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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 12, Section 14, provides:

The sustained development of a reservoir of national talents consisting of Filipino scientists, entrepreneurs, professionals, managers, high-level technical manpower, and skilled workers and craftsmen in all fields shall be promoted by the State.

In line with this Constitutional mandate, Republic Act No. 8981 created the Professional Regulation Commission (PRC) to administer, implement, and enforce regulatory policies of the national government with respect to the regulation and licensing of the various professions under its jurisdiction, including the enhancement and maintenance of professional and occupational standards and ethics and the enforcement of the rules and regulations relative thereto.

Moreover, the Professional Regulatory Boards (PRBs), which are under the administrative supervision of the PRC, are tasked to monitor the conditions affecting professional practices under their respective jurisdictions and whenever necessary, to adopt such measures as may be deemed proper for the enhancement of the profession and/or the maintenance of high professional, ethical and technical standards.

Thus, the Continuing Professional Education (CPE) is vital and necessary to enhance and maintain high professional, ethical and technical standards in the practice of the professions, particularly for the State-Registered and Licensed Professionals (RLPS) identified by the PRBs to be in the most need of CPEs for varying reasons, needs and requirements.

Obviously, there is an urgent need to institute measures that shall strengthen the CPE program for the RLPs who shall be deemed most in need of the same.

Hence, this bill takes into account the value of active professional practice as a legitimate source of CPE knowledge or skillsets. This bill also takes cognizance of the prior legislative history of CPE, particularly at the Senate, As well as jurisprudence (Supreme Court decisions) on CPE over the last 10 to 15 years.


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- 1 b. “APO, Integrated” refers to the Integrated Accredited Professional Organization as
2 defined by law. To qualify as an Integrated APO, the concerned professional
3 organization must have in its roster of members in good standing the following:
- 4 1) A minimum of forty percent (40.0%) of the Registered Professionals (RPs) for
5 the pertinent profession; and
- 6 2) A minimum of eighty percent (80%) of the Registered and Licensed
7 Professionals (RLPs) for the pertinent profession for the last three (3) fiscal
8 years;
- 9 c. “Continuing Professional Education” or “CPE” refers to the inculcation, assimilation
10 and acquisition of knowledge, skills, proficiency and ethical and moral values, after
11 the initial registration and licensing of a professional, that raise and enhance the
12 professional’s technical skills and competence;
- 13 d. “CPE Provider” refers to a natural person or a juridical entity which include among
14 others, accredited or non-accredited professional organization, firm, partnership,
15 corporation or institution which offers, organizes or arranges CPE programs,
16 activities or sources for implementation or administration;
- 17 e. “CPE Programs, Activities or Sources” refers to the regime of CPE which enhance
18 the competence of the professional by upgrading or updating knowledge and skills for
19 the profession as brought about by modernization and scientific and technical
20 advancements in the profession. The scope shall be beyond the basic preparation for
21 admission to the practice of the regulated profession. Its content shall be related to the
22 practice of the profession.
- 23 f. “Classification” refers to the process of qualifying, rating and stratifying the
24 capabilities of professionals to properly determine their CPE needs or requirements or
25 eligibilities.
- 26 g. “Conventions” refers to the gathering of registered and licensed professionals which
27 shall include, among others, conferences, symposia or assemblies for round table
28 discussions;

- 1 h. "Other Associations of Professionals (OAPS)" refer to associations other than the
2 APOS, which may be equally capable of offering CPE programs. To qualify as an
3 OAP, the concerned professional organization must have in its roster the following:
- 4 1) A minimum of one-fourth (1/4) of one percent (1.0%) or 0.0025 of the
5 Registered Professionals (RPs) for the pertinent profession as members in
6 good standing; and
 - 7 2) A minimum of one-fifth (1/5) of one percent (1.0%) or 0.002 of the
8 Registered and Licensed Professionals (RLPs) for the pertinent profession as
9 members in good standing.
- 10 i. "Post Graduate Degree Program" refers to masteral or doctoral degree which the
11 professional is currently enrolled;
- 12 j. "PRC" or "Commission" refers to the Professional Regulation Commission;
- 13 k. "PRBs" refer to the Professional Regulatory Boards;
- 14 l. "Practice of a Profession" refers to a privilege granted to a duly-qualified natural
15 person permitted by the state to practice a specific regulated profession in full
16 compliance with the pertinent Professional Regulatory Law (PRL).
- 17 m. "Profession" refers to the government-regulated acts, practices and worksopes that
18 may be undertaken or engaged in by a professional in full compliance with law.
- 19 n. "Professional" or "Registered and Licensed Professional" (RLP) refers to a
20 government-registered and licensed natural person permitted to practice a specific
21 regulated profession in full compliance with law.
- 22 o. "Professional Regulatory Law (PRL)" refers to the statute that governs the practice of
23 a profession by professionals either as natural persons or as duly-permitted juridical
24 persons.
- 25 p. "Registered Professional" (RP) refers to a government-registered natural person who
26 has passed the licensure examination and who has subsequently received a certificate
27 from the commission to practice in accordance with law. The certificate must be
28 supported by a license in the form of a PRC identification card to make such practice
29 lawful.

