

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

8 JUN -4 11:52

SENATE

RECEIVED BY: 

S. NO. 2372

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Health care practitioners recognize respiratory therapy as a vital and essential component in the mainstream of highly technological medical practice, placing them in the level of practice as nurses, medical technologists, radiology technologists and technicians, and physical and occupational therapists.

Today, there are more than a thousand graduates of courses leading to Certificate or Associate title and Baccalaureate degree in the entire country. However, the Professional Regulation Commission has not yet instituted a licensure examination as a proof of proficiency of the practice, in order to professionalize the program. Whereas other nations in the Americas, Europe and the Middle East have formalized respiratory therapy as a program, giving it its due recognition as a profession, the Philippines, where pulmonary disorders are a leading cause of morbidity and mortality, no such recognition has been institutionalized through a licensure examination.

Moreover, in foreign countries, where the profession of respiratory therapy is recognized, Filipino practitioners are being required to produce the necessary government license or accreditation. Thus, while Filipino practitioners excel in the skills of the profession, they cannot practice as such without the required license or accreditation.

This bill seeks to give due recognition to graduates of respiratory therapy programs by creating the Board of Examiners for respiratory therapists and instituting licensure examination to the profession.

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


ANTONIO "SONNY" F. TRILLANES IV
Senator

FOURTEENTH CONGRESS OF THE)
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AN ACT
REGULATING THE PRACTICE OF RESPIRATORY THERAPY AND
CREATING THE BOARD OF EXAMINERS FOR RESPIRATORY
THERAPISTS, PROVIDING FOR ITS STRUCTURE AND ORGANIZATION,
AND FOR OTHER PURPOSES

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

ARTICLE I

TITLE, STATEMENT OF POLICY AND DEFINITION OF TERMS

1 **SECTION 1. *Title.*** – This Act shall be known and cited as the "*Philippines*
2 *Respiratory Therapy Act of 2008.*"

3
4 **SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to
5 recognize the vital role of respiratory therapy, as a profession, and to assume
6 responsibility for its protection and improvement by instituting measures that will result
7 in relevant education, better career prospects and a dignified and ethical practice of
8 profession, thereby guaranteeing it, likewise as regular component of health care delivery
9 system in safeguarding and enhancing the general physical well-being of the citizenry. In
10 pursuant of the Constitution hereby created a Board of Examiners for Respiratory
11 Therapy, which shall serve as the regulatory agency for the practice of the profession.

12
13 **SEC. 3. *Definition of Terms.*** – As used in this Act, the following terms shall
14 mean:

15 (a) Respiratory Therapy – an allied health profession specialty employed with
16 medical direction in the treatment, management, control, diagnostic evaluation

1 and care of patients with deficiencies and abnormalities in the cardiopulmonary
2 system;

3 (b) Respiratory Therapist – is a person legally qualified and licensed to practice
4 respiratory therapy under this Act and is a holder of Bachelor of Science in
5 Respiratory Therapy who possesses the knowledge and skills necessary to achieve
6 the objectives as defined by this Act;

7 (c) Accredited Respiratory Therapy Training Center – a respiratory therapy unit or
8 pulmonary laboratory, office, agency, clinic, hospital or sanitarium duly approved
9 by the Department of Health or its authorized agency;

10 (d) Recognized School of Respiratory Therapy – any school, college, or university,
11 which offers a course in respiratory Therapy approved by the Commission on
12 Higher Education in accordance with the requirements under this Act, upon
13 recommendation of the Council of Respiratory Therapy Education;

14 (e) Council – the Council of Respiratory Therapy Education established under this
15 Act;

16 (f) Board – the Board of Examiners of Respiratory Therapy.

17
18 **ARTICLE II**

19 **COUNCIL OF RESPIRATORY THERAPY EDUCATION**

20
21 **SEC. 4. *Council of Respiratory Education and Its Composition.*** – There is
22 hereby created a Council of Respiratory therapy Education hereafter referred to as the
23 Council, which shall be composed of the Chairman of the Commission on Higher
24 Education as Chairman, the Chairman of the Professional Regulation Commission as
25 Vice Chairman, the Chairman and one (1) member of the Council of Deans and
26 Educators of Respiratory therapy, and the President of the professional organization of
27 Respiratory Therapists.

