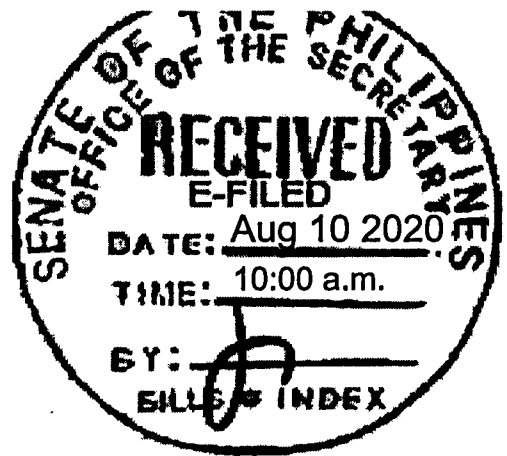


EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

SENATE

S. B. NO. 1762



Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT
ENHANCING THE CONTINUING PROFESSIONAL DEVELOPMENT
OF FILIPINO WORKERS AND PROFESSIONALS, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 10912, OTHERWISE KNOWN
AS THE "CONTINUING PROFESSIONAL DEVELOPMENT ACT OF
2016"**

EXPLANATORY NOTE

The institutionalization of the Philippine Qualifications Framework (PQF) or Republic Act No. 10968 underscores the need for lifelong learning of Filipinos. In this regard, programs for the mandatory continuing professional development or CPD of workers and professionals are encouraged for their career progression and to upgrade their professional qualification levels.

The CPD will also ensure the mobility and competitiveness of Filipinos, not only in the global labor market but also in their professional practice and career development. In fact, the CPD is a recognition and eligibility requirement in bilateral, regional or international agreements, such as in the ASEAN Mutual Recognition Agreements (MRAs) that facilitate mobility and cross border practice.

However, the implementation of Republic Act No. 10912 or the CPD Law has been met with so much resistance from workers and professionals, most especially teachers, engineers, accountants, physicians and nurses. In an online survey conducted by the Professional Regulation Commission (PRC) on the CPD implementation in 2018, 95 percent of respondents said that the CPD law should be stopped.¹

¹ "Anti-CPD professionals give 95% vote for repeal" August 1, 2018 retrieved from <https://www.sunstar.com.ph/article/419610/Anti-CPD-professionals-give-95-vote-for-repeal> (date last accessed: August 2, 2020).

Unfortunately, a big part of the resistance from workers and professionals stems from the unwillingness and incapacity of the government to provide for the necessities demanded by the authentic and competitive Philippine CPD program.

The exorbitant fees, difficult requirements, confusing processes, and most of all, lack of accredited training providers, nullify the noble intentions of this legislation, rendering it instead as a heavy burden to our professional workforce. If a worker or professional cannot comply with the requirements of the CPD Law for Professional Identification Card (PIC) renewal, his/her job security may be at stake.

Sadly, due to some difficult yet avoidable circumstances, the same important legislation has become a burden to ordinary workers and professionals. Circumstances make it seem like a hindrance, instead of the tool that it really is, to the attainment of the aspirations of our people.

Furthermore, the COVID-19 pandemic has brought limitations to the continued implementation of CPD primarily due to the prohibition on mass gatherings and face-to-face trainings/seminars. In the post-pandemic future, however, the CPD will even be more necessary for the welfare and livelihood of many Filipino families. The implementation of CPD Programs will ensure that our professionals are not only the best in their fields but also equipped with knowledge, skills and attitude required in the "new normal".

Thus, this measure seeks to amend Section 10 of RA 10912 to qualify the mandatory requirement of CPD in the renewal of the PICs of all registered and licensed professionals under the regulation of the PRC. Licensed professionals will be exempted from the CPD requirement within five years after obtaining their licenses and the CPD requirement will only apply for renewal of PIC after the lapse of the five-year period. Meanwhile, OFWs shall be exempted from the CPD requirement during their stay in a foreign country for purposes of employment.

This bill also provides that in the event of a declaration of a state of emergency or state of calamity, the CPD shall be automatically suspended. The PRC shall also grant CPD credit units to all registered professionals who are providing essential services during the state of emergency or state of calamity.

This measure also seeks to amend Section 13 of RA 10912 on the credit units required for the renewal of PICs. Accordingly, professionals shall be required to obtain not more than 36 CPD credit units within each 5-year compliance period. Under certain circumstances, the PRC and the Professional Regulatory Boards may dispense with the CPD requirement for the renewal of the PIC. This amendment aims to extend the consideration given to OFW's to other professionals who may find themselves under some unusual circumstances. In addition, this measure also mandates that no additional fees shall be collected for PIC renewal.

