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SENATE
S.B. No. 2855

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Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
STRENGTHENING THE PRACTICE OF MIDWIFERY AS A PROFESSION IN
THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

Article II, Section 15 of the 1987 Constitution states that, "the State shall protect and promote the right to health of the people and instill health consciousness among them." Midwives have a crucial role to play for this to be attained in our country's health system. Midwives are recognized as the first professional point of contact for most members of a community, especially in rural and remote areas.

In geographically and disadvantaged areas of the country where there are few doctors, midwives are essential in providing healthcare services to pregnant women, ensuring safe deliveries, and reducing maternal and infant mortality rates. As partners of the Department of Health (DOH), midwives constantly remain at the forefront in the implementation of DOH health programs. In times of emergencies like Covid 19 pandemic, the midwives served as frontline health workers.

Currently, the profession is regulated by Republic Act No. 7392 otherwise known as the "Midwifery Act of 1992". This bill seeks to strengthen the practice of midwifery in the Philippines, at the same time, protecting their welfare and well-being, thereby improving the delivery of midwifery services to the Filipino people.

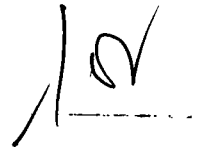
Thus, given the abovementioned circumstances, the immediate passage of this bill is earnestly sought.

[Handwritten signature: Imee R. Marcos]
IMEE R. MARCOS

24 OCT 2012 12:47

SENATE
S.B. No. 2855

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Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
STRENGTHENING THE PRACTICE OF MIDWIFERY AS A PROFESSION IN
THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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

1 SECTION 1. Short Title. – This Act shall be known as the "Philippine Midwifery
2 Act".

3 SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to
4 ensure the protection and enhancement of the midwifery profession. The State
5 recognizes the critical role of midwives in the provision of preventive and promotive
6 health care services for women, children and other members of the community. The
7 State shall adopt measures that shall continuously improve the knowledge, skills and
8 competence, and ethical standards of midwives to prevent the increase in maternal
9 and infant mortality rates. Further, the State shall strengthen the practice of
10 midwifery as an allied medical profession so that no mother will die or be injured in
11 the process of giving life to a healthy newborn.
12

13 SEC. 3. Definition of Terms. – As used in this Act:

14 (a) Accredited Integrated Professional Organization (AIPO) refers to the
15 concerned Board and Professional Regulation Commission (PRC) Accredited
16 Integrated Professional Organization for a given profession which is specifically
17 mandated by the provision of Professional Regulatory Law (PRL) to integrate the

professionals into one national organization and where the membership therein by the professional is automatic and mandatory.

(b) Bachelor of Science in Midwifery refers to a four (4) year degree program consisting of general education and professional courses leading to a Bachelor's degree in Midwifery.

(c) Code of Ethics refers to the set of principles of practices and standards of behavior that shall govern the ethical conduct, moral obligations, and professional duties to be observed by all registered and licensed midwives.

(d) DOH Clinical Practice Guidelines refers to the evidence-based document developed by Department of Health (DOH), in consultation with relevant public and private stakeholders, that presents the appropriate health care for specific clinical circumstances, with the goal of delivering the optimal care to clients.

(e) Life Saving Drugs refers to the drugs such as oxytocin, magnesium sulfate, antenatal steroids and antibiotics among other medicines used to prevent and manage pregnancy related complication.

(f) Medicine Delivery Network refers to the network of organizations that provides or makes arrangements to provide equitable, comprehensive, integrated, and continuous good quality health services to a defined population, with minimum duplications and inefficiencies.

(g) Midwife refers to a person who has successfully completed midwifery education and program and who is registered and licensed to practice by the Professional Regulatory Board of Midwifery and the PRC as defined under Republic Act (RA) No. 7392 or the "Philippine Midwifery Act of 1992."

(h) Skilled Health Professionals refer to the providers such as midwives, doctors, or nurses who were educated, licensed, and trained to proficiency in the skill needed to manage pregnancies, childbirth, and the immediate newborn period and in the identification, management and referral of complications in mothers and newborns.

