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REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

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SENATE

S. NO. 2371

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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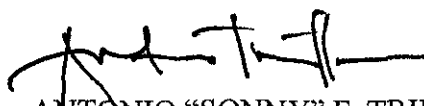
#### EXPLANATORY NOTE

Chiropractic is a health care profession which focuses on the diagnosis, treatment and prevention of mechanical disorders of the musculoskeletal system with special emphasis on the spine. It is hypothesized that the general health of an individual is affected by these disorders via the nervous system<sup>1</sup>. Chiropractors also known as chiropractic physicians are individuals who specialize in the treatment of patients with health problems that involve the musculoskeletal system.

This method of health care is popular and well-established in USA, Canada and Australia. It is also present to a lesser extent in other countries, such as the Philippines. At present, there are individuals who are practicing chiropractics in the Philippines, however, we do not have any agency that regulates this practice.

This proposed measure aims to professionalize the chiropractic profession by creating a Chiropractic Board of Examiners which would regulate the chiropractic profession to ensure the excellent, competitive, and accountable practice of chiropractic. The proposed measure seeks to protect not only the clients of chiropractic physicians but also the practitioners as well as the credibility of their profession.

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



ANTONIO "SONNY" F. TRILLANES IV

Senator

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<sup>1</sup> Data retrieved from <http://en.wikipedia.org/wiki/Chiropractic> on Oct. 7, 2008

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AN ACT

REGULATING THE PRACTICE OF CHIROPRACTIC CARE IN THE PHILIPPINES

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

1           **SECTION 1. *Short Title.*** – This Act shall be known as the “Chiropractic Act of 2008.

2  
3           **SEC. 2. *Declaration of Policy.*** – In recognition of the importance and role of  
4 chiropractors in nation-building and development, it shall be the policy of the State to promote  
5 and recognize the significance of the chiropractic profession.

6  
7           **SEC. 3. *Creation and Composition of Board.*** – There is hereby created a Professional  
8 Regulatory Board of Chiropractic Examiners, hereinafter called the Board, a collegial body  
9 under the administrative control and supervision of the Professional Regulation Commission  
10 (PRC), hereinafter referred to as the Commission, which shall be composed of five (5) members,  
11 four (4) of which are licensed chiropractic physicians who have met the requirements of this Act  
12 and has practice chiropractic in the country for more than two (2) years. One member of the  
13 board shall be a person with no direct financial interest in the health care industry. They shall be  
14 appointed by the President of the Philippines from a list of three (3) nominees for each position.  
15 The Board shall be organized not later than sixty (60) days from the effectivity of this Act.

16  
17           **SEC. 4. *Qualifications of the Chairperson and the Members of the Professional***  
18 ***Regulatory Board of Chiropractic Examiners.*** - The Chairperson and Members of the Board  
19 shall, at the time of their appointment and for the course of their term, possess the following  
20 qualifications:

- 21           (a) A natural born citizen and resident of the Philippines;  
22           (b) At least thirty-five (35) years of age;  
23           (c) Possess good moral character;

- 1 (d) Have at least five (5) years of practice in chiropractic care in a duly recognized  
2 institution, clinic, or center, as well as at least two (2) years of teaching experience in  
3 the field of chiropractic care;
- 4 (e) Be a registered and licensed chiropractor, except in the case of the first members of  
5 the Board who shall automatically be conferred a valid certificate of registration and a  
6 valid professional identification card in chiropractic upon appointment to the Board;
- 7 (f) Is not an officer, nor hold any position other than being a member, of the integrated  
8 and accredited national organization of chiropractors; and
- 9 (g) Shall not have been convicted of any crime involving moral turpitude.

10

11 **SEC. 5. Term of Office.** - The members of the Board shall hold office for a term of three  
12 (3) years or until their successors shall have been appointed and duly qualified. Each member of  
13 the Board may be reappointed for one (1) full term of three (3) years. The first members of the  
14 Board shall hold office for the following terms: the Chairperson for three (3) years; one member  
15 for two (2) years; and the other member for one (1) year, which shall be specified in their  
16 respective appointments. Any vacancy occurring within the term of a member shall be filled for  
17 the unexpired portion of the term only. Each member of the Board shall qualify by taking the  
18 proper oath prior to the performance of his/her duties.