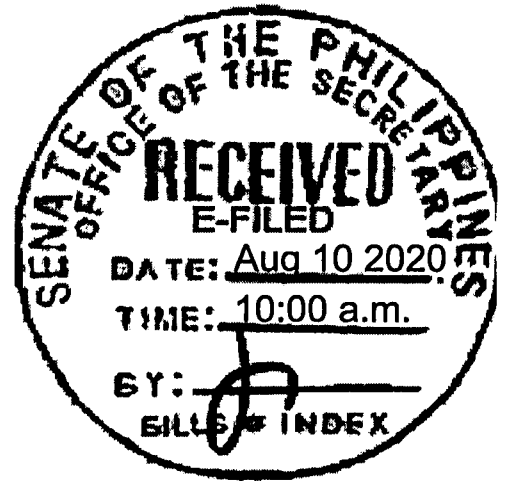
Lastly, this measure seeks to amend Section 16 of the CPD Law by enjoining all concerned government agencies and private firms and organizations employing professionals to include CPD as part of their human resource development plan and program. Likewise, Professional Regulatory Boards and their stakeholders are encouraged to take a pro-active role in identifying institutions and/or establishing programs for CPD.

In summary, this bill seeks to ensure that our workers and professionals are given the necessary provisions and avenues to empower them towards the realization of the dreams enshrined at the conception and implementation of the CPD Law. Indeed, the enhancement of the CPD Law will warrant, sustain, and support the Filipino professional's desire for excellence and distinction, for personal and professional development, and consequently, for social and economic recovery after COVID-19.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


SENATOR JOEL VILLANUEVA

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ENHANCING THE CONTINUING PROFESSIONAL DEVELOPMENT
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2016"

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

1 **SECTION 1.** Section 10 of Republic Act No. 10912, otherwise known as the
2 "Continuing Professional Development Act of 2016" is hereby amended to read as
3 follows:
4

5 **"SEC. 10. CPD as Mandatory Requirement in the Renewal of Professional**
6 **License and Accreditation System for the Practice of Professions. –** The
7 CPD is hereby made as a mandatory requirement in the renewal of the PICs of
8 all registered and licensed professionals under the regulation of the PRC;
9 **PROVIDED, THAT REGISTERED AND LICENSED PROFESSIONALS ARE**
10 **EXEMPTED FROM COMPLIANCE WITHIN THE FIRST FIVE YEARS AFTER**
11 **OBTAINING THEIR LICENSES; PROVIDED FURTHER, THAT FAILURE TO**
12 **COMPLY WITH CPD SHALL ONLY BE A BASIS TO DENY RENEWAL OF**
13 **PICs AFTER THE LAPSE OF THE COMPLIANCE PERIOD PROVIDED**
14 **HEREIN; PROVIDED HOWEVER, THAT LICENSED PROFESSIONALS WHO**
15 **ARE OVERSEAS FILIPINO WORKERS (OFWS) SHALL BE EXEMPTED**
16 **FROM THE REQUIREMENT UNDER THIS SECTION FOR THE PERIOD OF**
17 **THEIR OVERSEAS EMPLOYMENT; PROVIDED FINALLY, THAT IN THE**
18 **EVENT OF A DECLARATION OF A STATE OF EMERGENCY OR STATE OF**
19 **CALAMITY, THE CPD SHALL BE AUTOMATICALLY SUSPENDED, AND THE**
20 **PRC SHALL GRANT CPD CREDIT UNITS TO ALL REGISTERED**
21 **PROFESSIONALS WHO ARE PROVIDING ESSENTIAL SERVICES DURING**

1 THE STATE OF EMERGENCY OR STATE OF CALAMITY.
2

3 **SEC. 2.** A New Sections 13-A to C are hereby inserted to read as follows:
4

5 **"SEC. 13-A. REQUIRED CPD UNITS; WHEN TO OBTAIN THE REQUIRED**
6 **CPD CREDIT UNITS. – PROFESSIONALS SHALL ONLY BE REQUIRED TO**
7 **OBTAIN A MAXIMUM OF THIRTY-SIX (36) CPD CREDIT UNITS ONCE**
8 **EVERY FIVE YEARS, WHICH SHALL BE DEEMED ONE COMPLIANCE**
9 **PERIOD.**

10
11 **SEC. 13-B. PERSONS EXEMPT FROM CPD REQUIREMENT. –**
12 **NOTWITHSTANDING THE PROVISIONS OF SECTIONS 5, 6, 7, 8, 9 AND 12**
13 **OF THIS ACT, THE PRC AND THE PRBs SHALL HAVE THE DISCRETION**
14 **TO EXEMPT CERTAIN PERSONS FROM COMPLYING WITH THE CPD**
15 **REQUIREMENT PROVIDED UNDER THIS ACT; PROVIDED, THAT THE**
16 **FAILURE TO OBTAIN THE REQUIRED CPD CREDIT UNITS IS SOLELY DUE**
17 **TO THE FAILURE OF THE CONCERNED AGENCIES/ PERSON/S**
18 **RESPONSIBLE TO PROPERLY IMPLEMENT THE CPD PROGRAM IN THE**
19 **LOCATION AND PROFESSION OF THE CONCERNED PROFESSIONALS;**
20 **PROVIDED FURTHER, THAT THE PROFESSIONAL HAS EXERCISED DUE**
21 **DILIGENCE IN COMPLYING WITH THE CPD REQUIREMENT CONSIDERING**
22 **THE CIRCUMSTANCES.**