- 1 q. "Self-Directed Learning Package" refers to learning which uses course manuals or
2 accredited learning modules. Accredited learning modules include self-instructional
3 materials or programs which may be in the form of printed manual, audio and video
4 cassette tapes, films, computer-assisted learning, study kits, learning aids and
5 modules or the use of information highway and has defined objectives and adequate
6 content relative to professional practice.
- 7 r. "Specialization" refers to further qualifications that may be attained by professionals
8 to lead to a specialized practice of a profession.
- 9 s. "Specialization Certificate" refers to a document issued by the PRB to a professional
10 to attest to the capability to engage in a specialized line of practice of a profession,
11 which may be partly or substantially attained through the use of CPE Credit Units
12 (CUS) and the passing of subsequent qualifying interviews by the PRB.

13 SECTION 4. *Strengthening the CPE Program.* – The existing CPE Program of the
14 Commission is hereby institutionalized and strengthened, and along with this, there shall be
15 formulated and implemented a CPE Program in each of the regulated professions with the
16 following objectives:

- 17 a) To provide and ensure the continuous education of a RLP with the latest trends in the
18 profession brought about the modernization and scientific and technological
19 advancement, without abridging free choice and self determination by such a RLP as
20 to matters of self-improvement and career advancement that shall be based on the
21 RLP's perceived needs and capabilities;
- 22 b) To raise and maintain the professionals' capability in delivering quality professional
23 services as applicable;
- 24 c) To attain and maintain the highest standards and quality in the practice of
25 professions;
- 26 d) To comply with the professionals' continuing ethical requirements;
- 27 e) To make the professionals globally competitive, as applicable; and
- 28 f) To promote the general welfare of the public.

1 SECTION 5. *Nature of CPE Programs.* – The CPE programs consist of properly planned
2 and structured activities, the implementation of which requires the participation of a determined
3 group of professionals to meet the requirements of maintaining and improving the occupational,
4 technical and ethical standards of professions. These shall include but not limited to the
5 following:

- 6 1) Lectures, trainings, seminars and/or workshops to enhance the lawful practice of a
7 profession or to obtain/ upgrade/ update knowledge in the specialized practice of a
8 profession;
- 9 2) Conduct of conventions, conferences and meetings of accredited professional
10 organizations and of other associations of professionals;
- 11 3) Academic programs (diploma, graduate and post-graduate degree programs) in
12 conjunction with the CHED Expanded Tertiary Education Equivalency Program
13 (ETEEAP);
- 14 4) Self-Directed Learning Packages such as the preparation and authorship of technical
15 papers, teaching manuals and books; and
- 16 5) Technical Tours and Workshops; and
- 17 6) Professional Exchange Programs.

18 SECTION 6. *Program Implementation.* – The overall implementation of the CPE
19 Program shall be undertaken by the Commission and the PRBs which shall:

- 20 1) Conduct the formulation and review of CPE Program in their respective regulated
21 professions;
- 22 2) Formulate, adopt and promulgate guidelines and procedures for the implementation
23 of the CPE Program;
- 24 3) Organize CPE Councils for each of the regulated professions and promulgate
25 guidelines for their operation;
- 26 4) Coordinate with concerned government agencies and private organizations in the
27 implementation of CPE Program and other measures provided under this Act.

1 SECTION 7. *CPE Council.* – There is hereby created a CPE Council in every regulated
2 profession which shall be under the supervision of the concerned PRB and shall be composed of
3 a chairperson and two (2) members.

4 The chairperson of each of the CPE Council shall be the chairperson of the PRB, the first
5 member is the president or officer of the APO and the second member is the President or Officer
6 of the national organization of deans or department chairman of schools, colleges or universities
7 offering the course of the regulated profession, and in case of the absence of this organization,
8 the second member shall be appointed by PRC chosen from the recommendees of the PRB of the
9 professionals from the academic sector.

