

9 MAR 30 2014

SENATE

S. B. No. 3139

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Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

The advancement of science and the influx of modern technology have led man into an endless pursuit of improvement in our quality of health and life. Due to these developments, the medical field which plays a vital role in this pursuit has branched out into specialized professions like nursing, medical technology, radiology technology, physical therapy, occupational therapy, and including respiratory therapy.

Respiratory therapy is an allied health profession specializing in the assessment and treatment of respiratory and cardiovascular pathologies. Respiratory therapists are involved in the treatment of chronic lung problems such as asthma, bronchitis, emphysema and more acute multi-systemic problems due to other pathological conditions including heart attacks and stroke.

According to the Association of Respiratory Care Practitioners, Phil., Inc. (ARCPP), respiratory therapy was first practiced in the country more than twenty-five years ago. The Philippines, being the first country in Asia to have a curriculum in Respiratory Therapy, also had its first graduates in 1991.

Despite our country's pioneering effort, respiratory therapists in the country have been deprived of due recognition stemming from the lack of promulgated laws to regulate and professionalize the field. This is inconsistent with the key role which respiratory therapists play in hospital health care teams and in the provision of health care to critically-ill patients.

Although there have been developments towards recognizing the profession, such as the CMO No. 9 series of 2007 which laid out the "Policies and Standards for Bachelor of Science in Respiratory Therapist", lack of legislated licensure examination has continuously placed our respiratory therapists in a disadvantaged position.

Thus, this bill seeks to recognize the important role respiratory therapist play in our society through the following provisions, among others:

- Creation of a Professional Regulatory Board of Respiratory Therapy under the administrative supervision and control of the Professional Regulation Commission;
- Licensure examination requirement for all applicants for registration for the practice of respiratory therapy and;
- Guidelines and regulations involving the practice of respiratory therapy in the country.

To professionalize and regulate the practice of respiratory therapy in the country, which are the primary objectives bill, are in consonance with the greater role of the State to “protect and promote the right to health of the people” as mandated by Art. II, Sec. 15 of the 1987 Constitution.

Approval of this bill is earnestly sought.


EDGARDO J. ANGARA

SENATE

9 MAR 30 10:14

S. B. No. 3139

Introduced by SENATOR EDGARDO J. ANGARA

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AN ACT
REGULATING THE PRACTICE OF RESPIRATORY THERAPY
AND CREATING FOR THE PURPOSE A PROFESSIONAL
REGULATORY BOARD OF RESPIRATORY THERAPY,
APPROPRIATING FUNDS THEREFORE AND FOR OTHER
PURPOSES.

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

ARTICLE I

TITLE, STATEMENT OF POLICY AND DEFINITION OF TERMS

SECTION 1. **Title.** – The Act shall be known as and cited as *the
"Philippine Respiratory Therapy Act of 2009."*

SEC 2. **Declaration of Policy.** - The state recognizes the importance
of respiratory therapist in nation building, Hence, it shall develop and nurture
competent, virtuous, productive and well-rounded respiratory therapists
whose standards and practice and service shall be excellent, qualitative, world
class and globally competitive through inviolable, honest, effective and
credible licensure examinations and through regulatory measures, programs
and activities that foster their professional growth.

SEC 3. **Definition of Terms.** – As used in this act, the following
terms shall mean:

(a) *Respiratory Therapy* is an allied health specialty employed with
medical direction in the treatment, management, control, diagnostic
evaluation and care of patients with deficiencies and abnormalities in
the cardiopulmonary system.

(b) *Respiratory Therapist* is a person who is a holder of a valid certificate
of registration and a professional identification card issued by the
Professional Regulatory Board of Respiratory Therapy and the
Professional Regulation Commission and who is legally qualified to
practice respiratory therapy in the Philippines pursuant to this Act.

(c) *Respiratory Therapy Technician* a person who has been registered and
issued a valid certificate of registration and profession identification
card and who underwent a two-year associate or certificate program in
respiratory therapy procedures and whose specific assignments are

1 supervised by a registered respiratory therapist. Such assignments are
2 within the limits of a hospital or an institution of employment.

