



SENATE

S. No. 454

INTRODUCED BY SENATOR TRILLANES IV

AN ACT REGULATING THE REGISTRATION, LICENSURE,
AND PRACTICE OF OCCUPATIONAL THERAPY,
PROVIDING FUNDS THEREFOR AND FOR OTHER
RELATED PURPOSES

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

1 SECTION 1. *Short Title of Act.* – This Act shall be
2 known as “The Philippine Occupational Therapy Law of
3 2018”.

4 SEC. 2. *Statement of Policy.* – The State recognizes
5 the importance of occupational therapists in nation
6 building. Hence, it shall develop and nurture competent,
7 virtuous, productive and well-rounded occupational
8 therapists whose standards of practice and service shall be

1 excellent, world class and globally competitive through
2 inviolable, honest, effective and credible licensure
3 examinations and through regulatory measures, programs
4 and activities that foster their continuing professional
5 growth.

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

8 a) *Occupational therapy* – is a client-centered
9 health profession concerned with promoting health and
10 well-being through occupation. The primary goal of
11 occupational therapy is to enable people to participate in
12 the activities of everyday life. Occupational therapists
13 achieve this outcome by working with people and
14 communities to enhance their ability to engage in the
15 occupations they want to, need to, or are expected to do, or
16 by modifying the occupation or the environment to better
17 support their occupational engagement.

18 b) *The Scope and Nature of the Practice of*
19 *Occupational Therapy* – shall embrace, but is not limited
20 to, the analysis and application of purposeful and

1 meaningful activities need to, or are expected to do, or by
2 modifying the occupation or the environment to better
3 support their occupational engagement.

4 c) *The Scope and Nature of the Practice of*
5 *Occupational Therapy* – shall embrace, but is not limited
6 to, the analysis and application of purposeful and
7 meaningful activities specifically directed to occupational
8 performance in the areas of self-care, work, play, and
9 leisure. Reference to occupation is in the context of the
10 individual's goal-directed use of time, energy, interest, and
11 attention. Upon referral, occupational therapists interpret
12 and intervene or address problems impeding functional or
13 adaptive performance. The purpose is to prevent
14 limitations in participation, and to promote, maintain, or
15 restore occupational performance, health, and psychosocial
16 wellbeing. Occupational therapy may be part of the health
17 and/or social services in hospitals, community settings
18 such as residential, vocational, and leisure centers, schools,
19 day programs, private agencies, the academe, clinics, the

1 work place and other organizations which provide
2 preventive or health promotive services.

3 d) *Occupational Therapist* – refers to a person who
4 is a holder of a valid registration and professional license
5 issued by the Board of Occupational Therapy and the
6 Professional Regulation Commission, and who is legally
7 qualified to practice occupational therapy in the
8 Philippines pursuant to this Act.

9 ARTICLE II

10 CREATION OF THE PROFESSIONAL REGULATORY

11 BOARD OF OCCUPATIONAL THERAPY

12 SEC. 4. *Creation and Composition of the Board.* –

13 There is hereby created a Board of Occupational Therapy,
14 hereafter referred to as the Board, under the
15 administrative supervision of the Professional Regulation
16 Commission, hereinafter referred to as the Commission,
17 composed of a chairperson and two (2) members appointed
18 by the President of the Philippines within six (6) months
19 from the enactment of this Act upon the recommendation
20 of the Commission from among occupational therapists of

1 recognized standing nominated by the accredited and
2 integrated professional organization of occupational
3 therapists.

4 SEC. 5. *Powers and Functions of the Board.* – The
5 Board shall have the following powers and functions:

6 a) Promulgate, administer, and enforce rules and
7 regulations necessary for carrying out the provisions of this
8 Act;

9 b) Supervise and regulate the registration,
10 licensure and practice of occupational therapy in the
11 Philippines;

12 c) Administer oaths in connection with the
13 administration of this Act;

14 d) Adopt an official seal of the Board;

15 e) Maintain a roster of occupational therapists
16 indicating therein the basic information about the
17 registered professionals;

18 f) Issue, reinstate, suspend, cancel or revoke the
19 registration and license, or special permits for the practice
20 of occupational therapy;

1 g) Study and monitor conditions affecting the
2 practice of occupational therapy and adopt such measures
3 as may be deemed necessary for the enhancement of the
4 profession and maintenance of high professional and
5 ethical standards;

6 h) Ensure, in collaboration with the Commission on
7 Higher Education (CHED) or its equivalent, that all
8 educational institutions offering occupational therapy
9 education comply with the prescribed policies, standards,
10 and guidelines;