10 The term of office of the chairperson and members of the CPE Council shall be co-
11 terminus with their respective term of office in the PRB, APO and the national organization of
12 deans and department chairman of schools, colleges or universities.

13 The CPE Council shall also determine its budget, including travel expenses, allowances
14 and *per diems* when attending official CPE council meetings or attending to matters assigned to
15 them.

16 SECTION 8. *Functions of the CPE Council.* – The CPE Council for each profession shall
17 have the following functions:

- 18 a) Evaluate and approve applications for accreditation of CPE providers;
- 19 b) Evaluate and approve application for accreditation of CPE programs, activities or
20 sources as to their relevance to the profession and determine the number of CPE
21 credit units (CUs) to be earned on the basis of the contents of the program, activity or
22 source submitted by the CPE providers;
- 23 c) Evaluate and approve applications from exemption from CPE requirements;
- 24 d) Monitor the implementation of the CPE providers on their programs, activities or
25 sources;
- 26 e) Assess periodically and upgrade criteria for accreditation of CPE providers and CPE
27 programs, activities or sources; and

1 f) Perform such other functions that may be incidental to the implementation of CPE
2 programs or policies

3 SECTION 9. *Secretariat.* – A CPE Council Secretariat is hereby created under the
4 Commission which shall be headed by an Executive Director to be appointed by the chairperson
5 of PRC. The CPE Council Secretariat shall provide technical, administrative and operational
6 support to the CPE Councils and PRBs in the implementation of CPE programs.

7 SECTION 10. *Classification of professionals according to CPE needs.* – The
8 commission and PRBs shall formulate and promulgate guidelines to implement the provision of
9 this Act, including the classification of professionals according to their perceived or applicable
10 CPE needs or requirements or eligibilities, the use of CUS as inputs to the grant of specialization
11 certificates by the PRBs and the subsequent listing of professionals by specialization.

12 SECTION 11. *Mandatory Requirement for the Renewal of Professional License and in*
13 *the Accreditation System for the Practice of Professions.* – The CPE for every professional
14 registered with the Commission for a continuing or aggregate period of twenty (20) years or less
15 is hereby made as a mandatory requirement for the renewal of a professional license and in the
16 accreditation, classification and specialization systems on the practice of a profession.

17 CPE shall also be mandatory for all professionals, regardless of length of registration or
18 practice, and who are in the academe or who are desirous of engaging in local super regional or
19 national practices, international practices, whether at the regional international or worldwide
20 level, particularly in practices covered by bilateral or multilateral or plurilateral agreements.

21 SECTION 12. *Optional Requirement for the Renewal of Professional License and in the*
22 *Accreditation System for the Practice of Professions.* – The CPE for every professional
23 registered with the commission for a continuing or aggregate period of more than twenty (20)
24 years but for less than forty (40) years, is hereby made as an optional requirement for the renewal
25 of a professional license and in the accreditation, classification and specialization systems on the
26 practice of a profession.

1 As such, CPE for such professionals shall be undertaken on a voluntary basis in
2 accordance with the RLP's desire for new knowledge or skillsets, self improvement, career
3 advancement, specialization/s or peer recognition.

4 CPE shall also be voluntary for such professionals desirous of engaging in local practices,
5 whether at the *barangay*, municipality or city, provincial or regional levels.

6 SECTION 13. *Non-Mandatory Requirement for the Renewal of Professional License and*
7 *in the Accreditation System for the Practice of Professions.* – The CPE for every professional
8 registered with the commission for a continuing or aggregate period of more than forty (40)
9 years is hereby made as a non-mandatory requirement for the renewal of a professional license
10 and in the accreditation, classification and specialization systems on the practice of a profession.

11 The same applies to RLPs who have special academic qualifications such as but not
12 limited to:

- 13 1) RLPs who are holders of three (3) graduate (masteral) degrees or holders of two
14 (2) post-graduate (doctoral) degrees or holders of one (1) post-graduate (doctoral)
15 degree and two (2) graduate (masters) degrees;
- 16 2) A RLP who is a recipient of a major national government award for science or the
17 arts; and
- 18 3) A RLP who is a recipient of a major international award for science or the arts.

19 The same applies to RLPs who have served and consistently upheld the interests of their
20 respective professions in public or private capacities, such as but not limited to:

- 21 1) Duly-qualified senior officers of the APO who have served with distinction;
- 22 2) Duly-qualified PRB members who have served with distinction; and
- 23 3) Duly qualified APO members or fellows or fellows emeritus who have served with
24 distinction.

25 The PRB or the commission, as applicable, may grant the necessary CPE exemptions in
26 the case of the latter upon receipt of the pertinent applications for exemption.