SEC. 4. Composition of the Board. – There shall be a "Board of Midwifery", hereinafter referred to as the "Board", which shall be under the direct supervision of

1 the PRC. It shall be a collegial body composed of a chairperson and four (4)
2 members to be appointed by the President of the Republic of the Philippines.

3
4 SEC. 5. Qualifications of the Chairperson and Members of the Board. –

5 (a) The Chairperson of the Board shall, at the time of appointment, must
6 have the following qualifications:

7 (1) A natural born citizen and resident of the Philippines;

8 (2) Of good moral character;

9 (3) A graduate registered midwife;

10 (4) Have at least 10 years in practice as a midwife; and

11 (5) A holder of master's degree or doctorate degree in any of the following
12 fields: public health, maternal and child health, community health, primary health
13 care, health services administration, health systems or health care management;

14 (b) The three (3) members of the Board shall, at the time of the
15 appointment, must have the following qualifications:

16 (1) A natural born citizen and resident of the Philippines;

17 (2) Of good moral character;

18 (3) A graduate registered midwife;

19 (4) Have at least ten (10) years in practice as a midwife;

20 (5) A holder of master's degree or doctorate degree in any of the
21 following fields: public health, maternal and child health, community
22 health, primary health care, health services
23 administration, health systems or health care management; and

24 (6) Have at least ten (10) years in practice as a midwife prior to
25 their appointment;

26 (c) One (1) member of the Board shall, at the time of the appointment,
27 must have the following qualifications:

28 (1) A natural born citizen and resident of the Philippines;

29 (2) Of good moral character; and

30 (3) Have at least five (5) years in practice as an obstetrician-
31 gynecologist preferably diplomate prior to the appointment.

1 SEC. 6. Disqualification of the Board Members. – The following are
2 disqualified to become members of the Board:

3 (a) Member of the faculty, whether full time or part time or lecturer of any
4 school, college or university where a regular course is midwifery;

5 (b) Those who have pecuniary interest, directly or indirectly in any school,
6 college or university during their term of office as member of the Board;

7 (c) Officer or member of the Board of Trustees of a midwifery
8 organization; and

9 (d) Those who hold positions which violate the provisions of RA No. 6713,
10 otherwise known as the "Code of Conduct and Ethical Standards for Public
11 Officials and Employees" or which violates incompatibility of office under
12 items a to c of this Section.

13
14 SEC. 7. Terms of Office. – The Chairperson shall hold office for six (6) years
15 without reappointment. Two (2) members shall hold office for four (4) years without
16 reappointment. Two (2) members shall hold office for three (3) years subject to
17 reappointment for only one term. Any vacancy in the Board occurring within the
18 term of a member shall be filled for the unexpired portion of the term only.

19
20 SEC. 8. Compensation of Board Members. – The Chairperson, and members
21 of the Board shall receive compensation and allowances or other benefits pursuant
22 to the provisions of RA No. 8981 otherwise known as the "PRC Modernization Act of
23 2000" and other pertinent laws comparable to the compensation and allowances
24 received by the chairperson and members of existing professional regulatory boards.

25
26 SEC. 9. Removal of Board Members. – Any members of the Board may be
27 removed by the President of the Republic of Philippines, upon the recommendation
28 of the PRC, for neglect of duty, incompetence, or unethical, immoral, and
29 dishonorable conduct after having been given the opportunity to defend oneself in a
30 proper administrative investigation conducted by the PRC.

1 SEC. 10. Powers and Duties of the Board. – The Board shall supervise and
2 regulate the practice of midwifery profession and shall have the following powers,
3 duties, and functions:

4 (a) Enforce the provisions of this Act;

5 (b) Conduct Professional Licensure Examination for midwifery;

6 (c) Administer oaths in accordance with the provision of this Act;

7 (d) Issue, suspend, or revoke certificates of registration for the practice of
8 midwifery;

9 (e) Maintain a registry of midwives in good standing in cooperation with
10 AIPO;

11 (f) Maintain and collect data of midwives in the country in coordination with
12 PRC Information and Communications Technology Service and the DOH by requiring
13 the registration of all midwives in the National Health Workforce Registry or other
14 human resource for health data collection system of the government and during
15 their initial registration and renewal of licenses;