3 (d) *Accredited Respiratory Training Center* is a respiratory therapy unit
4 or pulmonary laboratory, office, center, agency, clinic, hospital or
5 sanitarium duly approved by the Department of Health or its
6 authorized agency.

7 (e) *Recognized School of Respiratory Therapy* is any school, college, or
8 university that offers a course in Respiratory Therapy as approved by
9 the Commission on Higher Education in accordance with the
10 requirements under this Act, upon recommendation of the Board of
11 Respiratory Therapy.

12 ARTICLE II

13 THE PROFESSIONAL REGULATORY BOARD 14 OF RESPIRATORY THERAPY

15 **SEC 4. *Creation and Composition of the Board.*** – There is hereby
16 created a Professional Regulatory Board of Respiratory Therapy hereinafter
17 called the board, under the administrative supervision and controlled of the
18 professional regulation commission, hereinafter referred to as the
19 Commission, to be composed of a chairman and two (2) members who shall
20 be appointed by the President of the Philippines from a list of three
21 recommendees for each position submitted by the commission from among a
22 list of five nominees from each position submitted by the integrated
23 professional organization of respiratory therapist. The Board shall be
24 organized not later than six (6) months from the effectivity of this act.

25 **SEC 5. *Qualifications of the Members of the Board***– The Chairman
26 and the members of the Board shall, at the time of their appointment, possess
27 the following qualifications:

- 28 a) Must be natural born citizen and resident of the Philippines;
29 b) Must be at least thirty-five (35) years of age if he/she is the chairman
30 or least thirty (30) years old if he/she is a member;
31 c) Must be a duly Registered Respiratory Therapist in the Philippines
32 with a valid certificate of registration and professional identification
33 card, *Provided*, that in case of the first member of the Board of
34 Respiratory Therapy, they shall be issued certificates of registration
35 and professional identification card as Respiratory Therapist without
36 prior examination;
37 d) Must be a holder baccalaureate degree in respiratory therapy with at
38 least fifteen (15) years of professional experience and with at least
39 five (5) years of professional experience as director, supervisor or
40 head of said laboratory or unit of Department of Health recognized
41 hospital prior to his/her appointment;

- 1 e) Must not be an elected officer of the integrated and accredited national
2 organization of respiratory therapist;
- 3 f) Must not have been convicted by any competent court of an offense
4 involving moral turpitude; and
- 5 g) Must not have any pecuniary interest directly or indirectly, in any
6 school, college, university or institution conferring an academic
7 degree necessary for admission to the practice of respiratory therapy
8 or where review classes in preparation for the licensure examination
9 are being offered or conducted, nor shall he/she be a member of the
10 faculty or the administration thereof at the time of his/her appointment
11 to the Board.

12 **SEC 6. Term of Office of the Board of Member.** – The Chairman
13 and the members of the Board shall hold office for a term of three (3) years or
14 until their successors shall have been appointed and duly qualified: *Provided,*
15 that member of the first Board to be appointed after the approval of this Act
16 shall hold office for the following terms: chairman for three years, one
17 member for two years, and the other member for one year: *Provided, further,*
18 that the Chairman or any member maybe reappointed for another term of
19 three years but in no case shall the whole term exceed six (6) years. Interim
20 vacancies in the Board shall be filled for the unexpired term only. Each
21 member of the first Board shall automatically be registered as respiratory
22 therapist and issued a certificate of registration and professional identification
23 card and shall take the proper oath of office prior to assumption of duty.

24 **SEC 7. Compensation and Allowance of the Board.** – The Chairman
25 and member of the Board, shall receive a compensation and allowance
26 comparable to that being received by the chairman and members of existing
27 regulatory boards under the Commission as provided for in the General
28 Appropriations Act.

