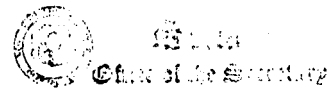


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

S. No. 1891

'18 JUL 26 P12 :05

Introduced by Senator Antonio "Sonny" F. Trillanes IV

**AN ACT
REGULATING AND MODERNIZING THE PRACTICE OF MEDICAL
TECHNOLOGY IN THE PHILIPPINES, PROVIDING FUNDS THEREFOR AND FOR
OTHER RELATED PURPOSES**

EXPLANATORY NOTE

Medical Technologists are health care professionals who perform laboratory tests and analysis. In other countries, they are called medical laboratory scientists or clinic laboratory scientists. In more than four decades, the traditional practice of medical technologists in laboratory clinics have evolved to include research, academe, informational technology, quality assurance, and other non-traditional areas where the knowledge of medical technology is required.

However, Republic Act No. 5527 or the Medical Technology Act of 1969, the law that governs the practice of medical technology, has not been amended or revised since it was enacted 49 years ago. The rapid changes in health and information technology, increasing complexities in the lifestyle among Filipinos, people empowerment and global competition have rendered the law obsolete and in need of revision to properly address the existing and evolving demands of the medical technology profession.

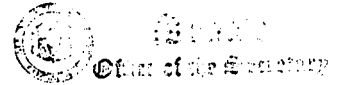
Thus, this bill seeks to:

- Create a homogenous Professional Regulatory Board of Medical Technology;
- Update the scope of practice to include molecular and cytogenetic technologies, drug testing, phlebotomy and teaching, training and supervising students in Medical Technology education program;
- Upgrade the minimum base pay of entry-level Registered Medical Technologists and ensure that it should not be lower than Salary Grade 15; and
- Improve the practice of medical technology and ensure global competitiveness of the profession through the creation of the Technical Committee for Medical Technology Education under CHED and the Continuing Professional Development Council for Medical Technology Education under Professional Regulation Commission (PRC).

Recognizing the fact that the medical technology profession needs to keep abreast with the rapidly changing society, approval of this bill is earnestly requested.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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REGULATING AND MODERNIZING THE PRACTICE OF MEDICAL
TECHNOLOGY IN THE PHILIPPINES, 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.** - This act shall be known as the "*Philippine Medical*
2 *Technology Act of 2018.*"
3

4 **SEC. 2. Declaration of Policy.** - The State recognizes the importance of the Medical
5 Technology profession in nation building and development through the portals of healthcare,
6 education and research. Hence, it shall develop and nurture competent, virtuous, productive and
7 well-rounded medical technologists whose standard of practice and service shall be world class.
8 Furthermore, the State shall promote, regulate and protect the professional practice of
9 Medical Technology in the Philippines and shall ensure its continued growth and development
10 and the maintenance of high international standards of practice.
11

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

- 13
- 14 a. *Accredited Medical Technology Training Laboratory* refers to a clinical laboratory
15 duly licensed by the Department of Health (DOH) and accredited as a training
16 laboratory by the Commission on Higher Education (CHED) upon recommendation
17 by the Technical Panel in Medical Technology Education or its equivalent;
18
- 19 b. *Accredited Professional Organization (APO)* refers to a national organization,
20 recognized and accredited by the Professional Regulation Commission (PRC);
21
- 22 c. *Board* refers to the Professional Regulatory Board of Medical Technology of the
23 Professional Regulation Commission;
24
- 25 d. *Commission* refers to the Professional Regulation Commission (PRC);
26
- 27 e. *Continuing Professional Development (CPD)* refers to the inculcation of advanced
28 knowledge, skills and ethical values in post-licensure specialized or in
29 inter-or multidisciplinary field of study for assimilation into professional practice,
30 self-directed research and/or lifelong learning;
31
- 32 f. *Code of Professional Ethics* refers to a set of standards relating to the conduct, integrity
33 and moral duties of medical technologists as prescribed and promulgated by the Board,