1 **SEC. 5. Compensation and Traveling Expenses of the Council Members.** – For
2 every meeting actually attended, the Chairman shall be entitled to a two thousand pesos
3 (Php2,000) per diem while the members shall be entitled to one thousand pesos
4 (Php1,000) each regardless of whether or not they receive regular salaries from the
5 government. In addition, the Chairman and members of the Council shall be entitled to
6 traveling expenses in connection with other official duties:

7
8 (a) to recommend and prescribe the number of students to be allowed to take up the
9 respiratory therapy course in each school taking into account the student
10 instructor ratio and the availability of facilities for education;

11 (b) to approve respiratory therapy schools meeting the requirements and recommend
12 closure of those found substandard;

13 (c) to require all respiratory therapy schools to submit an annual report including the
14 total number of students and instructors, list of facilities available for instruction,
15 a list of recent graduates and new admissions, number and percentage of board
16 passers on or before the month of March so that measures can be instituted before
17 start of classes;

18 (d) to inspect, when necessary, the different respiratory therapy schools in the country
19 in order to determine whether a high standard of education is maintained in said
20 institutions;

21 (e) to inspect the different training hospitals and clinics in order to determine if it can
22 provide all the training facilities and services for respiratory therapy interns;

23 (f) to provide a list of accredited respiratory training centers;

24 (g) to certify for admission into an undergraduate internship students who have
25 satisfactorily completed three years of the respiratory therapy course, or its
26 equivalent; and

27 (h) formulate and recommend approval of refresher course for applicants who shall
28 have failed implementation of the foregoing functions.

29

1 respiratory courses namely English, Mathematics, Physics, Zoology,
2 Philippine History, Sociology, and Political Science;

3 (e) *Provided further* that such Institution offers at least the following course
4 contents in the professional respiratory therapy course namely: Anatomy
5 and Physiology, Microbiology, Neuroanatomy, Pharmacology,
6 Fundamentals of Respiratory Therapy, Patient Assessment and ECG
7 Interpretation, Cardiopulmonary Pathophysiology, Assisted Mechanical
8 Ventilation, Acid Base Physiology and Blood Gas Interpretation, Pulmonary
9 Function Testing, Pulmonary Rehabilitation, Neonatal and Pediatric
10 Respiratory Care, Oxygen Therapy, Airways Management or Critical Care
11 Methodology Respiratory and Thesis Writing or a CHED-approved
12 curriculum for the program; and

13 (f) he has completed at least ten (10) months of internship equivalent to a
14 minimum of one thousand five hundred (Php1,500) clinical hours under the
15 supervision of a competent, duly qualified and registered respiratory
16 therapist.

17
18 **SEC. 8. *Scope of Examinations.*** – The examination for the practice of respiratory
19 therapy in the Philippines shall consist of written examination of the scope of which shall
20 be determined by the Board, taking into consideration the teaching plan and curricula of
21 the schools. It shall be the duty of the Board to prepare the schedule of the subjects of the
22 examination and shall submit the same to the President of the Philippines for the approval
23 through the Commissioner of the Professional Regulation Commission, the general
24 circular, at least two (2) months before the date of the examination wherein such subjects
25 are to be used. Any amendments that may be made in the schedule of subjects shall be
26 approved by the Commission.

27
28
29

1	SUBJECTS	RELATIVE WEIGHT
2	I. BASIC SCIENCES	
3	A. Anatomy, Physiology, Neuroanatomy	15%
4	B. Microbiology, Pharmacology	5%
5	C. Patient Assessment & Electrocardiography	10%
6	D. Cardiopulmonary Pathology	10%
7	II. CLINICAL SCIENCES	
8	A. Neonatal & Pediatric Respiratory Therapy	10%
9	B. Fundamentals of Respiratory Therapy	10%
10	C. Arterial Blood Gas Study and Pulmonary Function Test	15%
11	D. Assisted Mechanical Ventilation	10%
12	E. Airway Management, Pulmonary Rehab and Cardiopulmonary	15%
13	Resuscitation	

15 **SEC. 9. Examination and Registration Fees.** – Applicants for examination for
16 the profession of respiratory therapy shall be filed with the Professional Regulatory
17 Commission subject to the payment of fees prescribed by the Commission. The annual
18 registration fee shall be paid on or before the last day of the applicant’s birth month every
19 three years; otherwise the penalty fee of twenty percent for each year; lapsed shall be
20 charged.

