


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

 Office of the Secretary

'22 JUL 18 A10:14

SENATE
S. No. 696

RECEIVED BY: 

Introduced by **SENATOR RAMON BONG REVILLA, JR.**

**AN ACT
STRENGTHENING THE TRADITIONAL AND COMPLEMENTARY MEDICINE
SYSTEM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8423,
OTHERWISE KNOWN AS THE "TRADITIONAL AND ALTERNATIVE
MEDICINE ACT OF 1997"**

EXPLANATORY NOTE

Republic Act No. 8423 or the Traditional and Alternative Medicine Act (TAMA) was enacted in 1997 which recognized the role of traditional medicine in further improving the quality and delivery of health care services to the Filipino people. The law aimed to promote the use of traditional, alternative, preventive and curative health care modalities that have been proven safe, effective, cost effective and consistent with government standards; to formulate standards and guidelines appropriate for the practice of traditional and alternative health care; to encourage scientific research on and develop traditional and alternative health care systems that have direct impact on public health care, among others.

Two decades after, many have taken interest and turned into these alternative modalities in search of cure for their ailments or in pursuit of healthier lifestyles. Degree and graduate programs in traditional and complementary medicine and indigenous health practices are now being offered in various universities. Wellness centers and herbal supplements promising improved state of health have entered the Philippine market and have grown prominence. Aside from these recent developments, our country is inherently blessed with abundant plant species with

known medicinal properties and a diverse heritage of cultural and indigenous health practices which allowed traditional medicine to thrive and develop.

We also note the skyrocketing costs of hospitalization and consultation from conventional medical practitioners, issues in health insurance coverage, and chronic lack of critical infrastructure in primary health care in the countryside that all contribute to the popularity of traditional and alternative medicine.

This proposed measure seeks to update the 1997 law to respond to the growing awareness and consumption of alternative care systems. It aims to empower the Philippine Institute of Traditional and Alternative Health Care (PITAHC) with the necessary regulatory powers to ensure the safety, effectiveness and quality of the products and services under the traditional and alternative care systems. It also aims to strengthen the presence of traditional and complementary medicine in the national health care front as a reliable, accessible and safe option for the people.

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


RAMON BONG REVILLA, JR.

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ACT OF 1997"

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

1 Section 1. Section 4 of Republic Act No. 8423 is hereby amended to read as
2 follows:

3 "Section 4. *Definition of Terms.* – As used in this Act, the
4 following terms shall mean:

5 a) "Traditional and alternative health care **SYSTEM**" – the sum
6 total of knowledge, skills and practices on health care, other
7 than those embodied in biomedicine, used in the prevention,
8 diagnosis and elimination of physical or mental disorder.

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10 d) "Alternative health care modalities" – other forms of non-
11 allopathic, occasionally non-indigenous or imported healing
12 methods, though not necessarily practiced for centuries nor
13 handed down from one generation to another[.–Some
14 ~~alternative health care modalities include~~ **WHICH SHALL**
15 **INCLUDE BUT NOT LIMITED TO** reflexology, acupressure,

1 chiropractics, nutritional therapy, **HILOT, NATUROPATHY,**
2 **HOMEOPATHY/HOMOTOXICOLOGY,** **TUINA**
3 **MASSAGE, OSTEOPATHY, ANTHROPOSOPIIC**
4 **MEDICINE** and other similar [methods] **MODALITIES.**

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6 h) **"PHILIPPINE Traditional healers"** – [~~the relatively old,~~
7 ~~highly respected people with a profound knowledge of~~
8 ~~traditional remedies] **A PERSON WITH KNOWLEDGE IN**
9 **INDIGENOUS AND/OR PHILIPPINE BELIEF SYSTEMS,**
10 **ORAL TRADITIONS AND HEALTH PRACTICES, WHO**
11 **USES THE TRADITIONAL MEDICINE OF THE**
12 **INDIGENOUS CULTURAL**
13 **COMMUNITIES/INDIGENOUS PEOPLES (ICCS/IPS)**
14 **AND/OR OTHER ETHNOLINGUISTIC GROUPS IN THE**
15 **PHILIPPINES.**~~