1 in consultation with the duly accredited professional organization, with the approval of
2 the Commission;

- 3
4 g. *Medical Technology* refers to the healthcare profession that provides professional
5 services for the purpose of helping the physician in the diagnosis, treatment and
6 management of diseases and in the promotion of health in general. The
7 profession provides laboratory investigations on biological and non-biological specimen
8 which have impact on health, the results of which provide information to physicians or
9 other health professionals in relation to healthcare, research and forensics. Medical
10 Technology may also provide laboratory investigations on animals in relation to
11 veterinary medicine;
- 12
13 h. *Medical Laboratory Science* refers to the other name for Medical Technology;
- 14
15 i. *Medical Technologists* refers to a holder of a Bachelor of Science in Medical
16 Technology or Public Health who is duly registered with the Commission and
17 is qualified to practice Medical Technology;
- 18
19 j. *Medical Laboratory Scientists* refers to the other name for Medical technologists;
- 20
21 k. *Phlebotomy* refers to the collection of blood;
- 22
23 l. *Phlebotomist* refers to a holder of a Bachelor of Science in Medical Technology and
24 who has passed an examination for Phlebotomy given by the Board. *Provided, that a*
25 *registered medical technologist automatically qualifies as a phlebotomist. Provided,*
26 *further, that other health professionals registered by the Commission may be allowed by*
27 *the Board to take the Phlebotomy examination;*
- 28
29 m. *Recognized School of Medical Technology* refers to a school, college or
30 university which offers a Bachelor's degree program in Medical Technology / Medical
31 Laboratory Science approved by the Commission on Higher Education; and
- 32
33 n. *Technical Committee for Medical Technology Education* refers to the Technical
34 Committee for Medical Technology Education organized under the Office of Programs
35 and Standards of the Commission on Higher Education.

36
37 **SEC. 4. *The Scope of the Practice of Medical Technology.*** – The practice of Medical
38 Technology shall include the following:

- 39
40 a. Examination of tissues, secretions and excretions of the human body and other body
41 fluids through electronic, chemical, microscopic, microbiologic,
42 hematologic, serologic, immunologic, nuclear, molecular, cytogenetic or other
43 laboratory procedures and techniques, either manual or automated;
- 44
45 b. Blood banking procedures and techniques;
- 46
47 c. Parasitologic, Bacteriologic, Mycologic, Virologic or other microbiologic techniques;
- 48
49 d. Histopathologic and Cytologic techniques;
- 50
51 e. Drug Testing in clinical laboratories;
- 52

- 1 f. Research involving human beings or animals requiring the use of and/or application of
2 Medical Technology (Medical Laboratory Science) knowledge and procedures;
3
4 g. Preparations and standardization of reagents, standards, stains or others. *Provided*, that
5 such reagents, standards, stains or others are exclusively for the use of their laboratory;
6
7 h. Clinical laboratory quality control;
8
9 i. Phlebotomy, collection, handling, processing or preservation of specimen;
10
11 j. Consultancy in test upgrading, method selection, laboratory equipment planning
12 and troubleshooting , and laboratory operations where the application of
13 knowledge in medical technology is required;
14
15 k. Teaching, training and supervising students in Medical Technology
16 education programs;
17
18 l. Introduction, demonstration, evaluation, or improvement of clinical laboratory
19 procedures or techniques and/or laboratory operations;
20
21 m. Other similar activities where the training, skill and experience of a medical
22 technologist are needed.
23

24 The performance of any of the foregoing activities by a registered and licensed
25 medical technologist shall be without prejudice to all other applicable laws, rules and
26 regulations.
27