19

20 **SEC. 6. Powers and Duties.** - The Board shall have the following powers and duties:

- 21 (a) Administer and implement the provisions of this Act and promulgate as well as revise  
22 or update, as necessary, rules and regulations, resolutions and guidelines hereto:  
23 provided, that the policies, resolutions, rules and regulations issued or promulgated by  
24 the Board shall be subject to review and approval of the Commission;
- 25 (b) Supervise and monitor the registration, licensure and practice of chiropractors in the  
26 Philippines;
- 27 (c) Administer oaths in connection with the administration of this Act;
- 28 (d) Issue, and upon compliance with due process requirements suspend or revoke, and/or  
29 reinstate, the certificate of registration and professional identification card for  
30 chiropractors;
- 31 (e) Adopt an official seal of the Board;
- 32 (f) Monitor the conditions and circumstances affecting the practice of chiropractic care  
33 in the Philippines and adopt such measures as may be deemed lawful and proper for  
34 the enhancement and maintenance of high professional, ethical and technical  
35 standards of the profession;

- 1 (g) Issue permits to and exercise visitorial powers over agencies, institutions,  
2 associations, corporations and partnerships to verify that the persons practicing  
3 chiropractic care therein are chiropractors with valid certificates of registration and  
4 valid professional identification cards, and that they possess the necessary  
5 accreditation, skills and/or facilities to competently carrying out their functions;
- 6 (h) Assist the Commission in the formulation and implementation of the guidelines on  
7 continuing professional education for chiropractors;
- 8 (i) Ensure, in coordination with the CHED, that all educational institutions offering the  
9 course/program of chiropractic care strictly comply with the policies, standards and  
10 requirements prescribed by CHED for such course/program, especially in the areas of  
11 administration, curriculum, faculty, library and facilities;
- 12 (j) Prepare, adopt, issue and amend, in consultation with CHED, syllabi for the licensure  
13 examination subjects;
- 14 (k) Investigate and, when warranted, hear administrative cases involving violations of  
15 this Act, its implementing rules and regulations as hereinafter promulgated, and any  
16 applicable code of ethics and/or code of professional standards. For this purpose, it  
17 may issue *subpoena* and *subpoena duces tecum* to secure the appearances of  
18 witnesses and the production of documents in connection therewith:

19  
20 Provided, that the Board's decision, resolution or orders rendered in administrative  
21 cases shall be subject to review only on appeal;

- 22  
23 (l) Perform such other functions and duties as may be lawfully delegated to it, or as it  
24 may deem necessary to carry out the objectives of this Act.

25  
26 **SEC. 7. Compensation and Allowances.** - The Chairperson and Members of the Board  
27 shall receive the same compensation and allowances as those received by the chairperson and  
28 Members of the existing regulatory boards under the Commission, as provided in the charter of  
29 the Commission and in the General Appropriations Act.

30  
31 **SEC. 8. Removal or Suspension of Members of the Professional Regulatory Board of**  
32 **Chiropractic Examiners.** - Any member of the Board may, upon the recommendation of the  
33 Commission upon observance of due process and completion of the proper investigation, be  
34 suspended or removed by the President from office for cause, such as gross neglect of duty,  
35 incompetence, malpractice, behavior unbecoming of a chiropractic professional, immorality,  
36 unethical or dishonorable conduct, final conviction of any crime involving moral turpitude, any

1 act of graft and corruption, and participation in the manipulation of or any dishonesty relative to  
2 the licensure examinations and/or the registration process.

3  
4 **SEC. 9. *Administrative Supervision over the Board, Custodian of its Records,***  
5 ***Secretariat and Support Services.*** - The Board shall be under the administrative supervision and  
6 control of the Commission. All records of the Board, including documents relative to the  
7 licensure examinations as well as administrative and other investigative cases conducted by the  
8 Board, shall be kept in the custody of the Commission. The Commission shall designate the  
9 Secretary of the Board and shall provide the Secretariat with necessary support services to  
10 effectively implement the provisions of this Act.

11  
12 **SEC. 10. *Examinations Required.*** - All applicants for registration to practice  
13 chiropractic care shall be required to pass a licensure examination for chiropractors to be  
14 conducted by the Board in such places and dates, and subject to such requirements, prescribed by  
15 the Commission.

