

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



24 APR 22 P 2 :23

SENATE
S. No. 2637

RECEIVED BY

Introduced by Senator Christopher Lawrence "Bong" T. Go

AN ACT
STRENGTHENING THE PRACTICE OF MIDWIFERY AS A PROFESSION IN THE PHILIPPINES, PROVIDING FUNDS THEREFORE, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7392 OTHERWISE KNOWN AS THE PHILIPPINE MIDWIFERY ACT OF 1992

EXPLANATORY NOTE

The Republic Act No. 7392, otherwise known as the "Philippine Midwifery Act of 1992", while once instrumental, no longer adequately addresses the contemporary landscape of midwifery practice. The dynamic evolution of the profession calls for updated regulations. Strengthening the midwifery as a profession will facilitate the development of new regulatory frameworks that align with the current standards and requirements of midwifery practice, ensuring that midwives are equipped to provide optimal care to mothers and newborns.

This bill aims to fortify the practice of midwifery as a vital allied medical profession in the country. It is rooted in the fundamental principle that no mother should endure loss or injury during the profound journey of childbirth, ensuring that each newborn enters the world welcomed by health and vitality.

By recognizing midwifery as an indispensable cornerstone of healthcare, the State underscores its commitment to safeguarding the well-being of women, children, and all community members. Midwives, through their specialized skills and

compassionate care, play an irreplaceable role in delivering preventive and promotive health services, thereby fostering healthier generations and stronger communities.

This measure not only seeks to elevate the status of midwifery but also strives to create an enabling environment where midwives are empowered to fulfill their duties with excellence and integrity. Through enhanced education, training, and support systems, we aspire to cultivate a cadre of skilled professionals capable of meeting the diverse needs of our populace with competence and compassion.

This legislative initiative is a testament to our unwavering dedication to maternal and child health, underscoring the pivotal role that midwives play in shaping a brighter and healthier future for all Filipinos.

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


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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

ARTICLE I

TITLE

1
2
3 Section 1. *Short Title.* – This Act shall be known as the "Philippine Midwifery
4 Act".

ARTICLE II

DECLARATION OF POLICY AND DEFINITION OF TERMS

5
6
7 *Sec. 2. Declaration of Policy.* – It is hereby declared the policy of the State to
8 assume responsibility for the protection and enhancement of the midwifery profession.
9 The state shall adopt measures that will continuously improve the knowledge, skills
10 and competence, and ethical standards of midwives to prevent the increase in
11 maternal and infant mortality rates. It is further declared a policy of the State to
12 strengthen the practice of midwifery as an allied medical profession so that no mother
13 will die or be injured in the process of giving life to a healthy newborn.

1 The State also recognizes the critical role of midwives in the provision of
2 preventive and promotive health care services for women, children and other
3 members of the community.

4 Sec. 3. *Definition of Terms.* – As used in this Act.

- 5 a) *Accredited Integrated Professional Organization (AIPO)* – refers to the
6 concerned Board and PRC Accredited Integrated Professional
7 Organization for a given profession which is specifically mandated
8 by the provision of Professional Regulatory Law (PRL) to integrate the
9 professionals into one national organization and where the
10 membership therein by the professional is automatic and mandatory.
- 11 b) *Accredited Professional Regulation (APO)* – refers to the duly accredited
12 professional organization of registered and licensed midwives as per
13 Republic Act No. 8981 or the “PRC Modernization Act of 2000”, where
14 membership therein is voluntary.
- 15 c) *Bachelor of Science in Midwifery* – refers to a four (4) year degree
16 program consisting of general education and professional courses
17 leading to a Bachelor’s degree in Midwifery.
- 18 d) *Code of Ethics* – refers to the set of principles of practices and
19 standards of behavior that shall govern the ethical conduct, moral
20 obligations and professional duties to be observed by all registered and
21 licensed midwives.
- 22 e) *DOH Clinical Practice Guidelines* – refers to the evidence-based
23 document developed by Department of Health (DOH), in consultation
24 with relevant public and private stakeholders, that presents the
25 appropriate health care for specific clinical circumstances, with the goal
26 of delivering the optimal care to clients.
- 27 f) *Life Saving Drugs* – refers to the drugs such as oxytocin, magnesium
28 sulfate, antenatal steroids and antibiotics among other medicines used
29 to prevent and manage pregnancy related complication.
- 30 g) *Medicine Delivery Network* – refers to the network of organizations that
31 provides or makes arrangements to provide equitable, comprehensive,

1 integrated, and continuous good quality health services to a defined
2 population, with minimum duplications and inefficiencies.”