28 **SEC. 5. Professional Regulatory Board of Medical Technology.** – There is hereby
29 created a Professional Regulatory Board of Medical Technology under the Commission. The
30 Board shall be composed of a Chairperson and two (2) Members, all of whom are
31 registered medical technologists who have completed the Bachelor of Science in Medical
32 Technology/ Medical Laboratory Science. The Chairperson and Members of the Boards
33 shall be appointed by the President of the Philippines (“President”) upon
34 recommendation of the Commission and shall serve for a term of three (3) years. The
35 Chairperson and the Members of the Board shall hold such office until their successors
36 shall have been appointed and duly qualified. For its recommendation, the Commission shall
37 submit to the President a list containing three (3) names from among a list of five (5)
38 nominees for each position recommended by the duly accredited professional organization
39 of medical technologists for appointment of the Chairperson or any Member of the Board
40 prior to the expiration of the term of the Chairperson or any Member of the Board. In
41 case of death, disability or removal for cause of the Chairperson or any Member of the Board,
42 his successor shall only serve the balance of his term.
43

44 **SEC. 6. Qualifications of the Chairperson and Members of the Board.** – No person
45 shall be appointed as Chairperson or as a Member of the Board unless he is Filipino
46 citizen, of good moral character and is a duly registered medical technologist. *Provided*, that
47 the Chairperson and Members of the Board must be members in good standing of the
48 APO . *Provided, further*, that the Chairperson and the Members of the Board must not be an
49 officer or director of the accredited professional organization at the time of their nomination.
50 The Chairperson must also have at least fifteen (15) years of experience as a medical
51 technologist. He must be actively practicing his profession as a medical technologist within five
52 (5) years prior to his nomination. The Chairperson must have at least a Master’s Degree in

1 medical technology or other medical technology related programs to include biological
2 sciences, education and administration or equivalent level using the Philippine Qualifications
3 Framework (PQF). *Provided*, that for the first three (3) years prior to the effectivity of
4 this Act, the requirement for a Master's Degree may be waived for as long as
5 nominated candidate has obtained at least 70% of the required units for a Master's Degree.
6

7 A Member of the Board must have at least ten (10) years of experience as a medical
8 technologist. He must be actively practicing his profession as a medical technologist (3) years
9 prior to his nomination. The Chairperson and the Members of the Board shall not in any way be
10 professionally connected with the faculty of any Medical Technology school at the time of
11 appointment or any review center for at least two (2) years prior to nomination.
12

13 **SEC. 7. Compensation and Allowances of the Board.** - The Chairperson and each
14 Member of the Board shall receive compensation and allowances comparable to that being
15 received by the chairperson and members of the other professional regulatory boards under the
16 Commission as provided for in the General Appropriation Act.
17

18 **SEC. 8. Functions and Duties of the Board.** - The following are duties and functions
19 of the Board.
20

- 21 a. Administer and implement the provisions of this Act;
- 22
- 23 b. Regulate the practice of the profession in accordance with professional regulatory law;
- 24
- 25 c. Determine and prepare the questions for the licensure examination for medical
26 technologists;
- 27
- 28 d. Administer oaths in connection with the administration of this Act;
- 29
- 30 e. Issue, suspend or revoke Certificates of Registration and Special Temporary Permits of
31 medical technologists, phlebotomists and medical laboratory technicians;
- 32
- 33 f. Look into conditions affecting the practice of medical technology in the Philippines and,
34 whenever necessary, adopt such measures as may be deemed proper for the
35 maintenance of good ethics and standards in the practice of medical technology;
- 36
- 37 g. Investigate violations of this Act or of the rules and regulations issued hereunder. For
38 this purpose, the Board may issue subpoenas and subpoenas *duces tecum*;
- 39
- 40 h. Draft such rules and regulations as may be necessary to carry out the provisions of this
41 Act;
- 42
- 43 i. Prescribe the qualifications and training of medical technologists with regard to
44 special fields of the profession and to supervise their special examination to be
45 conducted by the Commission;
- 46
- 47 j. Formulate and recommend the approval of refresher courses for applicants who failed to
48 pass the Board Examinations for the third time;
- 49
- 50 k. Determine and prepare the questions for the certification examination of
51 phlebotomists;
- 52