16 (g) Provide input on national and global midwifery practice to the Commission
17 on Higher Education (CHED) to be considered in the development and periodic
18 updating of the midwifery curriculum;

19 (h) Conduct hearings and investigations to resolve complaints against
20 midwives for malpractice, unethical and unprofessional conduct, and violation of this
21 Act or its implementing rules and regulations, and in connection therewith;

22 (i) Issue subpoena ad testificandum and subpoena duces tecum and to punish
23 with contempt persons obstructing, impeding, or otherwise interfering with the
24 conduct of such proceedings upon application with the court, or both;

25 (j) Promulgate a Code of Ethics, in coordination and consultation with AIPO
26 and professional organizations representing registered and practicing midwives in
27 the Philippines, within one (1) year from the effectivity of this Act;

28 (k) Conduct inspection and monitoring of educational institutions and facilities
29 where midwifery services are offered or midwifery programs are taught to ascertain
30 that the standards of midwifery education are properly complied with and
31 maintained at all times;

1 (l) Submit an annual report to the PRC at the end of each calendar year,
2 giving a detailed account of its proceedings and the accomplishments and
3 recommending measures to upgrade and improve the conditions affecting the
4 midwifery practice and education;

5 (m) Adopt an official seal to authenticate its official documents;

6 (n) Attend meetings regularly;

7 (o) Study the conditions affecting midwifery education and the practice of the
8 midwifery profession in the Philippines;

9 (p) Assess the standards pertaining to the retraining and skills enhancement
10 programs designed for midwives seeking advanced training or those in need of
11 bridging education;

12 (q) Undertake initiatives and establish support mechanisms aimed at
13 enhancing the retirement preparedness of midwives, with the objective of ensuring
14 their post-retirement years are marked by financial security, personal fulfillment, and
15 strong support;

16 (r) Adopt a proactive approach in actively engaging a diverse range of
17 stakeholders within the sector to foster the advancement and development of
18 midwifery practice in the Philippines;

19 (s) Subject to the approval of the PRC, set ethical and professional standards
20 for the practice of midwifery and adopt such rules and regulations as may be
21 necessary to carry out the provisions of this Act; and

22 (t) Represent the Board in sectoral management.

23
24 SEC. 11. Meetings of the Board. – The Board shall hold regular meetings at
25 least once a month within the PRC premises or in such other places, as may be
26 agreed upon on such date and time fixed by the Board. A special meeting may be
27 called by the Chairperson or any of its two (2) members to consider, deliberate or
28 act upon urgent and important matters. The Board Secretary shall keep the minutes
29 of the regular and special meetings of the board. The minutes shall be signed and
30 certified by the members of the board present.

1 SEC. 12. Administrative Supervision of the Board and Custodian of its
2 Records. – The members of the Board shall be under the general supervision of the
3 PRC. All records, including examination paper, applications for examinations,
4 administrative and other investigative cases conducted by the Board shall be under
5 the custody of the PRC.

6
7 SEC. 13. Standards for Midwifery Education. – To ensure the quality of
8 midwifery education in the Philippines, the CHED has the following duties and
9 responsibilities in coordination with the Professional Regulatory Board of Midwifery:

10 (a) Establish standards for midwifery education, including the setting of
11 minimum qualifications of faculty, and the facility requirements for training, and
12 among others;

13 (b) Develop and periodically review the basic curriculum in consultation with
14 the DOH, the Board, AIPO, Association of Philippine Schools of Midwifery, and other
15 midwifery organization;

16 (c) Monitor and evaluate the performance of midwifery programs of schools,
17 colleges, and institutions;

18 (d) Examine the facilities of universities and colleges of midwifery, and those
19 seeking permission to open the midwifery courses prescribed; and

20 (e) Impose appropriate sanctions on institutions that do not fulfill the
21 aforementioned standards, such as downgrading or withdrawal of accreditation, and
22 termination of the program or school course, among others, in coordination with the
23 Board.