22 **SEC. 10. Licensure.** –

23 I. **Exemptions from taking the Licensing Examination (Grandfather’s Clause).** –
24 Examination shall not be required of the following:

25 (a) Non-Bachelor of Science in Respiratory Therapy practicing as respiratory
26 therapist with fifteen (15) years of continuous experience before commencement
27 of Respiratory Therapy Bill;

1 (b) Non-Bachelor degree in Respiratory Therapy graduates practicing as respiratory
2 therapist with ten (10) years of experience as a clinical staff or supervisor in the
3 pulmonary laboratory;

4 (c) Bachelor of Science in Respiratory Therapy graduates with at least eight (8) years
5 of experience in the academe, teaching in school, college or university wherein
6 the Respiratory as a course is being offered.

7
8 II. *Provision on All Respiratory Therapy practitioners including those non-*
9 *Bachelors of Science in Respiratory Therapy graduates* – They may take the
10 first board examination. Succeeding Respiratory Therapy Board Examination
11 takers should be a graduate of Bachelor of Science in Respiratory Therapy.

12
13 **SEC. 11. *Rating in the Examination.*** – In order to pass the examinations, a
14 candidate must obtain a general rating of at least seventy-five percent (75%). If he/she
15 still fails in the third examination, the applicant shall be required to undertake a
16 prescribed course before he/she will be re-admitted to the board examination.

17
18 **SEC. 12. *Report to the Results of the Examination.*** – The examiners shall report
19 the ratings obtained by each candidate to the Professional Regulatory Commission within
20 thirty (30) days after the last day of the examination or within the period prescribed by
21 the Commission.

22 23 **ARTICLE IV**

24 **SCOPE OF PRACTICE OF RESPIRATORY THERAPY**

25
26 **SEC. 13. *The Practice of Respiratory Therapy.*** – The following acts constitute
27 the practice of Respiratory Therapy:

1 (a) The therapeutic use of medical gases including oxygen and various oxygen
2 therapy modalities, except anesthetics administrations, environmental control
3 system that includes infant incubator, hyperbaric chamber, etc., humidity
4 therapy and its modalities, ventilatory support systems, its monitors and
5 breathing circuits, hyperinflation therapy which includes intermittent positive
6 pressure breathing exercises, bronchopulmonary drainage procedures,
7 pulmonary rehabilitation, cardiopulmonary resuscitation and airway
8 management;

9 (b) Employment of specific testing techniques to assist in diagnosis, monitoring,
10 treatment and research. This shall be understood to include measurement of
11 ventilatory volumes, pressures, flows, blood gases analysis, physiologic
12 monitoring.

13
14 **SEC. 14. *Prohibition Against Authorized Practice of Respiratory Therapy*** – No
15 person shall practice respiratory therapy as defined in Sec. 3 hereof, nor any of the Acts
16 constituting the practice of this profession under this Act and under the rules and
17 regulations promulgated and implemented by the Board.

18
19 **SEC. 15. *Employment of Respiratory Therapist in Pulmonary Units and***
20 ***Laboratories.*** – Persons, corporations, partnership, similar establishment shall be
21 required to employ and station at least three (3) respiratory therapists to ensure that the
22 services they offer comply with professional standards.

23
24 **ARTICLE V**

25 **THE PROFESSIONAL REGULATORY BOARD OF RESPIRATORY**
26 **THERAPY**

27
28 **SEC. 16. *Creation and Composition of the Board.*** – There is hereby created a
29 Regulatory Board of Respiratory Therapy hereinafter called the Board, to be composed of

1 five (5) members. The Chairman and the members of the Board shall be appointed by the
2 President upon the recommendation of the Professional Regulatory Commission from
3 among the respiratory therapists of recognized standing in the Philippines nominated by
4 the accredited organization of respiratory therapists and shall hold the position for a
5 period of three (3) years.