- 1 l. Prescribe and promulgate the Code of Ethics and Code of Professional Standards for the
2 Practice of Medical Technology, in consultation with the APO;
- 3
- 4 m. Issue guidelines on the CPD, through the CPD Council, with the approval of the
5 Commission; and
- 6
- 7 n. Perform such other functions as may be prescribed by the Commission, in accordance
8 with existing laws.
- 9

10 **SEC. 9. Removal of the Board Members** - The Chairperson or any Member of the
11 Board may be removed by the President for neglect of duty, incompetence, malpractice
12 or unprofessional, unethical, immoral or dishonorable conduct after having been given an
13 opportunity to defend himself in proper administrative proceeding . *Provided*, that pending the
14 resolution of the administrative proceeding, the President shall have power to
15 indefinitely suspend the Chairperson or any Member of the Board under investigation
16 and appoint a temporary member in his place.

17
18 **SEC. 10. Licensure Examination.** - Except as otherwise specifically allowed
19 under the provisions of this Act, all applicants for registration as medical technologists shall be
20 required to undergo a written examination which shall be given by the Board semi-
21 annually during the months of March and September in such places as the Board may deem
22 proper, subject to the approval of the Commission. The examination for Phlebotomy
23 Certification as referred to in this Act shall be given by the Board semi-annually in such places
24 as may be approved by the Commission.

25
26 **SEC. 11. Qualifications for Admission to the Licensure Examination.** - Every
27 applicant for examination under this Act shall, at least thirty (30) days, prior to the date of the
28 examination, furnish the Board satisfactory proof that he:

- 29
- 30 a. Must possess Philippine citizenship or in the case of a foreigner, citizenship of a country
31 or State that has reciprocity agreement with the Philippines on the practice of Medical
32 technology;
- 33
- 34 b. Must be of good moral character;
- 35
- 36 c. Must hold a Bachelor's Degree in Medical Technology (Medical Laboratory Science)
37 or Public Health conferred by a school, college or university recognized and duly
38 accredited by the CHED; and
- 39
- 40 d. Must not have been convicted of an offense involving moral turpitude by a court of
41 competent jurisdiction.
- 42

43 **SEC. 12. Scope of Examination.** - The examination questions shall cover the
44 following courses:

45	
46	Clinical Chemistry 20%
47	Microbiology & Parasitology 20%
48	Hematology 20%
49	Immunohematology (Blood Banking) ,
50	Immunology & Serology 20%
51	Clinical Microscopy (Urinalysis and
52	Other Body Fluids). 10%

1 Histopathologic and Cytologic Techniques,
2 Laboratory Management, Medical
3 Technology Law, Related Laws and
4 their implementing Rules and the
5 Code of Ethics. 10%

6
7 The general average of each examinee shall be computed by the Board according
8 to the above-mentioned relative weights of each course. The Board may change, add to or
9 remove from the list of above courses or weights as progress in the science of medical
10 technology may require, after consultation with the accredited professional organization and
11 association of schools of medical technology and upon approval of the Commission. The
12 schedule of courses for examination shall be prepared and submitted by the Board in a manner
13 prescribed by the Commission.

14
15 **SEC. 13. Report of Rating.** – The Board shall, after the date of completion of
16 the examination, report the result thereof for the approval of the Commission within such time
17 limit and guidelines that the Board and the Commission may set.

18
19 **SEC. 14. Ratings in the Examination.** – In order to pass the examination, a candidate
20 must obtain a general average of at least seventy-five (75%) in the written test, with no rating
21 below fifty percent (50%) in any of the major courses. *Provided*, that the candidate has not
22 failed in at least sixty percent (60%) of the courses computed according to their relative
23 weights. After three (3) unsuccessful board examinations, completion of a refresher program
24 prescribed by the Board shall be required before another examination can be taken.