16  
17 **SEC. 11. *Qualifications of Applicants for Licensure Examination for Chiropractors*** -  
18 Any person may apply to take the examination for registration and licensure as a chiropractor  
19 after furnishing evidence satisfactory to the Board that the applicant:

- 20 (a) is a Filipino citizen, a permanent resident, or a citizen of a foreign country which  
21 extends reciprocity to the Philippines relative to the practice of the profession;  
22 (b) has a high school education or its equivalent;  
23 (c) has successfully completed at least two academic years of study in a college of liberal  
24 arts or sciences or has engaged in the active licensed practice of chiropractic for three  
25 of the four years preceding the filing of the application;  
26 (d) is a graduate of a school or college of chiropractic that:  
27 (1) is accredited by or a candidate for accreditation by an accrediting agency  
28 recognized by the board; or  
29 (2) if an accrediting agency under (1) of this paragraph does not exist, requires the  
30 completion of a minimum of 4,000 hours of formal education and training in  
31 order to graduate, including  
32 (i) 150 hours of chiropractic philosophy or principles;  
33 (ii) 1200 hours of basic sciences, including anatomy, chemistry,  
34 physiology, and pathology;  
35 (iii) 1400 hours of preclinical technique, including diagnosis, chiropractic  
36 technique, and x-rays; and

- 1 (iv) 700 hours of clinical training;
- 2 (e) completes 120 hours of formal training in physiological therapeutics;
- 3 (f) is of good moral character and
- 4 (g) has not been convicted of an offense involving moral turpitude.

5

6 **SEC. 12. *Licensure by credentials.*** - The board may issue a license by credentials to an

7 applicant who pays the appropriate fee and presents satisfactory proof that the applicant:

- 8 (a) is a graduate of a school or college of chiropractic that
- 9 (1) is accredited by or a candidate for accreditation by an accrediting agency
- 10 recognized by the board; or
- 11 (2) if an accrediting agency under (a) of this paragraph does not exist, requires the
- 12 completion of a minimum of 4,000 hours of formal education and training in
- 13 order to graduate, including:
- 14 (i) 150 hours of chiropractic philosophy or principles;
- 15 (ii) 1,200 hours of basic sciences, including anatomy, chemistry, physiology,
- 16 and pathology;
- 17 (iii) 1,400 hours of preclinical technique, including diagnosis, chiropractic
- 18 technique, and x-rays; and
- 19 (iv) 700 hours of clinical training;
- 20 (b) has passed an examination approved by the board that is designed to test the
- 21 applicant's knowledge of the laws governing the practice of chiropractic and the
- 22 regulations adopted under those laws; and
- 23 (c) has completed 120 hours of formal training in physiological therapeutics or has
- 24 passed, to the satisfaction of the board, a physiological therapeutics examination as
- 25 may be required by the board.

26

27 **SEC. 13. *Examination.*** -

- 28 (a) Examinations for a license to practice chiropractic may be held in the time and
- 29 manner fixed by the board.
- 30 (b) The examination may include practical demonstration and oral and written
- 31 examination in those subjects usually taught in accredited chiropractic schools.
- 32 (c) A general average rating of 75 percent is a passing grade on the examination.
- 33 (d) An applicant may take a reexamination within one year after failing the examination.
- 34

1 The Board shall submit to the Commission an official report detailing the ratings  
2 obtained by each examinee within ten (10) calendar days after the examination, unless such  
3 period is extended for just cause.

4  
5 **SEC. 14. *Oath of Chiropractors*** - All successful examinees qualified for registration and  
6 all qualified applicants for registration without examination shall be required to take an oath to  
7 uphold the profession before any member of the Board or any officer of the Commission  
8 authorized to administer oaths, prior to entering into the practice of chiropractics in the  
9 Philippines.

10  
11 **SEC. 15. *Issuance of Certificates of Registration and Professional Identification Card.***  
12 – A certificate of registration and professional identification card shall be issued to all successful  
13 examinees and registrants without examination upon compliance with all the legal requirements,  
14 including payment of fees, prescribed by the Commission. The certificate of registration shall  
15 bear the signature of the Chairperson of the Commission and Members of the Board, indicating  
16 that the person named therein is entitled to practice the profession with all the privileges and  
17 concomitant responsibilities appurtenant thereto. The said certificate shall remain in full force  
18 and effect until suspended or revoked in accordance with this Act. A professional identification  
19 card bearing the registration number, date of issuance and validity term of three years, duly  
20 signed by the Chairperson of the Commission, shall likewise be issued to every registrant who  
21 has paid the prescribed registration fee. Upon expiration of the professional identification card,  
22 the chiropractors may renew the same upon proof of compliance with continuing education  
23 requirements prescribed by the Board and/or Commission.

