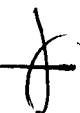




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S. No. 604

Introduced by Sec. Antonio "Sonny" F. Trillanes IV **RECEIVED BY:** 

AN ACT

EXPANDING THE SCOPE OF THE PRACTICE OF MIDWIFERY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7392, OTHERWISE KNOWN AS THE "PHILIPPINE MIDWIFERY ACT OF 1992" AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The United Nations Population Fund underlines the critical role of midwives in the reduction of child mortality and delivery of quality maternal healthcare in the country. "Midwives are key healthcare facilitators in helping to achieve Millennium Development Goals 4 (reducing child mortality), 5 (improving maternal health) and 6 (combating HIV/AIDS, malaria and other diseases)."¹

Cognizant of the above magnitude of their task, this measure seeks to strengthen and expand the scope of the midwifery profession by amending the 20-year old Philippine Midwifery Act of 1992, with the end in view of reducing maternal and prenatal morbidity and mortality.

This measure seeks to put forward the following amendments:

- grant additional powers as well as enhance the general welfare and commitment to service and professionalism of midwives;
- allow midwives to administer life-saving drugs when no physician is available, provided that they are appropriately trained for such purpose;
- require midwives to be certified proficient to perform the necessary care and services to prevent maternal deaths and allow them to administer essential newborn care;
- require practicing midwives who intend to perform Emergency Obstetric and Neonatal Care (EmONC) to apply for and acquire accreditation from the Department of Health (DoH);
- require registered midwives to maintain competence by continual learning through Continuing Professional Development (CPD) to be provided by the accredited professional organization or any recognized professional midwifery organization;
- provide for a mandated comprehensive midwifery program which includes a valid assessment of career performance and potential of midwives; and
- provide for the minimum base pay of midwives in public health institutions which shall not be lower than the 1st step of the hiring rate prescribed for the positions under E.O. No. 201.

In view the foregoing, the immediate passage of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ 'Skilled Midwives Essential For Safer Maternal, Newborn And Reproductive Health,' Says FIGO. Information retrieved from http://www.figo.org/news/%E2%80%098skilled-midwives-essential-safer-maternal-newborn-and-reprodllcHye_health%E2%80%99_~6/23/2013.

S. No. 604

Introduced by Sec. Antonio "Sonny" F. Trillanes **IN REPLY:**

AN ACT
EXPANDING THE SCOPE OF THE PRACTICE OF MIDWIFERY, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 7392, OTHERWISE KNOWN AS THE
"PHILIPPINE MIDWIFERY ACT OF 1992" AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Article III. Section 23 of Republic Act No. 7392 is hereby amended to
2 read as follows:

3 **"SEC 23. Practice of Midwifery Defined.** - The practice of midwifery
4 consist in performing or rendering or ordering to perform or render, for a fee,
5 salary, or other reward or compensation, services requiring an understanding
6 of the principles and application of procedures and techniques in the
7 supervision and care of women during pregnancy, labor and puerperium
8 management of normal deliveries, including the performance of internal
9 examination during labor except when patient is with antenatal bleeding:
10 health education of the patient, family and community: primary health care
11 services in the community, including nutrition and family planning in carrying
12 out the written order of physicians with regard to antenatal, intra-natal and
13 post-natal care of the normal pregnant mother in giving immunization,
14 including oral and parenteral dispersing of oxytocic drug after delivery of
15 placenta, suturing perennial lacerations to control bleeding, to give
16 intravenous fluid during obstetrical emergencies, **ADMINISTER LIFE-**
17 **SAVING DRUGS SUCH AS MAGNESIUM SULPHATE, OXYTOCIN,**
18 **STERIODS AND ORAL ANTIBIOTICS WHEN NO PHYSICIAN IS**
19 **AVAILABLE,** provided they [have been] **ARE APPROPRIATELY** trained
20 for that purpose [:] **AND CERTIFIED PROFICIENT TO PERFORM**
21 **THE NECESSARY CARE AND SERVICES TO PREVENT**
22 **MATERNAL DEATHS, MIDWIVES ARE ALSO HEREBY ALLOWED**
23 **TO ADMINISTER ESENTIAL NEWBORN CARE INCLUDING, BUT**
24 **NOT LIMITED TO IMMUNIZATION** and [may inject] **INJECTING**
25 Vitamin K to the newborn. *Provided, however,* That this provision shall not
26 apply to students in midwifery schools who perform midwifery service[s]
27 under the supervision of the instructors [, nor to emergency cases].

1 THE DEPARTMENT OF HEALTH (DOH) SHALL ISSUE
2 GUIDELINES ON THE ACCREDITATION OF MIDWIVES TO
3 PERFORM EMERGENCY OBSTETRIC AND NEONATAL CARE
4 (E/EmONC), ALL PRACTICING MIDWIVES WHO INTEND TO
5 PERFORM E/EmONC MUST APPLY FOR AND ACQUIRE
6 ACCREDITATION FROM THE DOH AFTER NECESSARY
7 TRAININGS AND EXAMINATION AND COMPLIANCE OF OTHER
8 REQUIREMENTS AS MAY BE DETERMINED BY THE DOH."