25
26 **SEC. 15. Oath.** – All successful examinee shall be required to take a professional oath
27 before the Board or before any person authorized by law prior to entering the practice of
28 medical technology in the Philippines.

29
30 **SEC. 16. Issuance of Certificate of Registration.** – Every applicant who has
31 satisfactorily passed the required examination for medical technologists shall be issued a
32 Certificate of Registration. All certificates shall be signed by the Chairman and Members of the
33 Board and by the Chairperson and Commissioners of the Commission. A Professional
34 Identification Card bearing the registration number, date of issuance and expiry date, duly
35 signed by the Chairperson of the Commission, shall likewise, be issued to every
36 registrant, upon payment of the required fees. The Professional Identification Card shall be
37 renewed in accordance with the guidelines set by the Professional Regulation Commission and
38 upon satisfying the requirements of the Board such as, but not limited to, attendance in the CPD
39 program.

40
41 The Board shall refuse to issue a Certificate of Registration to any person convicted by a
42 court of competent jurisdiction of any criminal offense involving moral turpitude, or who has
43 committed immoral, dishonorable or dishonest conduct, or is of unsound mind, or is
44 suffering from an incurable communicable disease. In the event of the Board's refusal to
45 issue a Certificate of Registration, it shall issue a written statement to the applicant
46 setting forth the reason for its action. The statement issued by the Board shall be
47 incorporated in its records.

48
49 **SEC. 17. Fees.**– The fees to be paid by each applicant for the issuance of a new
50 Certificate of Registration, replacement of a lost, destroyed or mutilated Certificate of
51 Registration, or issuance or replacement of the Professional Identification Card shall be in
52 accordance with the fees established by the Commission.

1
2 **SEC. 18. *Revocation or Suspension of Certificates of Registration.***- The
3 revocation or suspension of a Certificate of Registration may only be made after the
4 completion of an administrative proceeding conducted by the hearing committee
5 composed of at least one (1) Member of the Board and one (1) legal officer. *Provided*, that
6 the existing rules of evidence shall be observed during the administrative proceeding.
7 *Provided further*, that the person whose Certificate of Registration is sought to be
8 revoked or suspended shall be entitled to be represented by counsel, to have a speedy,
9 impartial and public proceeding, to confront the witnesses against him and to all other rights
10 guaranteed by the Constitution. The Board may, after giving proper notice and hearing to
11 the party concerned, reprimand an erring medical technologist, revoke or suspend his
12 Certificate of Registration for violating any provision of this Act, any rules or regulations
13 issued pursuant to this Act or for unprofessional conduct, malpractice, incompetency, gross
14 ignorance or gross negligence in the practice of medical technology. No penalty of
15 revocation shall be imposed unless there is a unanimous vote of all the three members
16 of the Board. The Board may, by majority vote, impose the penalty of reprimand or
17 suspension. *Provided*, that the suspension of the Certificate of Registration shall not exceed
18 two (2) years. When the penalty of suspension or revocation is imposed by the Board, the
19 medical technologist shall be required to surrender his Certificate of Registration within
20 thirty (30) days after the decision becomes final. Should the medical technologist fail to
21 surrender his certificate of registration within said period, the Board may disqualify him
22 perpetually from the practice of medical technology. The suspension shall run from the date of
23 such surrender.

24
25 **SEC. 19. *Appeal.***- The revocation or suspension of a Certificate of Registration made
26 by the hearing committee may be appealed primarily and exclusively to the Commission.
27 The decision of the Commission may be elevated to the Court of Appeals in accordance
28 with the Rules of Court.