1 SECTION 14. *CPE by RLP Self-Accreditation.* – Inasmuch as active professional
2 practice requires RLPs to continually keep abreast with developments in the practice, CPE by
3 self accreditation shall be an accepted mode of Credit Unit (CU) acquisition, *provided* that such
4 acquired CPE-based knowledge is fully documented and submitted to or reviewed or approved
5 by the pertinent PRB, and *provided further*, that the RLP applying for CUS must pass a
6 qualifying interview by the PRB.

7 SECTION 15. *Generated CPE Literature and APO CPE Library.* – Hard and soft
8 (electronic) copies of CPE literature shall be made available to availing RLPs for a fee, provided
9 that the author (or his/her successors/ assigns) of such CPE literature shall retain ownership and
10 copyright under applicable law. However, electronic digests or briefs of the same shall be made
11 freely available online by the CPE provider. The APO must maintain a CPE library containing
12 both hard and soft CPE literature for use by all of its members.

13 SECTION 16. *Use, Applications and Incentives.* – CPE credit units earned by a
14 professional shall be applied for its equivalency in the training requirement for the promotion of
15 positions in the government agencies and private firms and the teaching positions in academic
16 institutions.

17 CPE programs attended by RLPs shall also form part of the qualifications to be evaluated
18 by Bids and Award committees (BACs) particularly for a RLP nomination to a position for a
19 government project under the pertinent provisions of the Government Procurement Reform Act
20 (GRPA). As such, CPE programs attended shall be a required statement in a RLP's curriculum
21 vitae, resume or bio-data for such an evaluation.

22 For work on government projects such as the performance of consulting services lasting
23 over twelve (12) months, the concerned RLP appointed/ commissioned for a position in the
24 government project must update his/her CPE Program related to the government project and
25 promptly report the CUs earned to the project manager and to the head of agency. Attendance in
26 the CPE training during the pendency of the appointment shall be considered as official time on
27 the government project.

1 SECTION 17. *Role of the Accredited Professional Organization.* – The APO shall assist
2 the Commission and PRB in the implementation of the CPE Program and for this purpose,
3 organize a CPE Committee. The APO shall submit a midyear and annual reports to the PRB
4 anent the conduct of the CPE programs including the financial aspects of the administration of its
5 CPE Program.

6 SECTION 18. *Role of the Other Associations of Professionals (OAPs).* – The other
7 associations of professionals may offer separately-evolved, pioneering, complementing,
8 supplemental or alternative CPE programs independent of the APOs. The OAPs, as well as all
9 other CPE providers shall similarly make midyear and annual reports to the PRB anent the
10 conduct of the CPE programs including the financial aspects of the administration of their CPE
11 programs.

12 SECTION 19. *Role of Concerned Government Agencies and the Private Sector.* – All
13 concerned government agencies and private firms and organizations employing professionals
14 shall include the CPE as part of their human resource development plan and program and
15 allocate the necessary funding requirement for the attendance of their professionals in CPE
16 programs.

17 SECTION 20. *Funding.* – The amount necessary to carry out this Act shall be
18 incorporated under the appropriation of the Commission in the General Appropriations Act.
19 Further, the annual funding requirement for the implementation of this Act shall be sourced from
20 the annual income of the Commission.

21 SECTION 21. *Implementing Rules and Regulations.* The Commission together with the
22 PRBs within six (6) months upon the enactment of this Act and in consultation with the APOs
23 shall promulgate the necessary rules and regulations to implement this Act and cause its proper
24 publication as provided by law.

1 SECTION 22. *Fraud Relating to CPE.* – Fraudulent acts relating to compliances and the
2 implementation and enforcement of this act shall be punishable by the pertinent provisions of the
3 Penal Code and the Civil Code as well as of other applicable law.

4 In the case of professionals committing fraudulent acts relating to CPE, the penalty shall
5 be the suspension or revocation of the professional registration and/or license or of the
6 specialization certificate, depending on the gravity of the offense.

7 In the case of government officials party to fraud relating to CPE, additional penalties
8 may imposed in relation to violations of anti-graft laws, the administrative code and the code of
9 conduct of public officials.

10 SECTION 23. *Separability Clause.* – If any provision of this Act shall be declared
11 unconstitutional, any other provision not affected thereby shall remain in full force and effect.

12 SECTION 24. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or
13 parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

14 SECTION 25. *Effectivity.* – This Act shall take effect fifteen (15) days after its
15 publication in at least two (2) newspapers of general circulation.

Approved,