24  
25 **SEC. 16. *Disclosure of Registration Information.*** - The chiropractor shall be required to  
26 indicate his/her registration and professional identification card number and date of issuance, the  
27 duration of validity, including the professional tax receipt number on each document signed,  
28 used or issued in connection with the practice of his/her profession.

29  
30 **SEC. 17. *Non-issuance of Certificate of Registration and Professional Identification***  
31 ***Card.*** - The Board shall not register nor issue a certificate of registration or professional  
32 identification card to any person convicted of a criminal offense involving moral turpitude, has  
33 been found guilty by a judicial or other duly constituted tribunal of immoral or dishonorable  
34 conduct, or has been medically diagnosed to be of unsound mind. In the event of non-issuance of  
35 the certificate for any reason, the Board shall furnish the applicant a written statement setting

1 forth the reasons for such denial, which statement shall be incorporated to the records of the  
2 Board.

3  
4 **SEC. 18. *Practice Through Special Temporary Permit.*** - Special temporary permits may  
5 be issued by the Board, subject to the approval by the Commission and payment of appropriate  
6 fees, to the following persons:

- 7 (1) Licensed chiropractors from foreign countries who are internationally acknowledged  
8 specialists or outstanding experts in chiropractic care, provided that their services are  
9 important and necessary either due to the lack or inadequacy of available local  
10 specialists/experts or in recognition of their potential contribution to the  
11 promotion/advancement of chiropractic care through transfer of technology;
- 12 (2) Licensed chiropractors from foreign countries whose services shall be free and  
13 offered exclusively to indigent patients in a particular hospital, center or clinic; and
- 14 (3) Licensed chiropractors from foreign countries employed as exchange professors to  
15 teach chiropractic care in schools, colleges, universities offering chiropractic  
16 programs.

17 The permit shall detail the conditions thereof which shall, among other things, include the  
18 effectivity period of not more than one (1) year subject to renewal, and the specific place of  
19 practice such as the clinic, hospital, center, school, college, university offering the course of  
20 chiropractic care. The Board, subject to the approval by the Commission, shall prescribe rules  
21 and regulations on the implementation of this particular section.

22  
23 **SEC. 19. *Suspension or Revocation of Certificate of Registration and Professional***  
24 ***Identification Card or Cancellation of a Special Temporary Permit.*** - The Board shall have the  
25 power, after notice and hearing, to suspend or revoke the certificate of registration and  
26 professional identification card or to cancel special temporary permits granted pursuant to this  
27 Act on any ground set forth in the instances hereunder:

- 28 (a) Procurement of a certificate of registration and/or professional identification card, or  
29 special temporary permit by fraud or deceit;
- 30 (b) Allowing an unqualified person to advertise or to practice the profession by using  
31 one's certificate of registration or professional identification card or special  
32 temporary permit;
- 33 (c) Violating or conspiring to violate any of the provisions of this Act, its implementing  
34 rules and regulations, the code of ethics or code of professional standards  
35 promulgated hereinafter by the Board;



- 1 (d) Manifest physical or mental incompetence to render chiropractic services with  
2 reasonable skill and safety to his/ her clients/patients;  
3 (e) Professional misconduct or negligence in the performance of duties as a chiropractor;  
4 and  
5 (f) Engaging in the practice of the profession during the period of one's suspension.  
6

7 **SEC. 20. Reinstatement.** - A chiropractor whose certificate of registration has been  
8 revoked may apply to the Board for reinstatement at any time after two (2) years from the date of  
9 revocation of said certificate. The application shall be in writing and shall conform to  
10 requirements hereinafter prescribed by the Board. No certificate of registration or professional  
11 identification card shall be reinstated unless the Board is satisfied that a good cause exists to  
12 warrant such reinstatement.