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17 j) **"COMPLEMENTARY MEDICINE"** – **A BROAD SET OF**
18 **HEALTH CARE PRACTICES THAT ARE NOT PART OF**
19 **THE COUNTRY'S OWN TRADITIONAL OR**
20 **CONVENTIONAL MEDICINE AND ARE NOT FULLY**
21 **INTEGRATED INTO THE DOMINANT HEALTH CARE**
22 **SYSTEM. IT SHALL BE USED INTERCHANGEABLY**
23 **WITH THE TERM ALTERNATIVE MEDICINE.**

24 k) **"TRADITIONAL AND COMPLEMENTARY MEDICINE"** –
25 **MERGES THE TERMS TRADITIONAL MEDICINE AND**
26 **COMPLEMENTARY MEDICINE, ENCOMPASSING**
27 **PRACTICES, PRACTITIONERS AND PRODUCTS.**

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29 Sec. 2. Section 6 of the same Act, is hereby amended by inserting additional
30 powers and functions and the same is hereby renumbered accordingly:

31 "Sec. 6. *Powers and Functions.* – In furtherance of its purposes
32 and objectives, the Institute shall the following functions:

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- i) To formulate a code of ethics, [and] **ESTABLISH** standards **AND PRESCRIBE RULES, REGULATIONS,** and **REQUIREMENTS** for the practice of traditional and alternative health care modalities. **FOR THIS PURPOSE, PITAHC SHALL BE VESTED WITH QUASI JUDICIAL POWER** [~~for approval and adoption by the appropriate professional and government agencies~~];
- j) **TO INSPECT AND MONITOR ALL T&CM FACILITIES TO ENSURE THEIR CONTINUED COMPLIANCE WITH THE RULES AND REGULATIONS IN ACCORDANCE WITH THIS ACT AND TO MAKE RECOMMENDATIONS FOR THE CORRECTION OF DEFICIENCIES FOUND DURING INSPECTION AND MONITORING.**
- k) **TO PROMULGATE AND IMPLEMENT RULES AND REGULATIONS GOVERNING THE LICENSURE OF T&CM PRACTICES AND OPERATION OF T&CM FACILITIES AND TO PERIODICALLY REVIEW AND AMEND THE SAME, SUBJECT TO THE APPROVAL OF THE BOARD OF TRUSTEES AND IN CONSULTATION WITH THE SECTORS CONCERNED.**
- l) **TO GRANT LICENSE FOR THE PRACTICE OF T&CM MODALITIES AND FOR THE OPERATION AND MAINTENANCE OF T&CM FACILITIES, AND TO SUSPEND OR REVOKE THE SAME IN ACCORDANCE WITH THE PROVISION OF THIS ACT.**
- m) **TO PRESCRIBE THE NECESSARY GUIDELINES, CRITERIA, PRODUCT STANDARDS AND REQUIREMENTS TO BE COMPLIED WITH IN THE REGISTRATION OF T&CM PRODUCTS.**

1 n) TO ASSUME PRIMARY AUTHORITY TO INSPECT,
2 COLLECT AND ANALYZE SAMPLES OF ALL T&CM
3 PRODUCTS COVERED BY THIS ACT;

4 o) TO ISSUE CERTIFICATES OF COMPLIANCE OR
5 GRANTS OF AUTHORITY TO MANUFACTURERS,
6 IMPORTERS, EXPORTERS, DISTRIBUTORS,
7 WHOLESALERS, AND OTHER ESTABLISHMENTS AND
8 FACILITIES OF T&CM PRODUCTS AFTER SPOT- CHECK
9 AND/OR AFTER THEIR DUE COMPLIANCE WITH
10 TECHNICAL AND REGULATORY REQUIREMENTS.