3 h) *Midwife* – refers to a person who has successfully completed midwifery
4 education, program and, who is registered and licensed to practice by
5 the Professional Regulatory Board of Midwifery and the Professional
6 Regulation Commission as defined under R.A. No. 7392 or the
7 “Philippine Midwifery Act of 1992.”

8 i) *Skilled Health Professionals* – refers to the providers such as midwives,
9 doctors or nurses who were educated, licensed and trained to
10 proficiency in the skill needed to manage pregnancies, childbirth and
11 the immediate newborn period and in the identification, management
12 and referral of complications in mothers and newborns.

13 **ARTICLE III**

14 **THE BOARD OF MIDWIFERY**

15 *Sec. 4. Composition of the Board.* – There shall be a Board of Midwifery,
16 hereinafter referred to as the Board, which shall be under the direct supervision of
17 the Professional Regulation Commission (PRC). It shall be collegial body composed
18 of a chairperson and four (4) members to be appointed by the President of the
19 Republic of the Philippines.

20 *Sec. 5. Qualifications of the Chairperson and Members of the Board.* -

21 A. The Chairperson of the Board of Midwifery shall at the time of appointment
22 must have the following qualifications:

- 23 a) A natural born citizen and resident of the Philippines;
- 24 b) Of good moral character;
- 25 c) A graduate registered midwife;
- 26 d) Have at least 10 years in practice as a midwife; and
- 27 e) A holder of master’s degree or doctorate degree in any of the following
28 fields: public health, maternal and child health (MCH), community
29 health, primary health care, health services administration, health
30 systems or health care management;

1 B. The three (3) members of the Board of Midwifery shall at the time of the
2 appointment must have the following qualifications:

- 3 i. A natural born citizen and resident of the Philippines;
 - 4 a) Of good moral character;
 - 5 b) A graduate registered midwife;
 - 6 c) Have at least ten (10) years in practice as a midwife; and
 - 7 d) A holder of master's degree or doctorate degree in any of the following
8 fields: public health, maternal and child health (MCH), community
9 health, primary health care, health services administration, health
10 systems or health care management;
 - 11 e) Have at least ten (10) years in practice as a midwife prior to their
12 appointment;

13 C. One (1) member of the Board of Midwifery shall at the time of the
14 appointment must have the following qualifications:

- 15 a) A natural born citizen and resident of the Philippines;
- 16 b) Of good moral character; and
- 17 c) Have at least five (5) years in practice as an obstetrician-gynecologist
18 preferably diplomate prior to the appointment.

19 *Sec. 6. Disqualifications of the Board Members:*

- 20 a) Member of the faculty, whether full time or part time or lecturer of any
21 school, college or university where a regular course is midwifery;
- 22 b) Those who have pecuniary interest, directly or indirectly in any school,
23 college or university during their term of office as member of the Board;
- 24 c) Officer or member of the Board of Trustees of Midwifery Organization;
25 and
- 26 d) Those who hold positions which violate the provisions of Republic Act
27 No. 6713 Code of Conduct and Ethical Standards for Public Officials and
28 Employees or which violates incompatibility of office under items a to c.

29 *Sec. 7. Terms of Office.* – The Chairperson shall hold office for six (6) years
30 without reappointment. Two (2) members shall hold office for four (4) years without
31 reappointment. Two (2) members shall hold office for three (3) years subject for

1 reappointment for only one term. Any vacancy in the Board occurring within the
2 term of a member shall be filled for the unexpired portion of the term only.

3 *Sec. 8. Compensation of Board Members.* – The Chairperson, and members of
4 the Professional Regulatory Board of Midwifery shall receive compensation and
5 allowances or other benefits pursuant to the provisions of Republic Act No. 8981
6 otherwise known as the "PRC Modernization Act of 2000", and other pertinent laws
7 and comparable to the compensation and allowances received by the chairperson and
8 members of existing professional regulatory boards.

9 *Sec. 9. Removal of Board Members.* – Any members of the Board may be
10 removed by the President of the Republic of Philippines, upon the recommendation of
11 the Professional Regulation Commission, for neglect of duty incompetence or
12 unethical, immoral and dishonorable conduct after having been given the opportunity
13 to defend oneself in a proper administrative investigation conducted by the
14 Commission.