6

7 **SEC. 17. *Qualifications of Board Members.*** – Except for first Board, the
8 Chairman and the members of the Board at the time of their appointment shall have the
9 following qualifications:

10 (a) a natural born citizen of the Philippines and a resident thereof;

11 (b) a duly registered respiratory therapist in the Philippines with a degree of Bachelor
12 of Science in Respiratory Therapy; with at least fifteen (15) years of professional
13 experience or a licensed physician with a Bachelor of Science degree in
14 Respiratory Therapy who had at least five (5) years of professional experience in
15 respiratory department as director, supervisor or head of said laboratory or unit of
16 a Department of Health recognized hospital; or a duly certified pulmonologist by
17 the Philippine College of Chest Physicians/ Philippine Academy of Pediatric
18 Pulmonologists who had at least five (5) years of professional experience in
19 respiratory therapy as director, supervisor or head of said laboratory or unit of a
20 Department of Health recognized hospital or an academician who had at least
21 fifteen (15) years of teaching experience in a school of respiratory therapy and has
22 at least a masteral degree in education, health education, and/or respiratory
23 therapy with no school affiliation at least three (3) years before and after the
24 period of appointment;

25 (c) at least thirty-five (35) years of age if he/she is the chairperson or at least thirty
26 (30) years old if he/she is a member;

27 (d) of good moral character and must not have been convicted of any offense
28 involving moral turpitude;

- 1 (e) not a member of a faculty of any school, college, or university where the regular
2 course of his profession conducts review classes;
- 3 (f) must not be connected, in any capacity, with any business enterprise, firm or
4 company engaged with or in the buying, selling, or manufacturing of respiratory
5 care goods, equipment, and materials or supplies;
- 6 (g) not financially interested directly or indirectly in such schools or centers;
- 7 (h) not an incumbent officer of the bonafide national professional organization;
- 8 (i) no members of the Board may accept employment or become connected with any
9 school, college, or university conferring a Bachelor's degree in Respiratory
10 Therapy for a period of one year after his term;
- 11 (j) the composition of the First Board shall be determined by the Office of the
12 President of the Philippines, upon consultation with the Commission on Higher
13 Education, the Department of Health and the different professional organizations.

14

15 **SEC. 18. *Term of Office.*** – The Chairman and three (3) members of the Board
16 shall hold for a term of three (3) years and until their successors shall have been
17 qualified; All members of the new Board shall determine the best qualified among them
18 or appointed by the President of the Philippines to be Chairman of the Board.

19 Members of the Board to be appointed after the approval of this Act shall hold office
20 for the following terms: the Chairman for three (3) years; two (2) members for one (1)
21 year; *Provided further*, That any chairman or member may be reappointed for another
22 term of three (3) years but in no case shall serve continuously for more than six (6) years.

23 Any vacancy in the Board occurring within the term of a member shall be filled for
24 the unexpired portion of term only. Each member shall take the proper oath of office to
25 the performance of his/her duties.

26

27 **SEC. 19. *Powers and Duties of the Board.*** – The Board shall have the following
28 powers and duties:

- 29 (a) administer and enforce the provisions of this Act;

- 1 (b) administer oaths in connection with the administration of this Act;
- 2 (c) admit persons to the professional practice of respiratory therapy;
- 3 (d) impose fines and/or penalties for violation of the laws implemented by it, as well
4 as, its rules and regulations, the Code of Ethics for the profession, its orders,
5 decision, and/or rulings;
- 6 (e) to issue, suspend, revoke or re-issue any certificate of registration for the practice
7 respiratory therapy as defined by this Act;
- 8 (f) to make researches and studies to promote, and improve the condition of the
9 practice of respiratory therapy in the Philippines;
- 10 (g) to describe the subjects in the licensure examinations, determine the syllabi of the
11 subjects, and their relative weights, construct the test questions and score, and rate
12 the examination paper. The Board shall, within thirty (30) days, submit a report of
13 the examination result which shall contain the weighted average rating of each
14 examinee to the Office of the President for release and publication;
- 15 (h) to adopt such measures as may be necessary for the proper maintenance of good
16 ethics and high professional standards in the practice of this profession;
- 17 (i) the Board may conduct inspection of places where registered respiratory
18 therapists are employed or are working such as hospitals clinics, to determine and
19 enforce compliance with the professional regulatory laws and the rules and
20 regulations promulgated pursuant thereto, to aid the Board in formulating and
21 revising policies relating to the practice of respiratory therapy;
- 22 (j) to delegate hearing or investigation of administrative cases before the Board, in
23 which case the hearing shall be presided by at least one member of the Board
24 assisted by a legal officer of the Professional Regulations Commission hereafter
25 referred to as the Commission;
- 26 (k) to promulgate decisions on such administrative subjects to be reviewed by the
27 Commission;

