 is hereby amended to read as follows:

"Sec. 27. Penal Provision. - Any person who shall practice midwifery in the Philippines within the meaning of this Act without a certificate of registration issued in accordance herewith, or any person presenting or using as his/her own certificate of registration or any person assuming, using or advertising, as a registered midwife or registered nurse-midwife or appending to his/her name the letter "R.M" without having been conferred such title by the Professional Regulation Commission or advertising any title description tending to convey the impression that he/she is a registered midwife, shall be guilty of misdemeanor and shall, upon conviction, be sentenced to a fine of not less than [Ten] FIFTY thousand pesos [(P10,000)] (P50,000) nor more than [Thirty] FIVE HUNDRED thousand pesos [(P30,000)] (P500,000), or to suffer imprisonment for a period of not less

than two THREE [(2)] (3) years nor more than SEVEN (7) years or both such fine and imprisonment at the discretion of the court. The aforementioned penalty shall likewise be imposed upon any person found guilty of violation of any rule and regulation issued pursuant to the provision of this Act.

SEC. 21. Implementing Rules and Regulations – Within ninety (90) days after the effectivity of this Act, the Board and the Commission, in coordination with professional midwives organizations, the Department of Health, the Department of Budget and Management and other concerned government agencies, shall formulate such rules and regulations necessary to carry out the provision of this act. The implementing rules and regulations shall be published in the Official Gazette or in any newspaper of general circulation.

SEC. 22. Separability Clause. – Any portion or provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions and provisions hereof as long as such remaining portion or provision can still subsist and be given effect in their entirety.

SEC. 23. Repealing Clause. – All other laws, decrees, executive orders, proclamations and administrative regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SEC. 24. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,