24
25 SEC. 14. Schools of Midwifery. – To become a duly accredited and legally
26 constituted higher education institution for midwifery education and training, as
27 provided for in RA No. 7392, a school of midwifery shall have applied and secured a
28 permit from the CHED. The school shall operate a midwifery program in accordance
29 with the existing policies, standards and guidelines for midwifery education.

30
31 SEC. 15. Qualifications of Faculty. – The faculty shall have academic
32 preparation appropriate to teaching assignment, as follows:

1 (a) A holder of a master's degree in health and social sciences or a degree of
2 Doctor of Medicine;

3 (b) Has a proof of competence in the chosen field of specialization;

4 (c) A registered nurse or registered midwife in the Philippines with at least
5 one (1) year of satisfactory teaching experience or one (1) year of efficient
6 performance in maternity ward: Provided, That a registered midwife may be allowed
7 to follow up student midwives in the community ward provided that said midwife has
8 at least two (2) years of experience in the area of assignment and has undergone
9 training in the supervision of students; and

10 (d) A member of good standing of AIPO or other national association of
11 midwives.

12
13 SEC. 16. Professional Licensure Examination Required. – All applicants for
14 registration to the practice of midwifery in the Philippines shall be required to pass
15 the Professional Licensure Examination which shall be given by the Board in such
16 places and dates as may be designated by the PRC: Provided, That it shall be in
17 accordance with RA No. 8981: Provided, further, That for those who are graduates
18 of a two (2) year diploma courses and are already registered midwives prior to the
19 passage of this Act shall be given an equivalency to a four (4) year degree program.
20 The parameters to such equivalency shall be based on the following:

21 (a) Years of experience;

22 (b) Ladderized education or training already taken; and

23 (c) Continuing professional development requirements.

24 Upon compliance with the established parameters, the PRC shall issue the
25 appropriate registration to the midwives. Those who fail to comply with the
26 established parameters shall be allowed to take the Professional Licensure
27 Examination for a four-year degree course.

28
29 SEC. 17. Scope of Professional Licensure Examination. – The scope of
30 Examination for the practice of midwifery shall consist of the following:

31 (a) Newborn, infant and child health related procedures to midwifery;

32 (b) Obstetrical anatomy and physiology;

- (c) Obstetrics including essential intrapartum and basic emergency obstetric care;
- (d) Principles of Microbiology and parasitology as applied to midwifery practice;
- (e) Pharmacology as applied to midwifery practice;
- (f) Midwifery procedures;
- (g) Primary Health Care which covers community care, public health, and preventive care;
- (h) Maternal nutrition, newborn, infant and young child feeding including breastfeeding and complementary feeding;
- (i) Responsible parenthood, family planning, adolescent health and reproductive health;
- (j) Ethics and legal jurisprudence of midwifery practice;
- (k) Professional growth and development, and entrepreneurship; and
- (l) Other subjects that the Board may deem necessary for inclusion from time to time.

SEC. 18. Prerequisite and Qualifications of Applicants for Professional Licensure Examination. – In order to be admitted to the Professional Licensure Examination for midwifery, an applicant must be:

(a) Mentally, emotionally and physically sound with a certificate of good moral character signed by the Head of a recognized midwifery institution or midwifery school from where the applicant graduated;

(b) A graduate of midwifery in a government recognized and duly accredited institution; and

(c) At the time of the issuance of a certificate of registration, a citizen of the Philippines and at least eighteen (18) years of age;

For purposes of admission to the midwives', the applicant must submit the following documentary requirements:

(a) Philippine Statistics Authority authenticated copy of the Certificate of Live Birth;

(b) Certified true copy of the official Transcript of Records;

1 (c) Duly accomplished form, certified as true and correct by the clinical
2 instructor and dean or principal of the school of midwifery attesting to the
3 applicant's:

4 (1) Handling of at least twenty (20) actual deliveries

5 (2) Suturing of at least five (5) perineal lacerations

6 (3) Insertion of at least five (5) intravenous fluids

7 (4) Conduct of at least ten (10) internal examinations

8 (d) Other documents that the Board may require provided any additional
9 requirement has been subject of prior consultation and is duly announced in a
10 public document.