15 *Sec. 10. Powers and Duties of the Board.* – The Board shall supervise and
16 regulate the practice of midwifery profession and shall have the following powers,
17 duties and functions:

- 18 a) Enforce the provisions of this Act;
- 19 b) Conduct Professional Licensure Examination for midwives;
- 20 c) Administer oaths in accordance with the provision of this Act;
- 21 d) Issue, suspend or revoke certificates of registration for the practice of
22 midwifery;
- 23 e) Maintain a registry of midwives in good standing in cooperation with
24 AIPO;
- 25 f) Shall maintain and collect data of midwives in the country in coordination
26 with PRC Information and Communications Technology Service and the
27 DOH by requiring the registration of all midwives in the National Health
28 Workforce Registry (HHWR) or other human resource for Health (HRH)
29 data collection system of the government and during their initial
30 registration and renewal of licenses;

- 1 g) Shall provide inputs on national and global midwifery practice to the
2 commission on Higher Education (CHED) to be considered in the
3 development and periodic updating of the midwifery curriculum;
- 4 h) Conduct hearings and investigations to resolve complaints against
5 midwives for malpractice, unethical and unprofessional conduct and
6 violation of this Act or its implementing rules and regulations and in
7 connection therewith;
- 8 i) Issue *subpoena ad testificandum* and *subpoena duces tecum* and to
9 punish with contempt persons obstructing, impeding or otherwise
10 interfering with the conduct of such proceedings upon application with
11 the court, or both;
- 12 j) Promulgate a Code of Ethics in coordination and consultation with AIPO
13 and professional organizations representing registered and practicing
14 midwives in the Philippines within one (1) year from the effectivity of
15 this Act;
- 16 k) Conduct inspection and monitoring of educational institutions and
17 facilities where midwifery services are offered or midwifery programs are
18 taught to ascertain that the standards of midwifery education are
19 properly complied with and maintained at all times;
- 20 l) Shall submit an annual report to the Commission at the end of each
21 calendar year, giving a detailed account of its proceedings and the
22 accomplishments and recommending measures to upgrade and improve
23 the conditions affecting the midwifery practice and education;
- 24 m) To adopt an official seal to authenticate its official documents;
- 25 n) Attend meetings regularly;
- 26 o) Study the conditions affecting midwifery education and the practice of
27 the midwifery profession in the Philippines;
- 28 p) Mandated to assess the standards pertaining to the retraining and skills
29 enhancement programs designed for midwives seeking advanced
30 training or those in need of bridging education;
- 31 q) Undertake initiatives and establish support mechanisms aimed at
32 enhancing the retirement preparedness of midwives, with the objective

1 of ensuring their post-retirement years are marked by financial security,
2 personal fulfillment, and strong support;

3 r) Adopt a proactive approach in actively engaging a diverse range of
4 stakeholders within the sector to foster the advancement and
5 development of midwifery practice in the Philippines;

6 s) Subject to the approval of the Commission, the Board, shall set ethical
7 and professional standards for the practice of midwifery and adopt such
8 rules and regulations as may be necessary to carry out the provisions of
9 this Act. Such standards, rules and regulations shall take effect thirty
10 (30) days after publication in two (2) national newspapers of general
11 circulation; and

12 t) Represent the Board in sectoral management.

13 *Sec. 11. Meetings of the Board.* – The Board shall hold a regular meeting at
14 least once a month within the Commission premises or in such other places as may
15 be agreed upon on such date and time fixed by the Board. A special meeting may be
16 called by the chairperson or any of its two (2) members to consider, deliberate or act
17 upon urgent and important matters. The Board Secretary shall keep the minutes of
18 the regular and special meetings of the board. The minutes shall be signed and
19 certified as correct by the members of the board present.

20 *Sec. 12. Administrative Supervision of the Board and Custodian of its Records.*
21 –The members of the Board shall be under the general supervision of the Commission.
22 All records, including examination paper, applications for examinations, administrative
23 and other investigative cases conducted by the Board shall be under the custody of
24 the Commission.