29
30 **SEC. 20. *Reissuance or Reinstatement of a revoked or suspended***
31 ***Certificate of Registration.*** - The Board may reissue a revoked Certificate of Registration
32 upon the application of the medical technologist whose Certificate of Registration was
33 revoked. *Provided*, that the reissuance of a revoked Certificate of Registration may only be
34 made for proper and sufficient reasons, *Provided*, further, that no revoked Certificate of
35 Registration may be reissued within two (2) years from the date of its surrender. A suspended
36 Certificate of Registration shall be reinstated upon request of the medical technologist
37 after the expiration of the period of suspension. The reissuance or reinstatement of the
38 Certificate of Registration shall be without prejudice to further actions by the Board for a
39 violation of any provision of this Act, its implementing rules or regulations or any condition
40 imposed by the Board upon the medical technologist during the period of revocation or
41 suspension.

42
43 **SEC. 21. *Roster of Medical Technologists.*** - A roster of Medical Technologists
44 shall be prepared annually by the Registration Division of the Commission. This roster shall
45 contain the name, address and citizenship of each registered medical technologist; the date of
46 registration or issuance of the Certificate of Registration and any other pertinent data. The
47 roster shall be open to public inspection, and copies thereof shall be placed on file in the
48 Commission, and furnished to other offices, private or governmental, and to the public, upon
49 request.

50
51 **SEC. 22. *Technical Committee for Medical Technology Education (TCMTE)***
52 ***or its equivalent.*** - The Technical Committee for Medical Technology Education under the

1 Commission on Higher Education – Office of Programs and Standards (CHED-OPS) shall be
2 composed of the following members:

- 3
4 a. A representative from the Board;
- 5
6 b. The President or representative of the national accredited professional organization of
7 medical technologists;
- 8
9 c. The President or representative of association of schools of medical technology;
- 10
11 d. A representative from the clinical laboratory practice; and
- 12
13 e. A physician representative whose specialty is Laboratory Medicine and who is also a
14 medical technologist.

15
16 The TCMTE or its equivalent shall be supported by a secretariat and staff.

17
18 **SEC. 23. Responsibilities of TCMTE or its equivalent.** – The TCMTE shall
19 assist the Commission on Higher Education in setting Policies, Standards and Guidelines for
20 the Medical Technology Program. It may also assist in its implementation, including
21 monitoring and evaluation.

22
23 The responsibilities of the TCMTE are as follows:

- 24
25 a. To recommend the minimum curriculum required for the program of medical
26 technology;
- 27
28 b. To determine and prescribe the number of students that will be allowed to take the
29 medical technology program in each school, taking into account the student-
30 instructor ratio and the availability of facilities for instruction;
- 31
32 c. To recommend the closure of medical technology schools which are found to be
33 substandard;
- 34
35 d. To inspect, whenever necessary, the different medical technology schools in the
36 country in order to determine whether a high standard of education is maintained
37 in said institutions; and
- 38
39 e. To promulgate, prescribe and enforce such rules and regulations as may be
40 necessary for the proper implementation of the foregoing functions.

41
42 **SEC. 24. Medical Technology Education.** – The Bachelor of Science in
43 Medical Technology (Medical Laboratory Science) program shall be at least four (4) years, as
44 stipulated in the Commission on Higher Education's Policies, Standards and Guidelines.
45 Said program shall be composed of general education, core and professional courses, and
46 a satisfactory internship program in accredited training laboratories.

47
48 **SEC. 25. Accreditation of Schools of Medical Technology Education and of**
49 **Training Laboratories.** – The Commission on Higher Education, through TCMTE, shall
50 approve schools of Medical Technology and accredit licensed clinical laboratories for
51 training of students in accordance with the provisions of this Act. The laboratories shall show

1 satisfactory evidence that they possess qualified personnel and are properly equipped to carry
2 out laboratory procedures commonly required in the following fields: Clinical Chemistry,
3 Microbiology & Parasitology, Immunohematology (Blood Banking), Immunology &
4 Serology, Clinical Microscopy (Urinalysis & other body fluids), and Histopathologic
5 and Cytologic Techniques, and that the scope of activities of said laboratories offer sufficient
6 training in said laboratory procedures.