11 THESE CERTIFICATES OR GRANTS SHALL SERVE AS
12 LICENSE OF THE COVERED ENTITIES TO OPERATE
13 AND/OR TO CONTINUE OPERATING;

14 ~~[(j)]~~ p) To formulate standards and guidelines for the
15 manufacture, marketing and quality control of different
16 traditional and alternative health care materials and products
17 for approval and adoption by the Bureau of Food and Drugs;

18 ~~[(k)]~~ q) To coordinate with other institutions and agencies
19 involved in the research on herbal medicines;

20 ~~[(l)]~~ r) To adopt and use a corporate seal;

21 ~~[(m)]~~ s) To sue and be sued in its corporate name;

22 ~~[(n)]~~ t) To succeed by its corporate name;

23 ~~[(o)]~~ u) To adopt its bylaws and promulgate such rules and
24 regulations as may be necessary or proper to implement this Act,
25 and to amend or repeal the same from time to time;

26 ~~[(p)]~~ v) To enter into, make and execute contracts and
27 agreements of any kind or nature;

28 ~~[(q)]~~ w) To borrow, raise or obtain funds, or to enter into any
29 financial or credit arrangement in order to support or carry
30 out its research programs, finance its capital and operating
31 expenses, subject to pertinent laws governing public debts
32 and expenditure;

1 ~~[(+)]~~ x) To invest in, purchase or otherwise acquire, own, hold,
2 use, mortgage, pledge, encumber, sell, assign, convey,
3 exchange, or otherwise deal in real and/or personal properties
4 of whatever kind and nature, or any interest therein, including
5 shares of stock, bonds, notes, securities and other evidences of
6 indebtedness of natural or juridical persons, whether domestic
7 or foreign and whether government or private;

8 ~~[(s)]~~ y) To exercise all the powers of a corporation under the
9 General Corporation Law, insofar as such powers are not in
10 violation of the provisions of this Act; and

11 ~~[(t)]~~ z) To exercise such other powers and functions, and
12 perform other acts as may be necessary, proper or incidental to
13 the attainment of its purposes and objectives.

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16 Sec. 3. New sections are hereby introduced to read as follows:

17 **SECTION 7. SPECIAL RULES AND EXEMPTIONS. –**
18 **RECOGNIZING THE UNIQUE MANNER OF OBTAINING**
19 **THE KNOWLEDGE AND SKILLS OF TRADITIONAL**
20 **MEDICINE, IT BEING HANDED DOWN FROM ONE**
21 **GENERATION TO ANOTHER WITHOUT THE INFLUENCE**
22 **OF FORMAL EDUCATION OR TRAINING, PRACTITIONERS**
23 **BELONGING TO THIS CATEGORY SHALL BE EXEMPT**
24 **FROM THE STANDARD EXAMINATION REQUIRED BY**
25 **THIS ACT. NONETHELESS, THEY ARE STILL MANDATED**
26 **TO ACQUIRE THE NECESSARY GRANT OF AUTHORITY IN**
27 **ACCORDANCE WITH THE GUIDELINES TO BE**
28 **PRESCRIBED BY PITAHC. IT SHALL BE NECESSARY FOR**
29 **TRADITIONAL PRACTITIONERS TO ESTABLISH THE**
30 **LENGTH OF TIME FOR WHICH THEY HAVE BEEN KNOWN**
31 **TO HAVE PRACTICED TRADITIONAL MEDICINE AND**
32 **PROVE THAT, IN THE COURSE OF THEIR PRACTICE, NO**

1 RELATED COMPLAINT, WHETHER REPORTED OR NOT,
2 WAS MADE AGAINST THEM. FURTHER, SHOULD THEY
3 OFFER, WHETHER FOR A FEE OR NOT, OR USE AS A
4 MODALITY, HEALTH PRODUCTS, PRACTITIONERS MUST
5 SEEK FOR THE APPROVAL OF THE SAME.
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7 **SEC. 8. PROHIBITED ACTS. -**

