

THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
THIRD REGULAR SESSION)

6 OCT 19 1914

SENATE

S. No. 2437

RECEIVED BY: MA

Introduced by **SENATOR LUISA "LOI" P. 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. It was founded September 15, 1903, at a time when the country was under American rule. The Philippine Medical Association 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 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 rigid 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 coursed 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 council. The Board of Governors exercises 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 society or delist existing one.

Aside from its by-laws, duly registered with the Securities and Exchange Commission, the PMA has codes governing its affairs and the conduct of its members. Among its codes are the Administrative Code, the Code on Continuing Medical Education, Code of Ethics, the Election

Code and Mutual Aid Code and Guidelines on Protocol and Procedures and Guidelines on Affiliate Societies.

For the benefit of its members, the PMA and its specialty societies conduct periodically seminars, workshops and conventions educating its members on the latest medical technology and medicine. Its specialty societies determine who are the specialists in 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 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 civil 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:

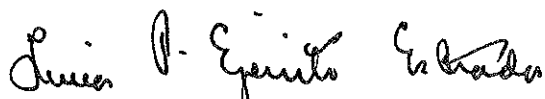
- a) court or administrative actions are time consuming as the courts and the PRC are clogged with other cases
- b) Filing of such actions is financially burdensome on the patient.
- c) court or administrative actions are mired in technicalities especially those concerning evidence, the presentation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

This bill will provide a patient with a fourth option, that of filing a case with 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 doctor 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 is passed, the medical profession, just like the legal profession, shall be integrated into one accredited organization. No doctor can practice his profession unless he becomes a member of such integrated professional 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.



LUISA "LOI" P. EJERCITO ESTRADA

Senator

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

5 10 2006

SENATE

S. No. 2437

RECEIVED BY: JMN

Introduced by **SENATOR LUISA "LOI" P. EJERCITO ESTRADA**

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

*Be enacted by the Senate and the 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 2006."

SEC. 2. The Philippine Medical Association, Inc. shall be the only
Integrated Medical 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 rules to govern the conduct of its proceedings and the rules of 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 incompetence 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 Ethics 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,