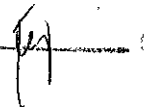


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL -2 P 1 20

SENATE

RECEIVED BY: 

Senate Bill No. 405

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

There is no integrated medical professional organization, though there exists the Philippine Medical Association, Inc. (PMA) which is an organization of doctors licensed to practice medicine in the Philippines.

The PMA is one of the most prestigious organizations in the Philippines, the umbrella organization of the medical profession of the country. It is duly registered with the Securities and Exchange Commission (SEC) as a non-stock, non-profit organization and is the mother association of all medical organizations in the Philippines. The PMA brings together the entire medical profession under one roof to serve as an authoritative source of information on health, disease and medical practice. It is responsible for the training of Specialists through its Specialty Societies. It is also responsible for the sustained excellent quality healthcare delivery through its continuing medical education, formulation of clinical practices, guidelines, directly or through the specialty societies. It polices its ranks through the Code of Ethics of the medical profession.

The PMA has eight specialty divisions such as Pathology, Radiology, Anesthesiology, Surgery, Physicians, Pediatrics, Obstetrics and Gynecology and Family Medicine. All of these specialty divisions have several sub-specialty societies. There are 28,000 physicians who are members of the PMA. Membership in the Philippine Medical Association is earned through the Component Society, the basic unit of the Association. There are presently 117 Component Societies equitably distributed in all regions of the country. All provinces and cities in the Philippines have component societies, more popularly known as medical societies. A group of these medical societies form a region or regional councils. The Board of Governors exercise control and supervision over the regional councils and the component societies. The Board of Governors has the power to realign regions and component societies and further has the power to create new component societies or delist existing ones.

For the benefit of its members, the PMA and its specialty societies periodically conduct seminars, workshops and conventions educating its members on the latest medical technology and medicines. Its specialty societies determine who are going to be the specialists in the several fields of medicine.

There is no other medical organization that possesses the breadth, composition, membership and nationwide coverage of the PMA. In almost all matters affecting health or the medical profession, the government seeks the advice of the PMA. This bill will put the PMA as a partner of the Government in

the improvement of the health care delivery system to include the alleviation of the exodus of the doctors to foreign lands.

Further, this bill will rid the medical profession of so called misfits found to be negligent in their practice. The negligent acts of doctors led to a spate of incidents wherein patients either died, were maimed, scarred or suffered physical injuries.

Under present laws, a patient has three options to remedy or punish such negligent acts. One is the filing of a criminal action under the Revised Penal Code under Article 365 (reckless imprudence). The second is the filing of a case for the recovery of damages, and the third is the filing of a case before the Professional Regulations Commission for the revocation of the license of the doctor.

Patients might find the current options not suitable for his need because of:

- a) Court or administrative actions are time consuming as the courts and the PRC are clogged with many cases.
- b) Filing of such actions is financially burdensome on the patient.
- c) Court or administrative actions are mired in technicalities especially those concerning evidence, the presentation and weighing of which must adhere to the strict technical rules of procedures and evidence.

This Bill will provide a patient with a fourth option which is to file a case before an *integrated professional medical organization*. An aggrieved patient may now seek for the revocation of membership of the doctor from the integrated professional medical organization. The threat of revocation will carry a lot of weight since the livelihood of the doctors depends on his continued membership in the organization.

This bill seeks to accredit and acknowledge the Philippine Medical Association as the *integrated professional medical organization*. If the bill pass, the medical profession, just like the legal profession, shall be integrated into one accredited organization. Since the PMA is already in existence, the government will not be spending a single centavo. It shall **serve as an extension of the government in regulating the medical profession, maintaining the high standard, ethical conduct of the medical professionals and help in the continued delivery of quality health care.**

Early approval of this bill is earnestly recommended.


JINGGOY EJERCITO ESTRADA
Senator

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Senate Bill No. 405

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**AN ACT
ACCREDITING THE PHILIPPINE MEDICAL ASSOCIATION AS THE
INTEGRATED MEDICAL PROFESSIONAL ORGANIZATION OF THE
PHILIPPINES**

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

SECTION 1. Title. – This Act shall be known and cited as the “INTEGRATED MEDICAL PROFESSIONAL ORGANIZATION ACT OF 2007.”

SEC 2. The Philippine Medical Association, Inc. shall be the only Integrated Medical Association Professional Organization in the Philippines.

SEC 3. Membership – All physicians duly registered with the Professional Regulations Commission shall become members of the Philippine Medical Association, Inc. Membership in good standing of the PMA shall be a condition precedent for his renewal of license and for the continuous practice of medicine.

SEC 4. Organization – The organizational structure of the Philippine Medical Association, Inc. including the specialty divisions, specialty and sub-specialty societies and the component medical societies and as a non-stock, non-profit corporation duly registered with the Securities and Exchange Commission shall be retained

SEC 5. Rules and Regulations – The Philippine Medical Association shall prescribe rules and regulations to implement the integration of the medical profession including the various specialty divisions, the specialty and subspecialty societies and their training program, and the component and affiliate medical societies.

SEC 6. Complaints – The Philippine Medical Association shall hear complaints against its members. The Philippine Medical Association shall prescribe its procedures. The rules shall be liberally construed and the technical rules of procedure on evidence shall not be strictly applied.

SEC 7. Grounds – A person may file a verified complaint before the Philippine Medical Association against a PMA member based on the following grounds:

- a) gross negligence, ignorance or incomplete in the practice of his/her profession resulting in death, physical injury to a person;
- b) conviction by a court of competent jurisdiction of any criminal offense involving moral turpitude
- c) immoral or dishonorable conduct;
- d) insanity;
- e) fraud in the acquisition of the certificate of registration, and professional license or renewal thereof;
- f) addiction to alcoholic beverages or to any habit forming drug rendering him or her incompetent to practice his or her profession;
- g) false or extravagant or unethical advertisement;
- h) performing or aiding in any criminal abortion;
- i) knowingly issuing any false medical certificate;
- j) issuing any statement or spreading any news or rumor which is derogatory to the character and reputation of another physician without justifiable motive;
- k) aiding or acting as a dummy of unqualified or unregistered person to practice medicine; and
- l) violation of the Code of the PMA

SEC 8. Penalties – The Philippine Medical Association may impose penalties of reprimand, suspension or expulsion. All cases filed or pending under this act shall not be discussed or taken in any forum until after the same shall have been decided with finality.

SEC 9. Implementing Rules – The Philippine Medical Association shall promulgate the implementing rules and guidelines within 60 days after the enactment of this Act.

SEC 10. Separability Clause – If any provision of this Act is declared unconstitutional or invalid, other provisions not affected herein shall remain in full force and effect.

SEC 11. Repealing Clause – All laws, decrees, order, rule and regulations that are inconsistent with this Act are hereby repealed and/or modified accordingly.

SEC 12. Effectivity – This act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of national circulation, which ever is earlier.

Approved,