11 i) Prescribe the Code of Ethics and Standards of
12 Practice for occupational therapists endorsed by the
13 accredited and integrated professional organization of
14 occupational therapists;

15 j) Hear or investigate any violations of this Act, its
16 implementing rules and regulations and the Code of
17 Ethics, and for this purpose, issue *subpoena duces tecum*
18 and/or *ad testificandum* to secure the appearance of the
19 witnesses and the production of documents in connection
20 therewith: *Provided*, That the decision of the Board shall,

1 unless appealed to the Commission, become final and
2 executory after fifteen (15) days from receipt of judgment
3 or decision;

4 k) Prescribe guidelines and criteria in the Continuing
5 Professional Development (CPD) program for occupational
6 therapists;

7 l) Prescribe the subjects in the licensure examination
8 and table of specifications, determine the syllabi of the
9 subjects and their relative weights, score and the rate
10 examination papers, and submit the results to the
11 Commission within the period provided for in the rules of
12 the Commission;

13 m) Administer the examinations to applicants for
14 the practice of occupational therapy in accordance with the
15 provisions of this Act;

16 n) Adopt a program for the full computerization of
17 the licensure examination;

18 o) Grant registration without examination subject
19 to approval by the Commission;

1 p) Issue special permits to persons admitted to the
2 practice of occupational therapy for a specific duration of
3 time, and certificates of recognition for advanced studies,
4 researches and accomplishments that contribute to the
5 enrichment of the profession; and

6 q) Perform such other powers and functions as
7 deemed necessary to carry out the objectives of this Act.

8 The policies, resolutions, rules and regulations,
9 orders or decisions issued or promulgated by the Board
10 shall be subject to review and approval of the Commission.

11 SEC. 6. *Qualifications of Board Members.* – The
12 members of the Board shall, at the time of their
13 appointment, possess the following qualifications:

14 a) A resident of the Philippines for at least (5)
15 years;

16 b) A duly registered occupational therapists under
17 this Act, with a valid certificate of registration and
18 professional license;

1 c) Has engaged in rendering occupational therapy
2 services for at least five (5) continuous years immediately
3 preceding appointment;

4 d) A member of good standing of the accredited and
5 integrated professional organization of occupational
6 therapists, and not an officer thereof;

7 e) Has no prior conviction by any competent court,
8 of an offense involving moral turpitude; and

9 f) Has no pecuniary interest, directly or indirectly,
10 in any school, college or university or institution conferring
11 an academic degree necessary for admission to the practice
12 of occupational therapy; or where review classes in
13 preparation for licensure examination are offered or
14 conducted; nor be a member of faculty or administration
15 thereof.

16 SEC. 7. *Term of Office.* – The members of the Board
17 shall hold office for a term of three (3) years or until their
18 successors have been appointed and duly qualified:
19 *Provided,* That members of the first Board to be appointed
20 after the approval of this Act shall hold office for the

1 following terms: the chairperson for three (3) years, one
2 member for two (2) years, and the other member for one (1)
3 year: *Provided, further,* That a chairperson or member
4 may be re-appointed for a second term, but may not serve
5 more than two (2) consecutive three-year terms or six (6)
6 consecutive years. Interim vacancies shall be filled for the
7 unexpired term only.

8 SEC. 8. *Removal of Board Members.* – Any member
9 of the Board may, upon the recommendation of the
10 Commission after due process of law and investigation
11 conducted by the Commission, be suspended or removed by
12 the President from office for cause such as gross neglect of
13 duty, incompetence, malpractice, unprofessionalism, immorality,
14 unethical or dishonorable conduct, final judgment of crimes
15 involving moral turpitude, and manipulating or rigging of the
16 licensure examination results, disclosure of secret and
17 confidential information in the examination questions prior
18 to the conduct of the said examination, or tampering of
19 grades.

1 SEC. 9. *Compensation and Allowances of the Board.*

2 – The Chairperson and members of the Board shall receive
3 compensation and allowances comparable to that being
4 received by the chairpersons and members of existing
5 regulatory boards under the Commission as provided for in
6 the General Appropriations Act.

7 SEC. 10. *Supervision of the Board, Custodian of*
8 *Records, Secretariat, and Support Services.* – The Board
9 shall be under the administrative supervision of the
10 Commission. All records of the Board, including
11 applications for examination, examination papers and
12 results, minutes of deliberation, administrative cases, and
13 other investigations involving occupational therapists,
14 shall be kept by the Commission.

15 The Commission shall designate the Secretary of
16 the Board and shall provide the secretariat and other
17 support services to implement the provisions of this Act.