8 **A. TRADITIONAL AND COMPLEMENTARY MEDICINE**
9 **MODALITIES**

- 10 1) THE PRACTICE OF ANY OF THE APPROVED T&CM
11 MODALITIES BY ANY PERSON OR T&CM
12 FACILITIES WITHOUT THE APPROPRIATE
13 LICENSE OR GRANT OF AUTHORITY TO
14 PRACTICE.;
- 15 2) THE CONTINUOUS PRACTICE OF ANY OF THE
16 APPROVED T&CM MODALITIES BY ANY
17 PRACTITIONER OR T&CM FACILITIES WHOSE
18 ACCREDITATION OR GRANT OF AUTHORITY HAS
19 ALREADY EXPIRED OR HAS BEEN CANCELED OR
20 REVOKED;
- 21 3) THE PRACTICE OF ANY UNAPPROVED T&CM
22 MODALITIES BY ANY PERSON, WHETHER
23 CERTIFIED OR NOT, TO PRACTICE IN THE
24 PHILIPPINES;
- 25 4) THE MERE ACT OF INTRODUCING TO THE
26 PUBLIC BY ANY PERSON, CERTIFIED OR NOT, OF
27 A T&CM MODALITY THAT IS NOT VALIDLY
28 APPROVED BY PITAHC;
- 29 5) THE ACT OF A CERTIFIED PRACTITIONER OF
30 ALLOWING A PERSON TO COMMIT AN
31 UNAUTHORIZED PRACTICE OF T&CM

1 **WHETHER IT BE UNDER HIS/HER DIRECT OR**
2 **INDIRECT SUPERVISION;**

3 **6) THE ACT OF ASSISTING OR PERFORMING IN AN**
4 **UNAUTHORIZED PRACTICE OF T&CM, WHETHER**
5 **FOR PROFIT OR NOT;**

6 **7) THE ACT OF USING T&CM SERVICES TO CAUSE**
7 **INJURY, ILLNESS OR DEATH TO A**
8 **CONSUMER/CUSTOMER;**

9 **8) OFFERING T&CM PROGRAMS AND TRAININGS**
10 **OR RENDERING T&CM SERVICES BY SCHOOLS**
11 **OR TRAINING CENTERS WITHOUT THE**
12 **APPROPRIATE LICENSE OR AUTHORITY FROM**
13 **PITAHC;**

14 **9) RENDERING T&CM SERVICES BY ACCREDITED**
15 **SCHOOLS OR TRAINING CENTERS THAT ARE**
16 **BEYOND THE SCOPE OF THEIR APPROVED**
17 **PROGRAMS AND TRAININGS;**

18 **10) THE ACT OF INTENTIONALLY COMMITTING**
19 **FRAUD AND MISREPRESENTATION OR USE OF**
20 **FALSIFIED OR FORGED DOCUMENTS IN**
21 **OBTAINING THE NECESSARY PITAHC APPROVAL**
22 **OR CERTIFICATE OR GRANT OF AUTHORITY;**

23 **B. TRADITIONAL AND COMPLEMENTARY MEDICINE**
24 **PRODUCTS**

25 **1) THE MANUFACTURE, IMPORTATION,**
26 **EXPORTATION, SALE, OFFERING FOR SALE,**
27 **DISTRIBUTION, TRANSFER, NON-CONSUMER**
28 **USE, PROMOTION, ADVERTISING, OR**
29 **SPONSORSHIP OF ANY T&CM PRODUCT THAT IS**
30 **ADULTERATED, UNAPPROVED, UNREGISTERED**
31 **OR MISBRANDED;**