11
12 SEC. 19. Fees for Professional Licensure Examination. – The applicants for
13 examination for the practice of midwifery shall pay an examination fee as prescribed
14 by the PRC.

15
16 SEC. 20. Ratings in the Professional Licensure Examination. – To be qualified
17 as having passed the professional licensure examination for midwives, the examinee
18 must obtain a general rating of seventy-five percent (75%) in the written test with
19 no grade lower than fifty percent (50%) in any of the examination subjects.

20
21 SEC. 21. Report on the Results of the Board Examinations. – As a result of
22 fully computerized examination, the Board shall, within thirty (30) days after the
23 examination, report the ratings obtained by each examinee to the PRC. The PRC
24 shall, after days from receipt, release to the public the results of the Board
25 examinations.

26
27 SEC. 22. Oath of Profession. – All successful examinees shall be required to
28 take an oath of profession before the Board or any government official authorized to
29 administer oaths prior to entering the midwifery practice.

30
31 SEC. 23. Issuance of Certificate of Registration/Professional License and
32 Professional Identification Card. – A Certificate of Registration and Professional

1 License as a midwife shall be issued to an applicant who passed the application upon
2 payment of the prescribed fees. Every certificate of registration and professional
3 license shall show the full name of the Chairperson of the PRC and of the members
4 of the Board, and the official seal of the PRC.

5 SEC. 24. Mandatory Continuing Professional Development. – A registered
6 midwife is required to maintain competence by continual learning through the
7 Continuing Professional Development (CPD). The Implementation of the CPD
8 programs and activities for the midwifery profession shall be governed by RA No.
9 10912, otherwise known as the "Continuing Development Act of 2016".

10
11 SEC. 25. Registration of Nurse Midwife. – A Certification of Registration may
12 be issued to registered nurses who passed the examination for midwives: Provided,
13 That the nurse, before being allowed to take the examination submit written
14 evidence to the Board that one has handled at least twenty (20) delivery cases as
15 certified by the municipal, city or Provincial Health Officer or chief of a duly
16 registered or recognized hospital, DOH and PhilHealth accredited birthing centers.

17
18 SEC. 26. Inhibition Against the Practice of Midwifery. – No person shall
19 practice or offer to practice midwifery in the Philippines, as defined in this Act
20 without holding a valid Certificate of Registration and Professional License as
21 midwife.

22
23 SEC. 27. Foreign Reciprocity. – A Certificate of Registration and professional
24 license maybe issued to midwives registered under the laws of a foreign country or
25 state. Provided, That the requirements for registration or licensing of midwives in
26 said country are substantially the same as those prescribed under this Act: Provided,
27 further, That the laws of such state or country grant the same privileges to
28 registered midwives of the Philippines.

29
30 SEC. 28. Exemption in Taking a Bridging Course. – Midwives who possess a
31 diploma degree and obtained a PRC license prior to the implementation of this Act
32 shall be no longer required to undertake bridging courses for the eventual

1 attainment of a Bachelor's degree. Their status as midwives with valid licenses shall
2 be maintained. Conversely, midwives with a diploma degree who acquired their PRC
3 license after the implementation of this Act are obligated to successfully complete
4 bridging courses leading to the conferment of a Bachelor's degree while retaining
5 their license to practice.

6
7 SEC. 29. Practice of Midwifery Defined. – The practice of midwifery consists of
8 performing, rendering or offering for a fee, salary or other reward or compensation
9 services requiring an understanding of the principles and application of procedures
10 and techniques in:

11 (a) Managing normal and uncomplicated pregnancies and deliveries;

12 (b) Identifying pregnancy complications and danger signs, and immediate
13 referral of high-risk pregnancy woman to the appropriate facility in the service
14 delivery network;

15 (c) Caring for the newborn, and proper assessment initial management,
16 and immediate referral of newborn complications;

17 (d) Carrying out the written order of physicians on natal, ante-natal, intra-
18 natal and post-natal care of the normal pregnant mother which includes the
19 following:

20 (1) Oral and parenteral dispensing of oxytocic drug before or after
21 delivery of placenta as a measure to prevent postpartum hemorrhage,
22 provided the delivery is normal, spontaneous and single birth; and

23 (2) Suturing of 1st degree (small, skin deep tears which usually heal
24 naturally) and 2nd degree (deeper tear affecting the muscle of the
25 perinium as well as the skin this require stitches) of perineal lacerations to
26 control bleeding and giving of intravenous fluid insertion during obstetrical
27 emergencies provided they have been trained for that purpose.