1 (l) draft such rules and regulations as may be necessary to carry out the provisions of
2 this Act, *Provided that* the same shall be issued only after the approval of the
3 President of the Philippines;

4 (m) to maintain a registry of licensed respiratory therapist;

5 (n) to exercise such other powers, function and duties as maybe necessary to carry out
6 the provisions of this Act and to maintain an efficient, ethical, moral and
7 professional standard in the practice of respiratory therapy in the Philippines.

8
9 **SEC. 20. *Removal of the Members of the Board.*** – Any member of the Board
10 may be removed by the President of the Philippines for neglect of duty, incompetence,
11 malpractice, or unprofessional, unethical, immoral, or dishonorable conduct after having
12 been given opportunity to defend himself in a proper administrative investigation;
13 *Provided,* That pending the final disposition of the case against him, a member suspended
14 by the President and another appointed to fill the temporary vacancy in the Board.

15
16 **SEC. 21. *Executive Officer and Secretary of the Board.*** – The Commissioner of
17 the Professional Regulations Commission shall be the Executive Officer of the Board and
18 shall conduct the examination given by the Board. The Secretary of the Board of
19 Examiners shall also be the Secretary of the Board of Respiratory Therapy. All records of
20 the Board, including examination papers, minutes of deliberation, and records of
21 administrative proceedings and investigations shall be kept by the Professional
22 Regulations Commission.

23
24 **SEC. 22. *Compensation of the Board.*** – The Chairman and each member of the
25 Board regardless of other employment, shall receive as compensation an amount equal,
26 based on the current governing law to that given the Chairman an members of the
27 government board situated under analogous circumstances as may be allowed by law.

28

1 **SEC. 23. *Quorum in Board Meeting.*** – The attendance of three (3) members
2 shall constitute a quorum of the Board to officially transact business, *Provided*, That the
3 Chairman is present during the meeting. In the absence of the Chairman, the Board shall
4 designate a presiding officer to conduct the meeting.

5
6 **SEC. 24. *Votes Required in Administrative Cases.*** – To render a decision in an
7 administrative case for unethical practice, malpractice, immorality, dishonesty, and
8 related charges affecting the professional fitness and integrity of a respiratory therapist,
9 the vote four (4) members must be obtained; *Provided* That in case members are
10 disqualified to vote by virtue of their interest or relation to any of the parties, or
11 involuntarily inhibit themselves from participating in the proceedings, the Board may
12 designate professional respiratory therapists who are respected in their professional
13 community for their probity and integrity, to sit in the Board, participate in the
14 proceedings and vote on the case.

15
16 **SEC. 25. *Oath.*** – The Chairman and the members of the Board shall take their
17 oath of office before entering into the performance of their duties.

18
19 **SEC. 26. *Implementing Rules and Regulations.*** – The Board may, subject to the
20 approval of the President of the Philippines promulgate such rules and regulations as may
21 be necessary to carry out provisions of this Act.

22
23 **SEC. 27. *Annual Report.*** – The Board shall submit to the Professional
24 Regulatory Commission after the close of each fiscal year, giving a detailed account of
25 the proceedings of the Board during the year and embodying such recommendations as
26 the Board may desire.

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- 1 (h) obtain sputum for analysis;
- 2 (i) administer pharmacologic agents related to respiratory care procedures;
- 3 (j) offer bronchopulmonary hygiene such as postural drainage, chest clapping
4 and vibration;
- 5 (k) evaluate and offer breathing and coughing exercises to improve
6 cardiopulmonary status, related and limited to respiratory care;
- 7 (l) participate in the pulmonary rehabilitation by educating patients and their
8 families and providing at the different respiratory modalities and
9 techniques on home health care under the supervision of a physician; and
- 10 (m) participate in research programs and studies for the advancement of the
11 field of respiratory therapy.
- 12

13 **SEC. 30. *Special Permit of Practice.*** – The Board may grant special permit to
14 practice respiratory therapy for such a period of time under such condition as the Board
15 may fix.