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- 2) THE ADULTERATION OR MISBRANDING OF ANY T&CM PRODUCT;
 - 3) FORGING, COUNTERFEITING, SIMULATING, OR FALSELY REPRESENTING OR, WITHOUT PROPER AUTHORITY, USING ANY MARK, STAMP, TAG, LABEL, OR OTHER IDENTIFICATION DEVICE AUTHORIZED OR REQUIRED BY REGULATIONS PROMULGATED UNDER THE PROVISIONS OF THIS ACT;
 - 4) THE USE, ON THE LABELING OF ANY T&CM PRODUCT OR IN ANY ADVERTISEMENT RELATING TO THE SAME, OF ANY FALSE OR MISLEADING REPRESENTATION OR SUGGESTION WITH RESPECT TO THE REGISTRATION OF SUCH PRODUCT;
 - 5) THE SALE, OFFERING FOR SALE, IMPORTATION, EXPORTATION, DISTRIBUTION OR TRANSFER OF ANY T&CM PRODUCT BEYOND ITS EXPIRATION OR EXPIRY DATE, IF APPLICABLE;
 - 6) THE ACT OF INTENTIONALLY COMMITTING FRAUD AND MISREPRESENTATION OR USE OF FALSIFIED OR FORGED DOCUMENTS IN OBTAINING THE NECESSARY PITAHC APPROVAL OR CERTIFICATE OR GRANT OF AUTHORITY. THIS IS WITHOUT PREJUDICE TO THE EXERCISE OF PITAHC OF ITS POWER TO REVOKE OR CANCEL CERTIFICATES, GRANTS OR APPROVAL IT HAS ISSUED;
- C. ANY OTHER ACT WHICH VIOLATES OR UNDERMINE ANY OF THE EXPLICIT POWERS OF OR WHICH TENDS TO IMPEDE PITAHC FROM EXERCISING ANY OF ITS FUNCTIONS PROVIDED FOR IN THIS ACT.

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SEC. 9. PENALTIES. –

**A. FOR ACTS PROHIBITED UNDER SECTION 8 (A)
AND (C)**

ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF SECTION 8 HEREOF SHALL, UPON CONVICTION, SUFFER THE PENALTY OF IMPRISONMENT RANGING FROM ONE (1) YEAR BUT NOT MORE THAN TEN (10) YEARS OR A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00), OR BOTH, AT THE DISCRETION OF THE COURT.

THE IMPOSITION OF PENALTIES UNDER THIS SECTION SHALL BE WITHOUT PREJUDICE TO THE ISSUANCE OF CEASE-AND-DESIST ORDER OR TO THE EXERCISE OF PITAHC OF ITS POWER TO REVOKE OR CANCEL CERTIFICATES, APPROVALS OR GRANTS IT HAS ISSUED AND/OR TO THE FILING OF APPROPRIATE CIVIL OR CRIMINAL ACTION, WHENEVER APPROPRIATE OR NECESSARY.

IN CASE, HOWEVER, OF ILLNESS, INJURY OR DEATH AS PROVIDED FOR UNDER PARAGRAPH (A)(7) OF SECTION 8, THE INTENTIONAL USE OF TAHC SERVICES SHALL NOT CONSTITUTE A SEPARATE CRIME. RATHER, THE USE OR EMPLOYMENT OF SUCH SERVICE SHALL SERVE AS AN AGGRAVATING CIRCUMSTANCE TO QUALIFY THE APPLICABLE CRIME/S AS PROVIDED FOR BY THE REVISED PENAL CODE.

SHOULD THE OFFENSE BE COMMITTED BY A JURIDICAL PERSON, THE CHAIRMAN OF THE

1 BOARD OF DIRECTORS, THE PRESIDENT, GENERAL
2 MANAGER, OR THE PARTNERS AND/OR THE
3 PERSONS DIRECTLY RESPONSIBLE THEREFORE
4 SHALL BE PENALIZED.

5 SHOULD THE OFFENSE BE COMMITTED BY A
6 FOREIGN NATIONAL, HE/SHE SHALL, IN ADDITION
7 TO THE PENALTIES PRESCRIBED, BE DEPORTED
8 WITHOUT FURTHER PROCEEDINGS AFTER SERVICE
9 OF SENTENCE.