28 (e) Providing family planning services which include modern and natural
29 family planning method including counseling on informed choices to women of
30 reproductive age;

1 (f) Administering recommended vaccines related to Maternal and child
2 health care and as vaccinator as stated in Section 9 of RA No. 11525, otherwise
3 known as the "COVID-19 Vaccination Program Act of 2021";

4 (g) Providing primary care in the community, with emphasis on preventive
5 and promotive health care services;

6 (h) Performing the following procedures to a newborn, infant or young
7 child:

8 (1) Four core-time bound interventions during the first 60-90
9 minutes of life of the newborn in accordance to the Essential Newborn
10 Care

11 (a) Immediate and thorough drying;

12 (b) Early skin to skin contact;

13 (c) Properly-timed clamping and cutting of the cord after 1 to 3
14 minutes; and

15 (d) Non-separation of the newborn from the mother for early
16 breastfeeding initiation and rooming in.

17 (2) Administration of the following after the first full breastfeeding
18 of the newborn:

19 (a) Recommended dose of Intramuscular Vitamin K to prevent
20 Hemorrhagic disease of the newborn;

21 (b) Ophthalmic prophylaxis ointment to prevent
22 neonatal conjunctivitis;

23 (c) Intramuscular administration of Hepatitis B vaccine;

24 (d) Intradermal administration of Bacillus Calmette Guerin (BCG)
25 vaccine;

26 (e) Newborn Screening; and

27 (f) Performing other tasks or procedures to be determined by the

28 DOH: Provided, That the scope, requirements

29 and interpretation of said functions shall be specified in the Clinical

30 Practice Guidelines to be jointly promulgated by the DOH and the

31 Professional Board of Midwifery in consultation with AIPO and other

32 midwifery organizations.

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SEC. 30. Revocation and Suspension of Certificate of Registration and Cancellation. – The Board shall have the power to revoke or suspend the validity of a Certificate of Registration of a midwife for any of the causes mentioned in the preceding section, or in cases of: (a) unprofessional conduct; (b) professional malpractice; (c) clear professional incompetence; (d) serious ignorance or negligence; (e) assisting or performing abortion in the practice of midwifery; or (f) using fraud, deceit or false statements to obtain a certificate of registration. From the final decision of the Board, appeal maybe taken to the PRC whose decision shall be final and executory.

SEC. 31. Refusal to Issue Certificate of Registration. – The Board shall refuse to issue a Certificate of Registration to any person convicted by the court of competent jurisdiction of any criminal offense involving moral turpitude, and to any person guilty of immoral or dishonorable conduct. The Board shall give the applicant a written statement setting forth the reason or reasons for its action, which statement shall be incorporated in the records of the Board.

SEC. 32. Reissuance and Replacement of Revoked Certificates. – The Board may, for reasons of equity and justice and upon proper application therefor issue another copy of the certificate upon payment of dues, and in so doing, it may exempt the applicant for the requisite examination.

SEC. 33. Midwives Positions in Public Health Facilities. – All public health facilities such as government owned and controlled corporation with original charter, DOH- retained hospitals, local government unit-managed hospitals at the district level, shall have plantilla positions for midwives: Provided, That the compensation of midwives working in public health service shall not be lower than Salary Grade 11 as entry salary for midwives, pursuant to RA No. 6758, otherwise known as the "Compensation and Position Classification Act of 1989". Also, as provided for under the Civil Service Law, a government employee has to work eight (8) hours a day or forty (40) hours a week: Provided, further, That for midwives working in health

1 facilities under local government units, adjustment to their compensation shall be in
2 accordance with the same Act: Provided, furthermore, other benefits and
3 entitlements shall also be provided to midwives by their public health employers in
4 accordance with existing laws.