9
10 SEC. 2. A new provision is inserted between Sections 23 and 24 of Republic Act No.
11 7392 to read as follows:

12 "SEC. 24. CONTINUING PROFESSIONAL DEVELOPMENT. –
13 A REGISTERED MIDWIFE IS REQUIRED TO MAINTAIN
14 COMPETENCE BY CONTINUAL LEARNING THROUGH
15 CONTINUING PROFESSIONAL DEVELOPMENT (CPD) PROGRAM
16 TO BE PROVIDED BY THE ACCREDITED PROFESSIONAL
17 ORGANIZATION OR ANY RECOGNIZED PROFESSIONAL
18 MIDWIFERY ORGANIZATION: *PROVIDED*, THAT THE PROGRAM
19 AND ACTIVITY FOR THE CPD SHALL BE SUBMITTED TO AND
20 APPROVED BY THE PROFESSIONAL REGULATION
21 COMMISSION, AFTER DUE CONSULTATION WITH THE BOARD
22 OF MIDWIFERY: *PROVIDED, FURTHER*, THAT THE EARNED
23 CPD UNITS SHALL BE MANDATORILY RQUIRED FOR THE
24 RENEWAL OF THE PROFESSIONAL IDENTIFICATION CARD OF A
25 REGISTERED MIDWIFE."

26
27 SEC.3. The following provisions shall be inserted between Sections 26 and 27 of
28 Republic Act No. 7392 to read as follows:

29 "SEC. 28. *HEALTH HUMAN RESOURCE PRODUCTION,*
30 *UTILIZATION, PLACEMENT AND DEVELOPMENT.* – THE BOARD,
31 IN COORDINATION WITH THE ACCREDITED PROFESSIONAL
32 ORGANIZATON AND APPROPRIATE GOVERN-MENTOR
33 PRIVATE AGENCIES, SHALL INITIATE, UNDERTAKE AND
34 CONDUCT STUDIES ON HEALTH HUMAN RESOURCE
35 PRODUCTION, UTILIZATION, PLACEMENT AND
36 DEVELOPMENT FOR THE CONTINUING
37 PROFESSIONALIZATION OF MIDWIFERY.

38 SEC. 29. *COMPREHENSIVE MIDWIFERY PROGRAM.* –
39 WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT,
40 THE BOARD, IN COORDINATION WITH THE ACCREDITED
41 PROFESSIONAL ORGANIZATION, NATIONAL ORGANIZATIONS,

1 ACCREDITED SERVICE PROVIDERS AND THE DOH, IS HEREBY
2 MANDATED TO FORMULATE AND DEVELOP A
3 COMPREHENSIVE MIDWIFERY PROGRAM THAT INCLUDES A
4 VALID ASSESSMENT OF CAREER PERFORMANCE AND
5 POTENTIAL, THUS, UPGRADE THE LEVEL OF SKILL AND
6 COMPETENCE OF MIDWIVES IN THE COUNTRY SUCH AS, BUT
7 NOT LIMITED TO, THE AREAS OF SKILL OF MATERNAL AND
8 CHILD CARE AND SUCH AOTEHR AREAS AS MAY BE
9 DETERMINED BY THE BOARD. THE BENEFICIARIES OF THE
10 PROGRAM ARE OBLIGED TO SERVE IN ANY RURAL OR
11 COMMUNITY HOSPITAL FOR A PERIOD OF AT LEAST TWO (2)
12 YEARS FROM THE DATE OF TEH COMPLETION OF THE
13 PROGRAM.

14 SEC. 30. SALARY AND COMPENSATION. – IN ORDER TO
15 ENHANCE THE GENERAL WLEFARE AND COMMITMENT TO
16 SERVICE AND PROFESSIONALISM OF MIDWIVES, THE
17 MINIMUM BASE PAY OF MIDWIVEWS WORKING IN PUBLIC
18 HEALTH INSITUTIONS SHALL NOT BE LOWER THAN THE 1ST
19 STEP OF THE HIRING RATE PRESCRIBED FOR THE POSITIONS
20 UNDER EXECUTIVE ORDER NO. 201.

21 SEC. 31. *FUNDING FOR THE COMPREHENSIVE MIDWIFERY*
22 *PROGRAM.* – THE ANNUAL FINANCIAL REQUIREMENT NEEDED
23 TO TRAIN AT LEAST TEN PERCENT (10%) OF MIDWIVES OF
24 THE APTICIPATING GOVERNMENT HOSPITAL SHALL BE
25 INCLUDED IN THE ANNUAL GENERAL APPROPRIATIONS ACT;
26 PROVIDED, THAT THE DOH SHALL SET THE CRITERIA FOR
27 THE AVAILMENT OF THIS PROGRAM."

28
29 SEC. 4. Within one (1) year from the effectivity of this Act, the Professional
30 Regulation Commission, in coordination with the DOH and the accredited professional
31 organization of registered midwives, shall promulgate a new implementing rules and
32 regulations of Republic Act No. 7392 which shall be punished in at least two (2) newspapers
33 of general circulation.

34
35 SEC. 5. If any part or provision of this Act shall be held unconstitutional or invalid,
36 other provisions which are not affected thereby shall continue to be in full force and effect.

37
38 SEC 6. All laws, issuances, or parts thereof inconsistent with this Act are hereby
39 repealed or modified accordingly.

1 **SEC. 7.** This Act shall take effect fifteen (15) days after its publication in the Official
2 Gazette or in at least two (2) newspapers of general circulation.

Approved,