18 SEC. 11. *Annual Report.* – The Board shall, at the
19 close of each calendar year, submit an annual report to the
20 Commission, giving a detailed account of its proceedings

1 and accomplishments during the year and recommending
2 measures to be adopted, with the end in view of upgrading
3 and improving the conditions affecting the practice of
4 occupational therapy in the Philippines.

5 ARTICLE III

6 LICENSURE EXAMINATION AND REGISTRATION

7 SEC. 12. *Examination Required.* – All applicants for
8 registration for the practice of occupational therapy shall
9 be required to undergo a licensure examination to be given
10 by the Board in such places and dates as the Commission
11 may designate subject to compliance with the requirements
12 prescribed by the Commission.

13 SEC. 13. *Qualifications for Examination.* – An
14 applicant for the licensure examination for occupational
15 therapists shall establish, to the satisfaction of the Board,
16 that the following qualifications are met:

- 17 a) A citizen of the Philippines or a foreigner whose
18 country has reciprocity agreement with the Philippines;
19 b) Has not been convicted of an offense involving
20 moral turpitude; and

1 c) A graduate of a Bachelor of Science in
2 Occupational Therapy degree or its equivalent degree as
3 determined by the Board from a school, college or
4 university in the Philippines or abroad whose occupational
5 therapy program is recognized by the CHED.

6 SEC. 14. *Scope of Examination.* – The licensure
7 examination for occupational therapists shall cover the
8 basic sciences and health science foundations integrated
9 into the following domains:

10 a) Occupational Therapy Application 1

11 1) Occupational Therapy Theories and Frames of
12 Reference

13 2) Growth and Human Development

14 3) Occupational Performance and Behavior Across
15 the Lifespan

16 4) Occupational-based practice

17 b) Occupational Therapy Application 2

18 1) Adult Physical Dysfunction

19 2) Occupational Therapy in Pediatrics

20 3) Occupational Therapy in Geriatrics

- 1 4) Psychosocial Dysfunction
- 2 5) Community-based Practice
- 3 c) Occupational Therapy Application 3
- 4 1) Professional Reasoning and Behavior
- 5 2) Professional Competence and Ethics
- 6 3) Organization, Administration and Management
- 7 4) Research Process

8 The Board, subject to the approval by the Commission,
9 may revise or exclude any of the subjects or add new ones
10 as the need arises, and may adjust or modify the
11 percentage weight of the subjects in order to keep the
12 examination abreast and in conformity with the latest
13 developments in the profession here and abroad.

14 SEC. 15. *Ratings in the Examination.* – To be
15 qualified as having passed the licensure examination for
16 occupational therapists, a candidate must have obtained a
17 general average of seventy-five percent (75%), with no
18 grade lower than sixty percent (60%) in any given subject.

19 SEC. 16. *Report of Ratings.* – The Board shall
20 submit to the Commission the ratings obtained by each

1 candidate within ten (10) calendar days after the
2 examination, unless extended for just cause.

3 SEC. 17. *Issuance of the Certificate of Registration,*
4 *Professional License, and Professional Identification Card.*

5 – Registration and a professional license shall be issued to
6 examinees who pass the licensure examination for
7 occupational therapists subject to payment of fees
8 prescribed by the Commission. The registration and
9 professional license shall bear the signature of the
10 chairperson of the Commission and the members of the
11 Board, stamped with the official seal, indicating that the
12 person named therein is entitled to practice the profession
13 with all the privileges appurtenant thereto. The
14 registration and license shall remain in full force and effect
15 until revoked or suspended in accordance with this Act.

16 SEC. 18. *Initial.* – The initials OTRP, which stands
17 for Occupational Therapists Registered Philippines, shall
18 be used following the name of the registered occupational
19 therapist, especially when signing documents pertinent to
20 the practice of the profession.

1 SEC. 19. *Refusal to Register.* – The Board shall
2 refuse to register any successful examinee who has been
3 convicted by a court of competent jurisdiction of any
4 criminal offence involving moral turpitude, or has been
5 found guilty of immoral or dishonorable conduct after
6 investigation by the Board, or has been declared to be of
7 unsound mind. The reason for the refusal shall be set forth
8 in writing.

9 SEC. 20. *Reinstatement, Re-issuance or Replacement*
10 *of Certificate of Registration and Professional License.* –
11 Two (2) years after the date of revocation, the Board may,
12 upon application and for reasons deemed proper and
13 sufficient, reinstate any revoked certificate of registration
14 or professional license, and in so doing, may, in its
15 discretion, exempt the applicant from taking another
16 examination.