5
6 SEC. 34. Midwives in Private Health Facilities. – Midwives employed or
7 contracted by private health facilities shall have salaries and benefits not lower than
8 the minimum wage set by the Department of Labor and Employment. Government
9 midwives who practice in private facilities after their regular office hours shall
10 comply with the existing guidelines set by the Civil Service Commission and
11 Department of Health (DOH).

12
13 SEC. 35. Midwives with Birthing Centers. – Midwives who shall establish and
14 manage their own birthing centers shall comply and be properly guided with the
15 regulatory standards and operating procedures as defined by the DOH. Provided
16 that, this shall take into consideration certain requirements such as to number of
17 facilities providing maternal care services in a particular geographic or territorial
18 jurisdiction and based on an assessment of actual maternal care service requirement
19 in a particular community.

20 Midwives offering services in these facilities should likewise comply with
21 PhilHealth Certification and Accreditation standards. Midwives with birthing facilities
22 and offering pregnancy and other reproductive health related services shall both be
23 accredited as service provider and a Modern Family Planning accredited facility to
24 comply with quality standards. Claims on maternal and newborn care package and
25 family planning service must be paid on time.

26 SEC. 36. Prohibited Acts. – No person shall:

27 (a) Practice midwifery in the Philippines within the meaning of this Act
28 without a Certificate of Registration issued in accordance herewith;

29 (b) Present or use the Certificate of Registration of another;

30 (c) Give any false or forged evidence to the PRC in order to secure a
31 Certificate of Registration;

32 (d) Use a revoked or suspended Certificate of Registration;

1 (e) Assume, use or advertise, as a registered midwife or a registered nurse
2 midwife or appending to one's name the letters R.M. without having been
3 conferred such title by the PRC; and

4 (f) Advertise any title description tending to convey the impression that
5 one is a registered midwife.

6 SEC. 37. Penal Provisions. – Any person who shall violate any of the
7 provisions stated in Section 36 of this Act or any of its implementing rules and
8 regulations as promulgated by the Board, subject to the approval of the PRC, shall
9 upon conviction, be punished to a fine of not less than Fifty thousand pesos (Php
10 50,000) nor more than One hundred thousand pesos (Php 100,000), or to suffer
11 imprisonment for a period of not less than to two (2) years nor more than seven (7)
12 years, or both, at the discretion of the court.

13
14 SEC. 38. Enforcement of this Act. – It shall be the primary duty of the PRC
15 and the Board to effectively implement this Act. Any of the duly authorized law
16 enforcement agencies and officers of national, provincial, city, or municipal
17 governments shall, upon written or request of the PRC or the Board, render
18 assistance in enforcing the provisions of this Act and to prosecute any person
19 violating the same.

20
21 SEC. 39. Appropriations. – The amount necessary for the implementation of
22 this Act shall be included in the annual General Appropriations Act.

23
24 SEC. 40. Implementing Rules and Regulations. – Within 90 (days) after the
25 effectivity of this Act, the Board and the PRC, in coordination with the AIPO and
26 national organization of midwives, the DOH, the Department of Budget and
27 Management and other concerned government agencies, shall in consultation with
28 relevant stakeholders in the private sector, formulate such rules and regulations
29 necessary to carry out the provisions of this Act.

1 SEC. 41. Separability Clause. – If, for any reason, any part or section of this
2 Act shall be declared unconstitutional or invalid, other sections or provisions hereof
3 which are not affected thereby shall continue to be in full force and effect.

4
5 SEC. 42. Repealing Clause. – RA No. 2644, otherwise known as the "Philippine
6 Midwifery Law" and RA No. 7392, otherwise known as the "Philippine Midwifery Act
7 of 1992" are hereby repealed and all laws, decrees, orders, instructions, rules and
8 regulations, and other issuances or parts therefor inconsistent with this Act are
9 likewise repealed or amended accordingly.

10
11 SEC. 43. Effectivity Clause. – This Act shall take effect fifteen (15) days after
12 its publication in the Official Gazette or in a national newspaper of general
13 circulation.

14
15 Approved,