7
8 **SEC. 26. *Studies for Medical Technology Human Resource Management.*** - The
9 Board, in coordination with the accredited professional organization and appropriate
10 government and private agencies shall initiate, undertake and conduct studies on health,
11 human resources production, utilization or deployment and development.

12
13 **SEC. 27. *Membership to Accredited Professional Organization.*** - All registered
14 medical technologists whose names appear in the roster of the Professional Regulation
15 Commission shall automatically become members of the accredited professional
16 organization of registered and licensed medical technologists. Members of said accredited
17 professional organization shall receive benefits and privileges appurtenant thereto upon
18 compliance with the membership requirements and payment of the required fees and dues.

19
20 **SEC. 28. *Continuing Professional Development Program.*** - There shall be a program
21 of Continuing Professional Development for Medical Technology (CPD-MT)
22 conducted by the national accredited professional organization and other CPD-MT
23 providers duly accredited by the CPD Council for Medical Technology (CPDC-MT)
24 under the Commission, to provide, promote and facilitate lifelong learning in the
25 enhancement of competencies towards delivery of quality, updated and ethical services, both
26 locally and globally.

27
28 The CPDC-MT herein created shall ensure adequate and appropriate provision of CPD
29 programs and shall issue such operational guidelines as may be approved by the Commission.
30 All Registered medical technologists shall abide by the requirement, rules and regulations
31 on CPD promulgated by the CPDC-MT duly approved by the Commission.

32
33 **SEC. 29. *Lifelong Learning for Medical Technologists.*** - Upon the effectivity of this
34 Act, a medical technologist shall be required to show compliance with the required CPD units
35 as basis for renewal of the Professional Identification Card in accordance with the
36 guidelines of the Commission.

37
38 **SEC. 30. *Salary.*** - In order to enhance the general welfare, commitment to
39 service and professionalism of medical technologists, the minimum base pay upon entry
40 of a registered medical technologist in governmental and non-governmental institutions
41 should not be lower than the amount equivalent to Salary Grade 15.

42
43 **SEC. 31. *Foreign Reciprocity.*** - No foreigner shall be admitted to an examination, be
44 given a Certificate of Registration or be entitled to any of the rights or privileges under this Act
45 unless the country or state of which he is a subject or a citizen permits Filipino medical
46 technologist to practice within its territorial limits on the same basis as the subjects or citizens
47 of said country or state.

48
49 **SEC. 32. *Inhibition Against the Practice of Medical Technology/Special temporary***
50 ***Permit.*** - No person shall practice or offer to practice medical technology as defined in this Act
51 without having previously obtained a valid Certificate of Registration from the Board.
52 Provided, that a Certificate of Registration shall not be required from the following:

1
2 a. Duly registered physicians;

3
4 b. Medical technologists in the service of the Armed Forces of the United States of
5 America who are stationed in the Philippines and are rendering services as such
6 for members of said armed forces only.

7
8 Special Temporary Permits (STPs) may be issued to medical technologists from other
9 countries called for consultation or as visiting or exchange professors to colleges or
10 universities: *Provided*, that their practice medical technology within the country is limited to
11 their performance of the said function.

12
13 **SEC. 33. Penal Provisions.** – Without prejudice to the provisions of the Medical
14 Act of 1959, as amended, relating to the illegal practice of medicine, the following shall be
15 punished by a fine of not less than fifty thousand pesos (50,000) nor more than one hundred
16 thousand pesos (100,000) or imprisonment for not less than six (6) months nor more than (2)
17 years, or both, at the discretion of the court:

18
19 a. Any person who shall practice Medical Technology in the Philippines without being
20 registered or exempted from registration in accordance with the provisions of
21 this Act;

22
23 b. Any medical technologist who shall knowingly make a fraudulent laboratory report;

24
25 c. Any person presenting or attempting to use as his own, the Certificate of
26 Registration of another;

27
28 d. Any person who shall give any false or fraudulent evidence of any kind to the Board or
29 any member thereof in obtaining a Certificate of Registration as a medical technologist;