17 A new certificate of registration, professional
18 license, or special permit, to replace lost, destroyed, or
19 mutilated ones, may be issued subject to the rules as
20 implemented by the Board.

1 SEC. 21. *Oath of Occupational Therapists.* –
2 Successful examinees qualified for registration, and
3 qualified applicants for registration without examination,
4 shall be required to take an oath of profession before any
5 member of the Board or any government official authorized
6 by the Commission to administer oaths, prior to entering
7 into the practice of occupational therapy in the Philippines.

8 SEC. 22. *Indication of Licensure and Privilege Tax*
9 *Receipt.* – The occupational therapist shall be required to
10 indicate his/her registration/professional license number
11 and date of issuance thereof, the duration of validity of
12 said license, including his/her privilege tax receipt number,
13 on the documents he/she signs, uses or issues in connection
14 with the practice of his/her profession.

15 SEC. 23. *Revocation or Suspension of the Certificate*
16 *of Registration and Cancellation of Special Permit.* – The
17 Board may, after giving proper notice of hearing to the
18 party concerned, revoke the practitioner's certificate of
19 registration and professional license, or be suspended from
20 the practice of the profession; or cancel the special permit

1 for any of the causes or grounds mentioned in Section 25 of
2 this Act or for any unprofessional or unethical conduct,
3 malpractice, violation of any of the provisions of this Act,
4 its rules and regulations, the Code of Ethics, and
5 Standards of Practice for occupational therapists.

6 SEC. 24. *Roster of Occupational Therapists.* – The
7 Board shall prepare, update and maintain a roster of
8 occupational therapists which shall contain the name of
9 each registered occupational therapist, his/her residence
10 and office addresses, the date of registration and issuance
11 of certificates, and other data which the Board may deem
12 pertinent. The roster shall be open to the public, copies of
13 which shall be mailed to each person listed therein.

14 SEC. 25. *Issuance of Special and Temporary Permit.* –
15 Special or temporary permits upon recommendation of the
16 integrated professional organization of occupational
17 therapists may be issued by the Board, subject to the
18 approval by the Commission and payment of the fees the
19 latter has prescribed and charges, to the following persons:

1 a) Foreign-licensed occupational therapists called
2 for consultation or a specified purpose that is deemed
3 essential to national development: *Provided*, That the
4 practice shall be limited only for the particular work being
5 engaged: *Provided, further*, That there is no Filipino
6 therapists qualified for such consultation or purpose;

7 b) Foreign-licensed occupational therapists whose
8 service shall be free and who are highly needed under
9 particular settings;

10 c) Foreign-licensed occupational therapists engaged
11 as professors, lecturers, or critics in fields essential to
12 occupational therapy education in the Philippines, whose
13 engagement is limited to teaching only; and

14 d) Foreign-licensed occupational therapist recognized
15 as an expert or specialist whose service is deemed essential
16 to the advancement of the profession in the Philippines.

17 The permit shall among other things, include these
18 limitations and conditions: valid only for a period of not
19 more than one (1) year subject to renewal; the branch or
20 specialty of occupational therapy which the permit holder

1 can practice; and the specific place or places of practice
2 such as clinic, hospital, center, school/college/university
3 offering the course of occupational therapy. The Board,
4 subject to the approval by the Commission, shall prescribe
5 rules and regulations for the implementation of this
6 particular section.

7 ARTICLE IV

8 PRACTICE OF OCCUPATIONAL THERAPY

9 SEC. 26. *Prohibition on the Practice of Occupational*
10 *Therapy.* – No person shall practice or offer to practice
11 occupational therapy, nor offer to be an occupational
12 therapists, or use the title, word, letter, figure, or any sign
13 tending to convey the impression of being an occupational
14 therapists, nor advertise or indicate in any manner
15 whatsoever to be qualified to perform the work of an
16 occupational therapists without passing the licensure
17 examination given by the Board, except as otherwise
18 provided in this Act.

19 SEC. 27. *Prohibited Acts.* – No person shall:

1 a) Engage in the practice of occupational therapy
2 by representing himself/herself as an occupational therapists
3 without a valid registration, professional license, or a valid
4 temporary/special permit granted by the Board pursuant to
5 this Act;

6 b) Represent to be an occupational therapists
7 during the time that his/her professional license is not
8 valid or that his/her certificate of registration has been
9 suspended or revoked, or that his/her temporary/special
10 permit has been cancelled;

11 c) Allow anybody to use his/her certificate of
12 registration and/or professional license and/or
13 temporary/special permit as an occupational therapist to
14 enable such unqualified individual to engage in the
15 practice of occupational therapy;

16 d) Use as his/her own the certificate of registration,
17 professional license, or temporary/special permit of another
18 person; and

1 e) Violate any provision of the Code of Ethics as
2 recommended by the accredited national organization of
3 occupational therapists.