16 A foreign registered respiratory therapist requested for consultation or for a
17 specific purpose which, in the judgment of the Board, is essential to the development of
18 the country; *Provided*, That this practice shall be limited only for the specific task that he
19 is being engaged. *Provided further*, That there is no Filipino registered respiratory
20 therapist qualified for such consultation or purpose.

21

22 **SEC. 31. *Issuance of Certification.*** – Certificate of registration as a respiratory
23 therapist shall be issued to any applicant who passes the respective examination and
24 payment of the required fees. Every certificate of registration shall show the full name of
25 the registrant, have serial number, bear the signatures of the members of the Board
26 attested by the Secretary of the Board of the Examiners for respiratory therapy.

27 Issuance of certificate of registration by the Board to the registrant shall evidence
28 that the person named therein is entitled to all the rights and privileges of registered

1 respiratory therapist, until the said certificate for just causes is revoked temporarily or
2 cancelled.

3

4 **SEC. 32. *Issuance and Renewal of Professional Identification Card.*** – Every
5 registered respiratory therapist shall be issued a professional identification card, it shall
6 be valid and renewed every three (3) years, on or before their birth date after the payment
7 of required fees.

8

9 **SEC. 33. *Use of Professional Initials.*** – The initial “RTRP” which stands for
10 Respiratory Therapist Registered, Philippines may be added after the name of the
11 respiratory therapist who successfully passes the examination given by the Board.

12

13 **SEC. 34. *Refusal to Issue a Certificate of Registration.*** – The Board of
14 Examiners for Respiratory Therapist shall not issue a certificate of registration to many
15 person convicted of any criminal offense involving moral turpitude by a court of
16 competent jurisdiction, and to any person guilty of illegal practice, unethical advertising
17 or other immoral or dishonorable conduct. The Board shall give the applicant a written
18 statement of the reason/s of each action, which statements shall be incorporated in the
19 record of the Board.

20

21 **SEC. 35. *Revocation and Suspension.*** – The Board shall have the power to, upon
22 proper notice and hearing to revoke and suspend the validity of a certificate of a
23 registration of a respiratory therapist because of any of the reasons mentioned in the
24 preceding section, or for unprofessional or unethical conduct, malpractice, or serious
25 ignorance or negligence in the practice of respiratory therapy for the use of fraudulent,
26 deceitful or false statements to obtain certificate of registration.

27

28 A certificate of registration is automatically revoked, including the name of
29 professional for non-renewal of license and non-payment of required fees sixty days after
their birth date. The commission may reinstate the certificate of registration and payment

1 of fees in arrears and the fee prescribed for registration without examination. The
2 Commission may require a qualifying examination before reinstatement.

3 A respiratory therapist may be exempted from the payment of the required fees
4 upon application for retirement from the practice of respiratory therapy.

5

6

ARTICLE VII

7

GENERAL PROVISIONS

8

9 **SEC. 36. *Funding Provision.*** – The Chairman of the Professional Regulation
10 Commission shall immediately include in the Commission’s program the implementation
11 of this Act, the funding of which shall be included in the Annual General Appropriations
12 Act.

13 **SEC. 37. *Annual Report.*** – The Board shall at the end of each calendar year,
14 submit to the Commission an annual report of each actual activity and proceeding during
15 the year.

16 **SEC. 38. *Separability Clause.*** – Any provision of this Act that may be declared
17 unconstitutional shall not have the effect of nullifying other provisions hereof as long as
18 such remaining provisions can still subsist and be given effect in their entirety.

19 **SEC. 39. *Repealing Clause.*** – All laws, part of laws, orders or ordinances, or
20 regulations or provisions thereof inconsistent with this Act are hereby repealed and/or
21 modified accordingly.

22 **SEC. 40. *Effectivity.*** – This Act shall take effect fifteen (15) days following its
23 publication in the *Official Gazette* or in at least two (2) national newspapers of general
24 circulation.

Approved,