25 **ARTICLE IV**

26 **MIDWIFERY EDUCATION**

27 *Sec. 13. Standards for Midwifery Education.* – To ensure quality midwifery
28 education in the Philippines, the Commission on Higher Education (CHED) has the
29 following duties and responsibilities in coordination with the Professional Regulatory
30 Board of Midwifery:

- 1 a) Establish standards for midwifery education, including the setting of
2 minimum qualifications of faculty, and the facility requirements for
3 training, and among others;
- 4 b) Develop and periodically review the basic curriculum in consultation with
5 the Department of Health (DOH), the Board, AIPO, Association of
6 Philippine Schools of Midwifery, and other midwifery organization;
- 7 c) Monitor and evaluate the performance of midwifery programs of schools,
8 colleges, and institutions;
- 9 d) Examine the facilities of universities and colleges of midwifery, and those
10 seeking permission to open the midwifery courses prescribed; and
- 11 e) Impose appropriate sanctions to institutions that do not fulfill the
12 aforementioned standards, such as downgrading or withdrawal of
13 accreditation, and termination of the program or school course, among
14 others in coordination with the Board.

15 Sec. 14. *Schools of Midwifery.* – To become a duly accredited and legally
16 constituted higher education institution for midwifery education and training as
17 provided for in R.A. No. 7392 a school of midwifery shall have applied and secured a
18 permit from the Commission on Higher Education (CHED). The school shall operate a
19 midwifery program in accordance with the existing policies, standards and guidelines
20 for midwifery education.

21 Sec. 15. *Qualifications of Faculty.* – The faculty shall have academic preparation
22 appropriate to teaching assignment, as follows:

- 23 a) A holder of a Master's degree on Health and social sciences or doctor of
24 medicine;
- 25 b) Has a proof of competence in the field of specialization assigned;
- 26 c) A registered nurse or registered midwife in the Philippines with at least one (1)
27 year of satisfactory teaching experience or one (1) year of efficient performance
28 in maternity ward, *Provided,* that a registered midwife may be allowed to follow
29 up student midwives in the community ward provided that a person has at least
30 two (2) years of experience in the area of assignment and has undergone
31 training in the supervision of students; and
- 32 d) A member of good standing of AIPO or other national association of midwives.

1 Sec. 16. *Mandatory Continuing Professional Development.* - The
2 implementation of the Continuing Professional Development programs and activities
3 for the midwifery profession shall be governed by RA 10912 otherwise known as the
4 Continuing Development Act of 2016 and its implementing rules and regulation.

5 **ARTICLE V**

6 **EXAMINATION AND REGISTRATION OF MIDWIVES**

7 Sec. 17. *Examination Required.* – All applicants for registration to the practice
8 of midwifery in the Philippines, shall be required to pass a written examination which
9 shall be given by the Board in such places and dates as may be designated by the
10 Commission: *Provided,* That it shall be in accordance with R.A. No. 8981, otherwise
11 known as the PRC Modernization Act of 2000: Provided further, That those who are
12 graduates of a two (2) year diploma courses and are already registered midwives prior
13 to the passage of this Act shall be given an equivalency to a four (4) year degree
14 program. The parameters to such equivalency shall be based on the following:

- 15 a) Years of experience;
- 16 b) Ladderized education or training already taken; and
- 17 c) Continuing professional development requirements.

18 Upon compliance with the established parameters, the Commission shall issue the
19 appropriate registration to the midwives. Those who fail to comply with the
20 established parameters shall be allowed to take the Professional Board Examination
21 for a four-year degree course.

22 Sec. 18. *Scope of Examination.* – The scope of Examination for the practice of
23 midwifery shall consist of the following:

- 24 a) Newborn, infant and child health related procedures to midwifery;
- 25 b) Obstetrical anatomy and physiology;
- 26 c) Obstetrics including essential intrapartum and basic emergency obstetric
27 care;
- 28 d) Principles of Microbiology and parasitology as applied to midwifery
29 practice;
- 30 e) Pharmacology as applied to midwifery practice;
- 31 f) Midwifery procedures;

- 1 g) Primary Health Care which covers community care, public health, and
- 2 preventive care;
- 3 h) Maternal nutrition, newborn, infant and young child feeding including
- 4 breastfeeding and complementary feeding;
- 5 i) Responsible parenthood, family planning, adolescent health and
- 6 reproductive health;
- 7 j) Ethics and legal jurisprudence of midwifery practice;
- 8 k) Professional growth and development, and entrepreneurship; and
- 9 l) Other subjects that the Board may deem necessary for inclusion from
- 10 time to time.