29 **SEC 8. Powers and Functions of the Board.** – The Board shall have
30 the following powers and duties:

- 31 (a) Promulgate, administer and enforce rules and regulations
32 necessary for carrying out the Provisions of this Act;
- 33 (b) Administer oaths in connection to the administration of this Act;
- 34 (c) Study the condition affecting the practice of respiratory therapist
35 in the Philippines and adopt measures for the enhancement of the
36 profession and the maintenance of high professional ethical
37 standards. The Board may conduct ocular inspection at places
38 where registered respiratory therapists are employed or are
39 working, such as hospitals and clinics, to determine and enforce
40 compliance with the professional regulatory laws and the rules
41 and regulations promulgated pursuant hereto, to aid the Board in

- 1 formulating or revising policies relating to the practice of
2 respiratory therapy;
- 3 (d) Ensure, in coordination with the Commission of Higher Education
4 (CHED), that all educational institutions offering respiratory
5 therapy education comply with the policies, standards and
6 requirements of the course prescribed by CHED in the areas of
7 curriculum, faculty, library, and facilities;
- 8 (e) Supervise and regulate the registration, licensure and practice of
9 respiratory therapy in the Philippines;
- 10 (f) Adopt an official seal of the Board;
- 11 (g) Maintain a roster of respiratory therapists indicating therein the
12 basic information about the registered professional;
- 13 (h) Issue, reinstate, suspend or revoke the certificate of registration
14 and professional identification card or cancel special permits for
15 the practice of respiratory therapy;
- 16 (i) Prescribe and/or adopt a Code of Ethics and standard for the
17 practice of respiratory therapy;
- 18 (j) Hear or investigate any violations of this Act, its implementing
19 rules and regulations and the Code of Ethics for respiratory
20 therapists, and for this purpose, to issue *subpoena duces tecum* to
21 secure the appearance of the witnesses and the production of
22 documents in connection therewith: *Provided*, That the decision
23 of the board shall, unless appealed to the Commission, become
24 final and executory after fifteen (15) days from receipt of
25 judgment or decision;
- 26 (k) Determine and evaluate the qualifications of applicants for
27 registration with or without licensure examination and applicants
28 for special permits.
- 29 (l) Prescribed the subjects in the licensure examinations, determine
30 the syllabi of the subjects and their relative weights, construct the
31 test questions in the licensure examination, core and rate the
32 examination papers and submit the examination result to the
33 commission;
- 34 (m) Grant registration without examination subject to approval by the
35 commission;
- 36 (n) Issue special permits to persons admitted to the practice of
37 respiratory therapy for a specific duration of time, and certificates
38 of recognition for advance studies, researches and
39 accomplishments that contribute to the enrichment of the
40 profession;
- 41 (o) Adopt a program for the full computerization for the licensure

1 examinations;

2 (p) Prescribe guidelines and criteria in the continuing professional
3 education (CPE) program for respiratory therapist;

4 (q) Perform such other powers and functions as it may deem
5 necessary to carry out the objectives of this act.

6 The policies, resolutions, rules and regulations, order or decision
7 issued or promulgated by the Board shall be subject to the reviewed and
8 approval of the commission.

9 **SEC 9. *Suspension and/or Removal of Board Members.*** – Any
10 member of the Board may, upon the recommendation of the Commission
11 after the due process of law and investigation conducted by the Commission,
12 be suspended or removed by the President from office for cause such as
13 gross neglect of duty, incompetence, malpractice, unprofessionalism,
14 immorality, unethical or dishonorable conduct, final judgment of crimes
15 involving moral turpitude, manipulation or rigging of the licensure
16 examination results, disclosure of secret and confidential information in the
17 examination questions prior to the conduct of the said examination, and
18 tampering of grades.

19 **SEC 10. *Supervision of the Board, Custodian of its Records,***
20 ***Secretariat and Support Services.*** – The Board shall be under the
21 administrative supervision of the Commission. All records of the Board,
22 including applications, examination papers and results, minutes of the
23 deliberation, administrative cases, and other investigations involving
24 respiratory therapist shall be kept by the Commission.