23
24 **THE PERSON/S OR AGENCY/IES RESPONSIBLE SHALL BE**
25 **ADMINISTRATIVELY LIABLE IN ACCORDANCE WITH RELEVANT LAWS**
26 **FOR THE FAILURE TO PROPERLY IMPLEMENT THE CPD PROGRAM,**
27 **UPON COMPLIANCE WITH DUE PROCESS.**

28
29 **SEC. 13-C. FEES FOR PIC RENEWAL. – IN THE PROCESSING OF**
30 **DOCUMENTS FOR PIC RENEWAL IN ACCORDANCE WITH THIS ACT, NO**
31 **FEES SHALL BE COLLECTED BY PRC OTHER THAN REASONABLE FEES**
32 **FOR THE VERIFICATION OF REQUIRED DOCUMENTS AND FOR THE**
33 **PROCESSING AND PRINTING OF THE PRC ID.**

34
35 **SEC. 3.** A new Section 16-B is hereby inserted to read as follows:
36

37 **SECTION 16-B. CPD AS PART OF THE HUMAN RESOURCE**
38 **DEVELOPMENT PLAN AND PROGRAM OF COMPANIES AND**
39 **GOVERNMENT OFFICES. – HUMAN RESOURCE DEVELOPMENT PLANS**
40 **OF ALL PRIVATE COMPANIES AND GOVERNMENT OFFICES AND**
41 **SCHOOLS SHALL BE GEARED TOWARDS ASSISTING THEIR**
42 **RESPECTIVE PROFESSIONAL EMPLOYEES FROM COMPLYING WITH**
43 **THE CPD REQUIREMENT UNDER THIS ACT. THE PROFESSIONAL**
44 **REGULATORY BOARDS (PRBS) AND THEIR RESPECTIVE**
45 **STAKEHOLDERS SHALL ALSO TAKE A PRO-ACTIVE ROLE IN**
46 **IDENTIFYING INSTITUTIONS AND/OR ESTABLISHING PROGRAMS FOR**
47 **CPD. IN THE EVENT THAT SEMINARS AND/OR TRAININGS UNDER THE**
48 **CPD ARE NOT ACCESSIBLE AND/OR AVAILABLE, THE PRC SHALL**
49 **PROVIDE A REASONABLE TRANSITION PERIOD TO DEVELOP THE**
50 **NECESSARY STANDARDS, PROCESSES, CAPACITY AND**

1 **INFRASTRUCTURE IN ORDER TO PROVIDE THE APPROPRIATE SEMINAR**
2 **AND/OR TRAINING, WHILE MINIMIZING THE COST AND INCONVENIENCE**
3 **TO PROFESSIONALS COVERED BY THE CPD REQUIREMENT.**

4
5 **IN ADDITION TO THE PENALTIES PRESCRIBED IN EXISTING LAWS, ANY**
6 **COMPANY THAT FAILS TO COMPLY WITH THE FOREGOING SHALL BE**
7 **METED WITH A FINE OF UP TO FIVE HUNDRED THOUSAND PESOS**
8 **(P500,000.00) DEPENDING ON THE SEVERITY AND FREQUENCY OF**
9 **FAILURE TO COMPLY WITH THE REQUIREMENT UNDER THIS SECTION.**
10 **IN CASE OF CONTINUOUS OR BLATANT DISREGARD OF THE**
11 **PROVISIONS OF THIS SECTION DESPITE NOTICE, THE PENALTY OF**
12 **SUSPENSION OR REVOCATION OF CERTIFICATE OF REGISTRATION**
13 **AND/OR PERMIT TO OPERATE MAY ALSO BE IMPOSED.**

14
15 **SEC. 4. Implementing Rules and Regulations.** – Within ninety (90) days from the
16 effectivity of this Act, the Philippine Regulatory Commission, in consultation with the
17 Professional Regulatory Boards, Accredited Integrated Professional Organizations or
18 Accredited Professional Organizations in all professions, and other relevant
19 stakeholders, shall promulgate the rules and regulations to effectively carry out the
20 provisions of this Act.

21
22 **SEC. 5. Separability Clause.** – If any provision of this Act is declared unconstitutional
23 or otherwise invalid, the validity of the other provisions shall not be affected thereby.

24
25 **SEC. 6. Repealing Clause.** – All laws, decrees, orders, ordinances, rules and
26 regulations or parts thereof inconsistent with this Act are hereby repealed or modified
27 accordingly.

28
29 **SEC. 7. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in
30 the Official Gazette or in a newspaper of general circulation.

31
32 **Approved,**