11 *Sec. 19. Prerequisite and Qualifications of Applicants for Examination.* – In
12 order to be admitted to the Professional Licensure Examination for midwifery all
13 applicants must possess all qualifications and none of the disqualifications hereunder
14 set forth as follows:

- 15 a) Is mentally, emotionally and physically sound with a certificate of good
- 16 moral character signed by the Head of a recognized and duly
- 17 government midwifery institution or midwifery school from where the
- 18 applicant graduated;
- 19 b) A graduate of midwifery in a government recognized and duly
- 20 accredited institution. At the time of the issuance of a certificate of
- 21 registration, the applicant shall be a citizen of the Philippines and at
- 22 least eighteen (18) years of age.

23 For the purposes of admission to the midwives' professional licensure
24 examination, the applicant must submit the following documentary requirements:

- 25 a) Philippines Statistic Authority authenticated copy of the certificate of live
- 26 births;
- 27 b) Certified true copy of the official transcript of records;
- 28 c) Duly accomplished form, certified as true and correct by the clinical
- 29 instructor and dean or principal of the school of midwifery attesting to
- 30 the applicant's:
 - 31 1. Handling of at least twenty (20) actual deliveries
 - 32 2. Suturing of at least five (5) perineal lacerations

1 3. Insertion of at least five (5) intravenous fluids

2 4. Conduct of at least ten (10) internal examinations

3 d) Other documents that the Board may require provided any additional
4 requirement has been subject of prior consultation and is duly
5 announced in a public document.

6 *Sec. 20. Fees for Examination.* – The Applicants for examination for the practice
7 of midwifery shall pay an examination fee as prescribed by the Professional Regulation
8 Commission.

9 *Sec. 21. Ratings in the Board Examination.* – To be qualified as having passed
10 the professional licensure examination for midwives, the examinee must obtain a
11 general rating of seventy-five percent (75%) in the written test with no grade lower
12 than fifty percent (50%) in any of the examination subjects.

13 *Sec. 22. Report on the Results of the Board Examinations.* – As a result of fully
14 computerized examination, the Board shall, within a maximum of thirty (30) days after
15 the examination, report the ratings obtained by each examinee to the Commission.
16 The Commission shall, after days from receipt, release to the public the results of the
17 Board examinations.

18 *Sec. 23. Oath of Profession.* – All successful examinees shall be required to take
19 an oath of profession before the Board or any government official authorized to
20 administer oaths prior to entering the midwifery practice.

21 *Sec. 24. Issuance of Certificate of Registration / Professional License and*
22 *Professional Identification Card.* – A certificate of Registration and Professional License
23 as a midwife shall be issued to an applicant who passed the application upon payment
24 of the prescribed fees. Every certificate of registration and professional license shall
25 show the full name of the chairperson of the Commission and of the members of the
26 Board, and the official seal of the Commission.

27 *Sec. 25. Registration of Nurse Midwife.* – A Certification of Registration may be
28 issued to registered nurses who passed the examination for midwives: *Provided,* that
29 the nurse, before being allowed to take the examination submit written evidence to
30 the Board that one has handled at least twenty (20) delivery cases as certified by the
31 municipal, city or Provincial Health Officer or chief of a duly registered or recognized
32 hospital, DOH and PhilHealth accredited birthing centers.

1 *Sec. 26. Inhibition against the Practice of Midwifery.* – No person shall practice
2 or offer to practice midwifery in the Philippines, as defined in this Act without holding
3 a valid Certificate of Registration and Professional License as midwife.

4 *Sec. 27. Foreign Reciprocity.* – A certificate of registration and professional
5 license maybe issued to midwives registered under the laws of a foreign country or
6 state. Provided, that the requirements for registration or licensing of midwives in said
7 country are substantially the same as those prescribed under this Act. *Provided*
8 *further,* that the laws of such state or country grant the same privileges to registered
9 midwives of the Philippines.

10 *Sec. 28. Exemption in Taking a Bridging Course.* – Midwives who possess a
11 diploma degree and obtained a PRC license prior to the implementation of this Act
12 shall be no longer required to undertake bridging courses for the eventual attainment
13 of a Bachelor’s degree. Their status as midwives with valid licenses shall be
14 maintained. Conversely, midwives with a diploma degree who acquired their PRC
15 license after the implementation of this Act are obligated to successfully complete
16 bridging courses leading to the conferment of a Bachelor’s degree while retaining their
17 license to practice.