13 Issuance of a new certificate of registration or professional identification card, or special  
14 temporary permit in lieu of one that has been lost, destroyed or mutilated shall be subject to  
15 applicable rules prescribed by the Commission.  
16

17 **SEC. 21. Appeal from Judgment.** - The decision of the Board shall ipso facto become  
18 final fifteen (15) days from receipt of the decision by the respondent unless an appeal has been  
19 filed with the Commission within the same period. The Commission's decision on appeal may be  
20 further appealed before the Court of Appeals within fifteen (15) days from receipt thereof.  
21

22 **SEC. 22. Rights of the Respondent.** - The respondent chiropractor shall have the right to  
23 be represented by counsel at all stages of the proceedings as well as to speedy disposition of  
24 his/her case. He/she shall have the right to confront witnesses against him/her in addition to such  
25 other rights guaranteed by the Constitution.  
26

27 **SEC. 23. Integration of the Profession.** - The profession shall hereinafter be integrated  
28 by consolidating all practitioners into one national organization of registered and licensed  
29 chiropractors, which shall be recognized and accredited by the Board, subject to approval of the  
30 Commission. A chiropractor duly registered and licensed by the Board and the Commission shall  
31 automatically become a member of said organization and shall receive the benefits and  
32 privileges, as well as be subject to all responsibilities and obligations, appurtenant thereto upon  
33 payment of the required fees and dues. Membership in the integrated organization shall not be a  
34 bar to membership in any other association of chiropractors.  
35  
36

1           **SEC. 24. Prohibited Acts.** – No person shall:

- 2           (a) Engage in the professional practice of chiropractic care nor represent himself/ herself  
3           as a professional practicing chiropractor without a valid certificate of  
4           registration/valid professional identification card, or a valid special temporary permit  
5           granted by the Board pursuant to this Act;
- 6           (b) Represent himself/ herself to be a licensed and authorized practicing chiropractor  
7           during the time that his/her certificate of registration has been suspended or revoked  
8           or professional identification card without being renewed, or special temporary  
9           permit cancelled;
- 10          (c) Allow any other person to use his/her certificate of registration and professional  
11          identification card or special temporary permit for any purpose, regardless of whether  
12          such act actually enables the unqualified individual to engage in the practice of  
13          chiropractic;
- 14          (d) Use, exhibit and/or misrepresent as his/her own the certificate of registration and/or  
15          professional identification card or special temporary permit of another; and,
- 16          (e) Give any false, inaccurate, misleading or incomplete information to the Board in  
17          order to obtain a certificate of registration or professional identification card or  
18          special temporary permit

19          No corporation, partnership, association or entity shall operate a chiropractic office,  
20          center, clinic, or otherwise engage in the practice or allow the practice of chiropractic within its  
21          premises, without securing a permit therefore from the Board. Such permit shall be issued only  
22          after the Board is satisfied that such establishment is competently staffed by a chiropractor and  
23          equipped with sufficient and adequate chiropractic-related instruments and facilities.

24          A violation of any provision of this Act or its implementing rules and regulations shall be  
25          penalized accordingly.

26

27          **SEC. 25. Penalties.** - Any person who violates any provision of this Act or its  
28          implementing rules and regulations shall be punished with imprisonment of not less than six (6)  
29          months but not more than three (3) years, or a fine of not less than Ten Thousand Pesos (P10,  
30          000.00) but not more than One Hundred Thousand Pesos (P100,000.00), or both, at the  
31          discretion of the Court.

32

33          **SEC. 26. Injunction.** - The Board may initiate action to enjoin, restrain, and/or  
34          prosecute any individual, corporation, association, partnership or entity engaging in the practice  
35          of chiropractics in violation of this Act.

36

1           **SEC. 27. Funding Provision.** - The Chairperson of the Commission shall immediately  
2 hereinafter include in the Commission's programs the prompt implementation of this Act,  
3 funding of which shall be provided for in the Annual General Appropriations Act.

4  
5           **SEC. 28. Enforcement.** - It shall be the duty of all duly constituted law enforcement  
6 agencies and officers of national, provincial, city or municipal governments to uphold and  
7 enforce the provisions of this Act and to investigate and prosecute or cause the investigation and  
8 prosecution of any person violating the same.

9  
10           **SEC. 29. Implementing Rules and Regulations.** - Within ninety (90) days after the  
11 constitution of the Board, it shall promulgate the necessary implementing rules and regulations,  
12 subject to approval of the Commission, to implement the provisions of this Act.

13  
14           **SEC. 30. Separability Clause.** - If any provision of this Act is held invalid by a  
15 competent court, any other provision not affected thereby shall continue to be valid and effective.

16  
17           **SEC. 31. Repealing Clause.** - Any laws, presidential decrees, executive orders and  
18 letters of instruction which are inconsistent with any of the provisions of this Act are hereby  
19 repealed or amended accordingly.

20  
21           **SEC. 32. Effectivity Clause.** This Act shall take effect fifteen days following its  
22 publication in the Official Gazette or in any two newspapers of general circulation.

Approved,