25 The Commission shall designate the Secretary of the Board and shall
26 provide the secretariat and other support services to implement the provision
27 of this Act.

28 **SEC 11. *Annual Report.*** – The Board shall, at the close of each
29 calendar year, submit an annual report to the Commission, giving a detailed
30 account of each proceedings and accomplishments during the year and
31 recommending measures to be adopted, with the end in view of upgrading
32 and improving the conditions affecting the practice of respiratory therapy in
33 the Philippines.

34 **ARTICLE III**

35 **LICENSURE EXAMINATION AND REGISTRATION**

36 **SEC. 12. *Examinations Required.*** – All applicants for
37 registration for the practice of respiratory therapy shall be required to
38 undergo a licensure examinations to be given by the board in such
39 places and dates as the Commission may designate subject to
40 compliance with the requirements prescribed by the Commission.

41 **SEC. 13. *Qualifications of Applicants.*** – An applicant for the

1 licensure examination for respiratory therapist shall established to the
2 satisfaction of the Board, that:

3 (a) He/she is a citizen of the Philippines or if he/she is a
4 foreigner, must prove that the country of which he/she is a
5 subject or citizen thereof permits Filipino respiratory
6 therapist to practice within territorial jurisdiction on the
7 same basis as the subjects or citizens of such country:

8 (b) He/she has completed at least ten (10) months of internship
9 equivalent to a minimum of one thousand five hundred hours
10 (1500) of respiratory therapy clinical internship under
11 the supervision of a competent, duly qualified and registered
12 respiratory therapist;

13 (c) He/she is a graduate of Bachelor of Science in Respiratory
14 Therapy degree from a school, college or university in the
15 Philippines or abroad recognized and accredited by the
16 Commission on Higher Education (CHED);

17 (d) He/she is of good moral character;

18 (e) He/she must not have been convicted of an offense involving
19 moral turpitude by the competent court.

20 **SEC. 14. *Scope of Examinations.*** – The licensure
21 examination for respiratory therapists shall cover the following
22 subjects:

- 23 a) Patient Assessment and Electrocardiography
- 24 b) Cardiopulmonary Pathophysiology
- 25 c) Neonatal and Pediatric Respiratory Therapy
- 26 d) Mechanical Ventilation
- 27 e) Acid-Base Physiology and Blood Gas Interpretation
- 28 f) Airway Care and Management
- 29 g) Pulmonary Function Testing
- 30 h) Pulmonary Rehabilitation
- 31 i) Oxygen Therapy

32 The Board, subject to the approval of the Commission may
33 revise or exclude any of the subjects or add new ones as the need
34 arises.

35 **SEC. 15. *Ratings in the Examination.*** – To be qualified as
36 having passed the licensure examination of respiratory therapist, a
37 candidate must have obtained a general average of seventy five percent
38 (75%) with no grade lower than sixty percent (60%) in any given
39 subject.

40 **SEC. 16. *Registration without Examinations as Respiratory***
41 ***Therapists.*** – A person possesses the pertinent qualifications required

1 for admission in the examination for registration as a respiratory
2 therapist pursuant to the provisions in this Act may be registered without
3 examination, provided the applicant files with the Board within two (2)
4 years after its creation an application for registration and issuance of a
5 certificate of registration and professional identification card by
6 submitting credentials showing that the applicant, before the effectivity of
7 this Act, had obtained any of the following:

- 8 a) a Bachelor of Science degree in Respiratory Therapy with
9 at least five (5) years of full-time work experience in the
10 practice of respiratory therapy in the Philippines; or
- 11 b) a Bachelor of Science degree in allied health professions
12 with at least five (5) years of work experience in the practice of
13 respiratory therapy ;
- 14 c) a Certificate in Respiratory Therapy , Certificate in Pulmonary
15 Therapy , a Certificate for Associate in Respiratory Therapy ,
16 and a certificate for Associate in Pulmonary Therapy , with at
17 least eight (8) years of work experience in the practice of
18 respiratory therapy.