18 **ARTICLE VI**

19 **PRACTICE OF MIDWIFERY**

20 *Sec. 29. Practice of Midwifery Defined.* – The practice of midwifery consists of
21 performing, rendering or offering for a fee, salary or other reward or compensation
22 services requiring an understanding of the principles and application of procedures
23 and techniques in:

- 24 a) Managing normal and uncomplicated pregnancies and deliveries;
25 b) Identifying pregnancy complications and danger signs, and immediate referral of high-
26 risk pregnancy woman to the appropriate facility in the service delivery network;
27 c) Caring for the newborn, and proper assessment initial management, and immediate
28 referral of newborn complications;
29 d) Carrying out the written order of physicians on natal, ante-natal, intra-natal
30 and post-natal care of the normal pregnant mother which includes the
31 following:

- 1 1. oral and parenteral dispensing of oxytocic drug before or after delivery
2 of placenta as a measure to prevent postpartum hemorrhage. *Provided*
3 the delivery is normal spontaneous and single birth; and
- 4 2. Suturing of 1st degree (small, skin-deep tears which usually heal
5 naturally) and 2nd degree (deeper tear affecting the muscle of the
6 perinium as well as the skin this require stitches) of perineal
7 lacerations to control bleeding and giving of intravenous fluid insertion
8 during obstetrical emergencies provided they have been trained for that
9 purpose.
- 10 e) Providing family planning services which include modern and natural family
11 planning method including counseling on informed choices to women of
12 reproductive age;
- 13 f) Administering recommended vaccines related to Maternal and child health care
14 and as vaccinator as stated in Sec. 9 of RA 115251 otherwise known as the
15 "Vaccination Program Act";
- 16 g) Providing primary care in the community, with emphasis on preventive and
17 promotive health care services;
- 18 h) May perform the following procedures to a newborn, infant or young child:
 - 19 1. Four core-time bound interventions during the first 60- 90 minutes of
20 life of the newborn in accordance to the Essential Newborn Care (EINC)
 - 21 a. Immediate and thorough drying;
 - 22 b. Early skin to skin contact;
 - 23 c. Properly-timed clamping and cutting of the cord after 1 to 3
24 minutes; and
 - 25 d. Non-separation of the newborn from the mother for early
26 breastfeeding initiation and rooming in.
 - 27 2. Administration of the following after the first full breastfeeding of the
28 newborn:
 - 29 a. Recommended dose of Intramuscular Vitamin K to prevent
30 Hemorrhagic disease of the newborn;
 - 31 b. Ophthalmic prophylaxis ointment to prevent neonatal
32 conjunctivitis;

- 1 c. Intramuscular administration of Hepatitis B vaccine;
- 2 d. Intradermal administration of Bacillus Calmette Guerin (BCG)
- 3 vaccine;
- 4 e. Newborn Screening; and
- 5 f. Performing other tasks or procedures to be determined by the
- 6 Department of Health (DOH). *Provided*, that the scope,
- 7 requirements and interpretation of said functions shall be
- 8 specified in the Clinical Practice Guidelines to be jointly
- 9 promulgated by the Department of Health (DOH) and the
- 10 Professional Board of Midwifery in consultation with AIPO and
- 11 other midwifery organizations.

12 *Sec. 30. Revocation and Suspension of Certificate of Registration and*
13 *Cancellation.* – The Board shall have the power to revoke or suspend the validity of a
14 certificate of registration of a midwife for any of the causes mentioned in the preceding
15 section, or on cases of: (a) unprofessional conduct, (b) professional malpractice, (c)
16 clear professional incompetence, (d) serious ignorance or negligence, (e) assisting or
17 performing abortion in the practice of midwifery or (f) using fraud, deceit or false
18 statements to obtain a certificate of registration. From the final decision of the Board,
19 appeal maybe taken to the Professional Regulation Commission whose decision shall
20 be final and executory.

21 *Sec. 31. Refusal to Issue Certificate of Registration.* – The Board shall refuse
22 to issue a certificate of registration to any person convicted by the court of competent
23 jurisdiction of any criminal offense involving moral turpitude, and to any person guilty
24 of immoral or dishonorable conduct. The Board shall give the applicant a written
25 statement setting forth the reason or reasons for its action, which statement shall be
26 incorporated in the records of the Board.