4 SEC. 28. *Code of Ethics and Standards of Practice*
5 *for Occupational Therapists.* – The Board shall adopt and
6 promulgate the Code of Ethics and Standards of Practice
7 for occupational therapists prescribed and issued by the
8 Accredited and Integrated Professional Organization
9 (AIPO) of occupational therapists.

10 SEC. 29. *Continuing Professional Development*
11 *(CPD) Program.* – All occupational therapists shall abide
12 with the requirements, rules and regulations on continuing
13 professional development to be promulgated by the
14 Professional Regulatory Board on Occupational Therapy,
15 subject to the approval of the Commission, in coordination
16 with the AIPO of occupational therapists and/or the
17 recognized representative of duly accredited education
18 institutions. For this purpose, the Board may create a CPD
19 council to implement the CPD program, subject to such
20 guidelines as may be prescribed by the Commission.

1 SEC. 30. *Integration of Occupational Therapists.* –

2 The occupational therapy profession shall be integrated
3 into one (1) national professional organization of
4 occupational therapists, which shall be duly registered
5 with the Securities and Exchange Commission (SEC). The
6 Board, subject to approval by the Commission, shall
7 accredit the said organization as the one and only AIPO of
8 registered occupational therapists. All occupational
9 therapists whose names appear in the current Registry
10 Book of Occupational Therapists shall *ipso facto* or
11 automatically become members thereof and shall receive
12 all the benefits and privileges appurtenant thereto upon
13 payment of the required AIPO membership fees and dues.

14 Membership in the AIPO shall not be a bar to
15 membership in other organizations of occupational
16 therapists.

17 SEC. 31. *Foreign Reciprocity.* – No foreign
18 occupational therapists shall be given a certificate of
19 registration/professional license and professional identification
20 card or be entitled to any of the privileges under this Act

1 unless the country or state of which the foreign
2 occupational therapists is a subject or citizen permits
3 Filipino occupational therapists to practice within its
4 territorial limits on the same basis as the subjects or
5 citizens of said country or state.

6 ARTICLE V

7 PENAL AND MISCELLANEOUS PROVISIONS

8 SEC. 32. *Penal Provisions.* – Any person who shall
9 violate any of the provisions of this Act or any of its
10 implementing rules and regulations as promulgated by the
11 Board, subject to the approval of the Commission, shall
12 upon conviction, be punished with a fine of not less than
13 Twenty thousand pesos (P20, 000.00) nor more than Fifty
14 thousand pesos (P50,000.00), or by imprisonment of not
15 less than two (2) years nor more than five (5) years, or
16 both, at the discretion of the court.

17 SEC. 33. *Funding Provision.* – The Chairman of the
18 Commission shall immediately include in the Commission's
19 budget program, the implementation of this Act, the

1 funding of which shall be included in the annual General
2 Appropriations Act.

3 SEC. 34. *Implementing Rules and Regulations.* – To
4 implement the provisions of this Act, the Board shall,
5 subject to the approval of the Commission, promulgate the
6 rules and regulations, as well as the Code of Ethics and
7 Standards of Practice for occupational therapists, within
8 sixty (60) days after the effectivity of this Act.

9 SEC. 35. *Transitory Provisions.* – The existing Board
10 of Physical Therapy and Occupational Therapy shall
11 continue to function in the interim until such time that the
12 new and separate Professional Regulatory Board of
13 Occupational Therapy shall be constituted pursuant to this
14 Act.

15 SEC. 36. *Separability Clause.* – If any part, portion,
16 section or provision of this Act shall be declared invalid or
17 unconstitutional, such shall not invalidate any other part,
18 portion, section or provision of this Act and the same shall
19 continue to be in force and effect.

1 SEC. 37. *Repealing Clause.* – All laws, decrees,
2 orders, issuances or parts thereof which are inconsistent
3 with the provisions of this Act are hereby modified,
4 revised, superseded or repealed. Republic Act No. 5680 is
5 hereby modified accordingly.

6 SEC. 38. *Effectivity.* – This Act shall take effect after
7 fifteen (15) days following its publication in the *Official*
8 *Gazette*, or in two (2) major newspapers of national
9 circulation, whichever comes earlier.

Approved,