10 B. FOR ACTS PROHIBITED UNDER SECTION 8 (A)

11 ANY PERSON WHO VIOLATES ANY OF THE
12 PROVISIONS OF PARAGRAPH B OF SECTION 8
13 HEREOF SHALL, UPON CONVICTION, SUFFER THE
14 PENALTY OF IMPRISONMENT RANGING FROM ONE
15 (1) YEAR BUT NOT MORE THAN TEN (10) YEARS OR
16 A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS
17 (P50,000.00) BUT NOT MORE THAN FIVE HUNDRED
18 THOUSAND PESOS (P500,000.00), OR BOTH, AT THE
19 DISCRETION OF THE COURT: PROVIDED, THAT IF
20 THE OFFENDER IS A MANUFACTURER, IMPORTER
21 OR DISTRIBUTOR OF ANY T&CM PRODUCT, THE
22 PENALTY OF AT LEAST FIVE (5) YEARS
23 IMPRISONMENT BUT NOT MORE THAN TEN (10)
24 YEARS AND A FINE OF AT LEAST FIVE HUNDRED
25 THOUSAND PESOS (P500,000.00) BUT NOT MORE
26 THAN FIVE MILLION PESOS (P5,000,000.00) SHALL
27 BE IMPOSED: PROVIDED, FURTHER, THAT AN
28 ADDITIONAL FINE OF ONE PERCENT (1%) OF THE
29 ECONOMIC VALUE/COST OF THE VIOLATIVE
30 PRODUCT OR VIOLATION, OR ONE THOUSAND
31 PESOS (P1,000.00), WHICHEVER IS HIGHER, SHALL
32 BE IMPOSED FOR EACH DAY OF CONTINUING

1 VIOLATION: PROVIDED, FINALLY, THAT T&CM
2 PRODUCTS FOUND IN VIOLATION OF THE
3 PROVISIONS OF THIS ACT AND OTHER RELEVANT
4 LAWS, RULES AND REGULATIONS MAY BE SEIZED
5 AND HELD IN CUSTODY PENDING PROCEEDINGS,
6 WITHOUT HEARING OR COURT ORDER, WHEN THE
7 DIRECTOR-GENERAL HAS REASONABLE CAUSE TO
8 BELIEVE FROM FACTS FOUND BY HIM/HER OR AN
9 AUTHORIZED OFFICER OR EMPLOYEE OF THE
10 PITAHC THAT SUCH T&CM PRODUCTS MAY CAUSE
11 INJURY OR PREJUDICE TO THE CONSUMING
12 PUBLIC.

13 **SEC. 10. HUMAN RESOURCE - THE PITAHC SHALL**
14 **REVIEW ITS EXISTING ORGANIZATIONAL STRUCTURE**
15 **WITH ITS STAFFING PATTERN, POSITIONS, AND**
16 **TITLES. NEW OR ADDITIONAL POSITIONS, TITLES, OR**
17 **RANKS, SHALL BE CREATED IF THERE BE A NEED FOR**
18 **ADDITIONAL MANPOWER AS IDENTIFIED AND**
19 **DETERMINED BY THE DIRECTOR GENERAL AND**
20 **APPROVED BY THE BOARD.**

21 **SEC. 11. RETENTION OF INCOME – PITAHC SHALL**
22 **HAVE THE RIGHT TO RETAIN ALL OF ITS INCOME**
23 **DERIVED FROM THE OPERATIONS OF THE HERBAL**
24 **PROCESSING PLANTS AND ITS OTHER INCOME**
25 **GENERATING SERVICES/ACTIVITIES AND SHALL BE**
26 **UTILIZED TO AUGMENT ITS NEEDED MAINTENANCE**
27 **AND OPERATING EXPENSES, CAPITAL OUTLAYS,**
28 **UPGRADING AND MODERNIZATION.**

29 **SEC. 12. APPROPRIATION - THE AMOUNT NECESSARY**
30 **FOR THE INITIAL IMPLEMENTATION OF THIS ACT**
31 **SHALL BE CHARGED AGAINST THE CURRENT**
32 **APPROPRIATIONS OF THE PHILIPPINE INSTITUTE OF**

1 **TRADITIONAL AND ALTERNATIVE HEALTH CARE.**
2 **THEREAFTER, THE AMOUNT NEEDED FOR THE**
3 **OPERATIONS AND MAINTENANCE OF PITAHC SHALL BE**
4 **INCLUDED IN THE GENERAL APPROPRIATIONS ACT.**