19 **SEC. 17. Reports of the Ratings.** – The board shall submit to the
20 Commission the ratings obtained by each candidate within ten (10) calendar
21 days after the examination, unless extended for just cause.

22 **SEC. 18. Oath of Respiratory Therapist.** – All successfully
23 examinees qualified for registration and all qualified applicants for
24 registration without examination shall be required to take an oath of
25 profession before any member of the board or any government official
26 authorized by the Commission to administer oath, prior to entering
27 into the practice of respiratory therapy in the Philippines.

28 **SEC. 19. Issuance of Certificate of Registration and**
29 **Professional Identification Card.** – The Commission, on
30 recommendation of the Board, shall issue a certificate of registration
31 and professional identification card to examinees who passed the
32 licensure examinations for respiratory therapist subject to payment of
33 fees prescribed by the Commission. The certificate of registration shall
34 bear the signature of the chairperson of the Commission and the
35 members of the Board, stamped with the official seal of the
36 Commission and of the Board, indicating that the persons named
37 therein is entitled to practice the profession with all the privileges
38 appurtenant thereto. This certificate of registration shall remained in full force
39 and effect until revoked or suspended in accordance with this Act.

40 A professional Identification card bearing the registration
41 number, date of issuance, expiry date, duly signed by the chairperson

1 of the Commission shall likewise be issued to every registrant who has
2 paid the prescribed fee and this shall be renewable every three years.

3 **SEC. 20. Refusal to register.** – The Board shall not register
4 any successful examinee who has been convicted by a court of
5 competent jurisdiction of any criminal offense involving moral
6 turpitude or has been found guilty of immoral or dishonorable conduct
7 after investigation by the Board, or has been declared to be of unsound
8 mind. The reason for the refusal shall be set forth in writing.

9 **SEC. 21. Indication of Certificate of Registration and Professional**
10 **Tax Receipt.** – The respiratory therapist shall be required to indicate
11 his/her registration number, including the professional tax receipt number
12 on the document he/she signed uses or issues in connection with the
13 practice of his/her profession.

14 **SEC. 22. Initials.** – The initials “RPRT” which stands for
15 Registered Philippine Respiratory Therapist, shall be added to the
16 name of the respiratory therapist who successfully passes the
17 examination specially when signing documents pertinent to the
18 practice of his/her profession.

19 **SEC. 23. Revocation and Suspension of the Certificate of**
20 **Registration and Professional Identification Card and Cancellation**
21 **of Special Permit.** – The Board may, after giving proper notice of hearing
22 to the party concern, revoke the practitioner's certificate of registration
23 and professional identification card or suspend him/her from the
24 practice of his/her profession or cancel his/her special permits for any
25 of the causes or grounds under Section 20 of this Act or any
26 unprofessional or unethical conduct, malpractice, violation of any of
27 the provision of this Act, its rules and regulations, the Code of
28 Ethics and Standards for respiratory therapists.

29 **SEC. 24. Reinstatement, Reissuance or Replacement of Certificate**
30 **of Registration and Professional Identification Card and**
31 **Temporary/Special Permit.** – Two years after the date of revocation,
32 the Board may, upon application and for reasons deemed proper and
33 sufficient, reinstate any revoked certificate of registration and reissue a
34 professional identification card, and in so doing, may, in its discretion,
35 exempt the applicant from taking another examination.

36 A new certificate of registration or temporary/special permit, to
37 replace lost, destroyed or mutilated ones may be issued subject to the rules
38 as implemented by the Board.

39 **SEC. 25. Roster of Respiratory Therapist.** – The Board
40 shall prepare, update and maintain a roster of respiratory therapists
41 which shall contain the name of each registered respiratory therapist,

1 his/her residence and office addresses, the date of registration and
2 issuance of certificate, and other data which the Board may deem
3 pertinent. The roster shall be open to the public, copies of which shall
4 be mailed to each person therein.