27 *Sec. 32. Reissuance and Replacement of Revoked Certificates.* – The Board
28 may for reasons of equity and justice and upon proper application therefor issue
29 another copy of the certificate upon payment of dues, and in so doing, it may exempt
30 the applicant for the requisite examination.

31 *Sec. 33. Midwives Positions in Public Health facilities.* – All public health facilities
32 such as Government Owned and Controlled Corporation (GOCC) with original charter,

1 DOH-retained hospitals, Local Government Unit managed hospitals at the district level,
2 shall have plantilla positions for midwives. *Provided*, that the compensation of
3 midwives working in public health shall not be lower than Salary Grade 15 as entry
4 salary for midwives, pursuant to Republic Act No. 6758 otherwise known as the
5 "Compensation and Position Classification Act of 1989; Also, as provided for under the
6 Civil Service Law, a government employee has to work eight (8) hours a day or forty
7 (40) hours a week. *Provided further*, that for midwives working in health facilities
8 under local government units, adjustments to their compensation shall be in
9 accordance with Section 10 of the same Act; *Furthermore*, other benefits and
10 entitlements shall also be provided to midwives by their public health employers in
11 accordance with existing laws.

12 *Sec. 34. Midwives in Private Health facilities.* – Midwives employed or
13 contracted by private health facilities shall have salaries, benefits not lower than the
14 minimum wage set by the Department of Labor and Employment (DOLE). Government
15 midwives who practice in private facilities after their regular office hours shall comply
16 with the existing guidelines being set by the Civil Service Commission and Department
17 of Health.

18 *Sec. 35. Midwives with Birthing Centers.* – Midwives who shall establish and
19 manage their own birthing centers shall comply and be properly guided with the
20 regulatory standards and operating procedures as defined by the Department of
21 Health. This shall take into consideration certain requirements such as to number of
22 facilities providing maternal care services in a particular geographic or territorial
23 jurisdiction and based on an assessment of actual maternal care service requirement
24 in a particular community.

25 Midwives offering services in these facilities should likewise comply with
26 PhilHealth Certification and Accreditation standards. Midwives with birthing facilities
27 and offering pregnancy and other reproductive health related services shall both be
28 accredited as service provider and a Modern Family Planning accredited facility to
29 comply with quality standards. Claims on maternal and newborn care package and
30 family planning service must be paid on time.

1 *Sec. 36. Creation of National Midwifery Office in the Department of Health. –*
2 There shall be an establishment of a National Midwifery Office (NMO) under the
3 Department of Health. The NMO in the DOH shall have the following functions:

- 4 1. The midwifery office shall be responsible for overseeing, and coordinating
5 strategic management, financial and resource allocation, policies and
6 Standard development, professional and organizational development to
7 address midwifery personnel supply, demand, and distribution;
- 8 2. Provide expert advice to inform policy and decision makers relative to
9 midwifery practice;
- 10 3. Ensure adequate demand with respect to health service delivery for primary
11 health care and other population health priorities (1 midwife in every
12 barangay) attract, recruit and retain midwives they are most needed;
- 13 4. Establish and strengthen senior leadership for midwifery workforce
14 governance and management; and
- 15 5. Develop and share midwifery knowledge through a variety of process such
16 as peer review and research. Interpret and critically apply appropriate
17 research findings to ensure that midwifery practice is evidence – based.

ARTICLE VII

PROBIHITED ACTS AND PENALTIES

20 *Sec. 37. Prohibited Acts:* No person shall:

- 21 a) Practice midwifery in the Philippines within the meaning of this Act without
22 a certificate of registration issued in accordance herewith;
- 23 b) Presenting or using the certificate of registration of another;
- 24 c) Giving any false or forged evidence to the Professional Regulation
25 Commission in order to secure a certificate of registration;
- 26 d) Using a revoked or suspended certificate of registration;
- 27 e) Assuming, using or advertising, as a registered midwife or a registered
28 nurse midwife or appending to one's name the letters R.M. without having
29 been conferred such title by the Professional Regulation Commission;
- 30 f) Advertising any title description tending to convey the impression that one
31 is a registered midwife

1 instructions, rules and regulations and other issuance or parts therefor inconsistent
2 with this Act are likewise repealed or amended accordingly.

3 *Sec. 44. Effectivity Clause.* – This Act shall take effect upon completion of its
4 publication in at least two (2) national newspapers of general circulation.

Approved,