30
31 e. Any person who shall impersonate any registrant;

32
33 f. Any person who shall attempt to use a revoked or suspended Certificate of
34 Registration;

35
36 g. Any person who shall, in connection with his name or otherwise, assume, use or
37 advertise any title or description tending to convey the impression that he is a medical
38 technologist without holding a valid Certificate of Registration;

39
40 h. Any person or corporate body who shall allow non-registered medical
41 technologist/medical laboratory technician under his employ to engage in the practice of
42 medical technology or recommend the appointment of anyone to the position of a
43 medical technologist/medical laboratory technicians while knowing that he is not
44 registered as such; and

45
46 i. Any person or corporate body who shall violate any provision of this Act or any rules or
47 regulations issued pursuant to this Act.

48
49 **SEC. 34. Enforcement of this Act.** – It shall be the primary duty of the Commission
50 and Board to effectively implement the provisions of this Act. Any law enforcement
51 agency and officers, employees and agents of national, provincial, city or municipal

1 governments shall, upon the call or request of the Commission or the Board, render assistance
2 in enforcing the provisions of this Act and, to prosecute any person violating the same.

3
4 **SEC. 35. Funding Provision.** – The Chairperson of the Commission shall include
5 in the Commission’s program the funding requirements for the implementation of this Act.
6 Thereafter, the amount necessary for the continued implementation of this Act shall be
7 included in the General Appropriations Act.

8
9 **SEC. 36. Implementing Rules and Regulations.** - Within ninety (90) days after the
10 effectivity of this Act, the Board and the Commission, in coordination with the national
11 accredited professional organization, the Department of Health (DOH), the Department of
12 Budget and Management (DBM) and other concerned agencies, shall formulate such rules
13 and regulations necessary to carry out the provisions of this Act.

14
15 **SEC. 37. Transitory Provisions.** – Upon the effectivity of this Act:

- 16
17 1. The Board shall discontinue the registration of medical laboratory technicians as
18 provided for in Section 21 of Republic Act No. 5527. *Provided*, that medical
19 laboratory technicians registered under Republic Act No. 5527 shall maintain their
20 status as registered medical laboratory technician after this Act has taken effect.
21 *Provided*, that a registered medical technologist occupying the position of a
22 medical laboratory technician shall be rendered an appropriate position and be
23 reclassified as a medical technologist.
24
25 2. The incumbent Chairperson and Members of the Board shall continue to serve until the
26 first Board constituted under the provisions of this Act shall have been appointed
27 and duly qualified.

28
29 **SEC. 38. Separability Clause.** – Should any provision herein be declared
30 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

31
32 **SEC. 39. Repealing Clause.** – Republic Act Nos. 5527 otherwise known as the
33 “Philippine Medical Technology Act of 1969”; Republic Act No. 6138 or otherwise known as
34 “ An Act to Amend Certain Sections of Republic Act Numbered Five Thousand Five Hundred
35 Twenty-Seven, Known as The Philippine Medical Technology Act of 1968”; Presidential
36 Decree Nos. 498 or otherwise known as “ Amending Sections Two, Three, Four, Seven, Eight,
37 Eleven, Thirteen, Sixteen, Seventeen, Twenty-One and Twenty-Nine of Republic Act No. 5527,
38 Also Known as The Philippine Medical Technology Act of 1969” and Presidential Decree No.
39 1534 or otherwise known as “Further Amending Republic Act No. 5227 As Amended by
40 Presidential Decree No. 498 otherwise Known as the Philippine Medical Technology Act of
41 1969” are hereby repealed. All other laws, Republic Act, Decrees, Orders, letters of instruction,
42 rules and regulations or other issuances, and parts thereof inconsistent with the provisions of
43 this Act are likewise repealed or modified accordingly.

44
45 **SEC. 40. Effectivity.** – This Act shall take effect after fifteen (15) days following
46 its publication in at least two (2) newspapers of general circulation.

Approved,