5 **SEC. 26. *Issuance of Special/Temporary Permit*** –
6 Special/temporary permit may be issued by the Board subject to the
7 approval of the Commission and payment of the fees the later has
8 prescribed and charged thereof to the following persons;

9 (a) A foreign respiratory therapist called for consultation or for a
10 specific purpose which, in the judgment of the Board, is
11 essential for the development of the country; *Provided*, that
12 his/her practice shall be limited only for a particular work
13 that he/she is being engaged: *Provided*, Further, that there
14 is no Filipino respiratory therapist qualified for such
15 consultation or specific purpose;

16 (b) A foreign respiratory therapist engaged as professor, lecturer
17 or critic in fields essential to respiratory therapy education in
18 the Philippines and his/her engagement confine to
19 teaching only; and

20 (c) A foreign respiratory therapist who is an internationally
21 recognized expert or with specialization in any branch of
22 respiratory therapy and his/her service is essential for the
23 advancement of respiratory therapy in the Philippines.

24 The permit shall, among other things, include these limitations
25 and conditions: for a validity period of not more than one (1) year
26 subject to renewal, the branch or specialty of respiratory therapy, and
27 the specific place of practice such as clinic, hospital, center,
28 school/college/university offering the course of respiratory therapy.
29 The Board, subject to the approval by the Commission, shall prescribe rules
30 and regulations on the implementation of this particular section.

31 **ARTICLE IV**

32 **PRACTICE OF RESPIRATORY THERAPY**

33 **SEC. 27. *Scope of the Practice of Respiratory Therapy.*** -

34 A registered respiratory therapist performs, but is not limited to, the
35 following functions under the direction of a physician:

36 a) Performs and recommends tentative interpretation of tests
37 obtained from physiological specimens which will assist in the
38 diagnosis and determination of the degree of impairment
39 of relevant aspect of cardio-pulmonary efficiency,

40 b) Implement treatment programs on the basis of test findings
41 within the scope of respiratory therapy;

- 1 c) Performs pulmonary function testing (PFT) maneuvers;
- 2 d) Perform cardio-pulmonary resuscitation and provide an
- 3 artificial airway;
- 4 e) Administers mechanical ventilatory support
- 5 f) Administer pharmacologic agents related to respiratory care
- 6 procedures
- 7 g) Offers broncopulmonary hygiene procedures to improve
- 8 pulmonary status;
- 9 h) Participates in the pulmonary rehabilitation of patient with
- 10 lung disorders;
- 11 i) Evaluates polysomnography studies
- 12 j) Assists in the performance of bronchoscopy procedures;
- 13 k) Participates in research programs and studies for the
- 14 advancement of the field of respiratory therapy
- 15 l) Teaches, lectures, and reviews subjects given in the
- 16 licensure examination.

17 **SEC. 28 . Prohibition on the Practice of Respiratory**
18 **Therapy.** – No person shall practice or offer to practice respiratory
19 therapy in the Philippines or offer himself/herself as respiratory
20 therapist, or use the title, word, letter, figure, or any sign tending to
21 convey the impression that he/she is a respiratory therapist, or
22 advertise or indicate in any manner whatsoever that he/she is
23 qualified to perform the work of a respiratory therapist unless he/she
24 has satisfactorily passed the licensure examination given by the Board,
25 except as otherwise provided in this Act, and is a holder of a valid
26 certificate of registration and professional identification card or a valid
27 temporary/special permit duly issued to him/her by the Board and the
28 Commission.

29 **SEC. 29. Prohibited Acts.** – No person shall:

- 30 (a) Engage in the practice of respiratory therapy by representing
- 31 himself/herself as a respiratory therapist without a valid
- 32 certificate of registration and professional identification card
- 33 or a valid temporary/special permit granted by the Board
- 34 pursuant to this Act;
- 35 (b) Represent himself/herself as a respiratory therapist during
- 36 the time that his/her certificate of registration and
- 37 professional identification card is not valid or has been
- 38 suspended or revoked, or that his/her temporary/special
- 39 permit is cancelled;
- 40 (c) Allow any body to use his/her certificate of registration and
- 41 professional identification card or temporary/special permit

1 as a respiratory therapist to enable such unqualified
2 individual to engage in the practice of respiratory therapy;

3 (d) Use as his/her own the certificate of registration and
4 professional identification card or temporary/special
5 permit of another.