5 Sec. 4. Section 8 (d) of this Act is hereby deleted:

6 "Section 8. *Powers and Functions of the Board.* – The Board shall
7 exercise the following powers and functions:

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9 ~~[(d) To appoint, transfer, promote, suspend, remove or otherwise~~
10 ~~discipline any subordinate officer or employee of the Institute,~~
11 ~~upon recommendation of the Director General;]~~

12 Sec. 5. Section 9 of this Act, is hereby amended to read as follows:

13 "Sec. 9. *Director General and Other Officers.* – The Institute
14 shall be headed by a Director General who shall be appointed by the
15 President of the Philippines upon the recommendation of the Secretary
16 of Health for a term of six (6) years. **THE DIRECTOR GENERAL**
17 **SHALL ENJOY THE BENEFITS, PRIVILEGES AND EMOLUMENTS**
18 **EQUIVALENT TO THE RANK OF UNDERSECRETARY.**

19 **AS CHIEF EXECUTIVE OFFICER OF THE INSTITUTE, THE**
20 **DIRECTOR GENERAL SHALL EXERCISE GENERAL**
21 **SUPERVISION AND CONTROL OVER THE OPERATIONS OF THE**
22 **INSTITUTE SAVE THOSE AFFAIRS THAT ARE EXCLUSIVELY**
23 **WITHIN THE FUNCTION OF THE BOARD.**

24 The Director General shall be assisted by such Deputy Director
25 General(s) ~~[and program managers/coordinators as the Board may~~
26 ~~determine to carry out the purposes and objectives of this Act]~~ **WHOSE**
27 **TERM SHALL BE DETERMINED BY THE BOARD. THE DEPUTY**
28 **DIRECTOR GENERAL(S) SHALL BE CAREER OFFICIAL(S) AND**
29 **SHALL ENJOY THE BENEFITS, PRIVILEGES AND EMOLUMENTS**
30 **EQUIVALENT TO THE RANK OF AN ASSISTANT SECRETARY.**

31 **THE DIRECTOR GENERAL SHALL LIKEWISE BE ASSISTED**
32 **BY DEPARTMENT MANAGERS/COORDINATORS AND SUCH**

1 **OTHER OFFICERS AS THE BOARD MAY DETERMINE TO CARRY**
2 **OUT THE PURPOSES AND OBJECTIVES OF THIS ACT.**

3 Sec. 6. A new subsection under Section 10 of this Act is hereby added:

4 "Section 10. *Powers Functions and Duties of the Director*
5 *General.* – The Director General shall have the following powers,
6 functions and duties:

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8 **g) TO APPOINT, TRANSFER, PROMOTE, SUSPEND,**
9 **REMOVE OR OTHERWISE DISCIPLINE ANY SUBORDINATE**
10 **OFFICER OR EMPLOYEE OF THE INSTITUTE.**

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12 Sec. 7. *Implementing Rules and Regulations.* – Within ninety (90) days from
13 the effectivity of this Act, PITAHC in collaboration with the concerned agencies and
14 stakeholders, shall promulgate the rules and regulations to effectively implement the
15 provisions of this Act.

16 Sec. 8. *Transitory Provision.* – Within three (3) years from the effectivity of
17 this Act, during the transformation of PITAHC into a regulatory body, the Food and
18 Drug Administration (FDA) shall serve in a hold-over capacity the registration of T&CM
19 products until PITAHC is reconstituted and capacitated.

20 Sec. 9. *Separability Clause.* If any portion of this Act is declared unconstitutional
21 or invalid, the portions or provisions which are not affected shall continue to be in full
22 force and effect.

23 Sec. 10. *Repealing Clause.* Chapter XIII of Presidential Decree No. 856,
24 otherwise known as the "Code on Sanitation of the Philippines," is hereby repealed.
25 All laws, decrees, executive orders and rules and regulations or parts thereof which
26 are inconsistent with this Act are hereby repealed or modified accordingly.

27 Sec. 11. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in at least two (2) national newspapers of general
29 circulation.

Approved,