6 **SEC. 30. *Employment of Respiratory Therapist in***
7 ***Pulmonary Units and Laboratories.*** – Hospitals, clinics, home care,
8 medical centers and similar establishments shall be required to employ
9 and station at least three (3) registered respiratory therapist, under
10 the direction of a physician, who shall be on duty for each shift to
11 ensure that the service they offer comply with professional standards.

12 **SEC. 31. *Code of Ethics and Standards for Respiratory Therapists.***
13 – The Board shall adopt and promulgate the Code of Ethics and
14 Standards for Respiratory Therapist prescribed and issued by the
15 accredited national organization of respiratory therapist.

16 **SEC. 32. *Continuing Professional Education (CPE) Program***
17 – All respiratory therapists shall abide by the requirement, rules and
18 regulations regarding continuing professional education as
19 promulgated by the Board in collaboration with the integrated
20 professional organization of respiratory therapists.

21 **SEC. 33. *Integration of Respiratory Therapists.*** – All
22 respiratory therapists shall be integrated into one (1) and only national
23 organization of registered respiratory therapists, upon the recognition
24 and accreditation by the Board subject to the approval by the
25 Commission. A respiratory therapist duly registered by the Board and
26 the Commission shall automatically become a member of the said
27 organization and shall receive the benefits and privileges appurtenant
28 thereto upon payment of required fees and dues. Membership in the
29 integrated organization shall not be a bar to membership in any other
30 association of respiratory therapists.

31 **SEC. 34. *Foreign Reciprocity*** – No foreigner shall be
32 admitted to the examination or be given a certificate of registration or
33 be entitled to any of the privileges under this Act unless the country of
34 which he/she is a subject or citizen specifically permits Filipino
35 respiratory therapists to practice within its territorial limits on the
36 same basis as the subjects or citizens of such foreign state or country.

37 **ARTICLE V**

38 **PENAL AND FINAL PROVISIONS**

39 **SEC. 35. *Penal Provision.*** – Any person who shall violate any
40 of the provisions of this Act or any of its implementing rules and
41 regulations as promulgated by the Board subject to the approval of the

1 Commission shall, upon conviction, be punished by a crime of not less
2 than Twenty Thousand Pesos (P 20,000.00) or by imprisonment of not
3 less than six (6) months, at the discretion of the court.

4 **SEC. 36. *Funding Provision.*** – The Chairman of the
5 Professional Regulation Commission shall include in the Commission's
6 programs the implementation of this Act, the funding of which shall be
7 included in the Annual General Appropriations Act.

8 **SEC. 37. *Implementing Rules and Regulations.*** – To
9 implement the provisions of this Act, the Board shall, subject to the
10 approval of the Commission and coordination with the integrated
11 and accredited professional organization, promulgate the rules and
12 regulations and the Code of Ethics for respiratory therapists within
13 ninety (90) days after the effectivity of this Act.

14 **SEC. 38. *Interpretation of This Act.*** – Nothing in this Act
15 shall be construed to effect or prevent the practice of any other legally
16 recognized profession.

17 **SEC. 39. *Separability Clause.*** – Any section or provision of
18 this Act shall be declared invalid or unconstitutional, such shall not
19 invalidate any other section or provision to this Act.

20 **SEC. 40. *Repealing Clause.*** – All laws, decrees, orders,
21 issuance, or parts thereof, which are consistent with the provisions
22 of this Act are hereby repealed, modified or superseded.

23 **SEC. 41. *Effectivity.*** – This Act shall take effect after fifteen
24 (15) days following its publication in two (2) major newspapers
25 national circulation.

26 Approved.