

S. No. 2582
H. No. 6077

Republic of the Philippines
Congress of the Philippines

Metro Manila

Sixteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand fifteen.



[REPUBLIC ACT NO. **10862**]

AN ACT REGULATING THE PRACTICE OF NUTRITION AND DIETETICS IN THE PHILIPPINES, REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1286, KNOWN AS THE "NUTRITION AND DIETETICS DECREE OF 1977", APPROPRIATING FUNDS THEREFOR AND FOR OTHER RELATED PURPOSES

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

ARTICLE I

TITLE

SECTION 1. *Short Title.* – This Act shall be known as the "Nutrition and Dietetics Law of 2016".

ARTICLE II
GENERAL PROVISIONS

SEC. 2. *Declaration of Policy.* – The State recognizes the important role of registered nutritionist-dietitians (RNDs) in nation building and in human development through adequate nutrition. Towards this end, the State shall promote the sustained development of RNDs whose competence has been determined by honest and credible licensure examinations, and whose standards of professional service and practice are internationally recognized and considered world-class, brought about by regulatory measures, programs and activities that foster growth and advancement of the profession.

SEC. 3. *Objectives.* – This Act shall govern:

(a) The standardization and regulation of nutrition and dietetics education;

(b) The examination, registration and licensure of nutritionist-dietitians;

(c) The standardization, supervision, control, and regulation of the practice of nutrition and dietetics;

(d) The development of professional competence of nutritionist-dietitians through continuing professional development (CPD); and

(e) The integration of the nutrition-dietetics profession.

SEC. 4. *Definition of Terms.* –

(a) *AIPO* refers to the one and only accredited integrated professional organization of nutritionist-dietitians recognized by the Professional Regulatory Board of Nutrition and Dietetics, subject to the approval of the Professional Regulation Commission.

(b) *Dietetics* refers to the science and art of applying the principles of nutrition to the planning and preparation of foods, and the regulation of the diet in relation to both health and disease. It also refers to the promotive, preventive, therapeutic, and administrative aspects of the delivery of nutritional services in hospitals, food service institutions and other health care institutions/facilities.

(c) *Nutrition* refers to the science of dealing with foods, nutrient composition, eating habits, nutritional status, and health and diseases of individuals and populations. Nutrition also covers the social, economic, environmental, cultural, political, and psychological implications of food and eating.

(d) *Nutritionist-Dietitian* refers to a registered and licensed person who holds a valid certificate of registration and a valid professional identification card issued by the Board and the Commission pursuant to this Act.

(e) *Profession* refers to the practice of the science and art or discipline of nutrition and dietetics combined.

ARTICLE III

NUTRITION AND DIETETICS EDUCATION

SEC. 5. *Nutrition and Dietetics Education Program.* – The Nutrition and Dietetics Education Program shall provide sound general and professional foundation for the practice of nutrition. The learning experiences shall adhere strictly to specific requirements embodied in the prescribed curriculum as promulgated by the Commission on Higher Education (CHED). These shall guide the policies and standards for Nutrition and Dietetics education.

SEC. 6. *Qualifications of the Faculty.* – A member of the faculty in a college offering a program on nutrition and dietetics must:

(a) Be an RND in the Philippines;

(b) Preferably have at least one (1) year of practice in a field of specialization;

(c) Be a member of good standing of the AIPO; and

(d) Preferably be a holder of a master's degree in nutrition and dietetics, education, or other allied medical and health sciences conferred by a college or a university duly recognized by the CHED.

In addition to the aforementioned qualifications, the head of the program must have a master's degree in nutrition and dietetics and must have at least five (5) years of experience in nutrition and dietetics: *Provided*, That the Board, as created in Section 7, may impose additional qualifications for the faculty that will further enhance the standards of the profession.

ARTICLE IV

PROFESSIONAL REGULATORY BOARD OF NUTRITION AND DIETETICS

SEC. 7. *Creation and Composition of the Professional Regulatory Board of Nutrition and Dietetics.* – There is hereby created a Professional Regulatory Board of Nutrition and Dietetics, hereinafter referred to as the Board, a collegial body under the administrative supervision and control of the Professional Regulation Commission, hereinafter referred to as the Commission, to be composed of a Chairperson and two (2) members appointed by the President of the Philippines from a list of two (2) recommendees for each position chosen and submitted by the Commission thereto from a list of three (3) nominees for every position endorsed by the AIPO.

SEC. 8. *Qualifications of Chairperson and Members of the Board.* – The Chairperson or members shall, at the time of their appointment, possess all the following requirements:

(a) A citizen and a resident of the Philippines;

(b) At least thirty-five (35) years of age;

(c) Of good moral character;

(d) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude;

- (e) A registered and licensed nutritionist-dietitian with a valid certificate of registration and a valid license;
- (f) A holder of a post-graduate degree in nutrition and dietetics or a related field as determined by the Commission from an institution recognized by the CHED;
- (g) Have at least five (5) years of continuous practice of the profession prior to their appointment;
- (h) A member in good standing of the AIPO;
- (i) Not a member of the faculty of any school, college or university where a course in nutrition and dietetics is offered at the time of appointment;
- (j) Not an owner, shareholder, manager, consultant, staff or in any way connected to a review school or center; and
- (k) Not an officer, board member or trustee of the AIPO.

Provided, That any person who is appointed as Chairperson or member of the Board shall automatically resign from any teaching position in any school, college or university, and/or review program for the local nutrition-dietetics board examinations. They shall not have any pecuniary interest in, or administrative supervision over, any institution offering nutrition and dietetics programs, including review classes.

SEC. 9. Term of Office. – The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have qualified and been appointed. They may be reappointed to the same office for another term of three (3) years immediately after the expiry of their term: *Provided*, That the holding of such position or office shall not be more than two (2) terms or not more than six (6) years. Any vacancy in the position of the Chairperson shall be occupied in an acting capacity or as an officer-in-charge by the most senior member of the Board until the Chairperson shall have been appointed. The Chairperson and the members shall duly take their oath of office.

SEC.10. *Compensation, Allowances and Other Benefits.*

– The Chairperson and members of the Board shall receive compensation, allowances and other benefits as provided for in the General Appropriations Act, subject to existing rules and regulations issued by the Department of Budget and Management (DBM).

SEC. 11. *Powers, Functions, Duties and Responsibilities of the Board.* – The Board shall exercise executive, administrative, rule-making, and quasi-judicial powers in carrying out the provisions of this Act. It shall be vested with the following specific powers, functions, duties and responsibilities:

Regulatory Functions:

(a) Issue and promulgate the rules and regulations implementing the provisions of this Act;

(b) Adopt and promulgate a Code of Ethics, Code of Good Governance, and Code of Technical Standards for the Practice of Nutrition and Dietetics;

(c) Adopt an official seal of the Board;

(d) Conduct regular consultation with members and other concerned organizations on enhancing the professional development of nutritionist-dietitians;

(e) Together with the Commission, enter into a Memorandum of Agreement with the CHED in ensuring that all higher educational instructions and offerings of degree, course or program comply with the policies, standards, and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library, and facilities;

Licensure Functions:

(f) Prescribe and promulgate the tables of specifications and syllabi for the subjects in the licensure examination/s in consultation with the academe and the CHED;

(g) Prepare questions for the subjects in the licensure examinations, give and correct the said examinations, and release their results;

(h) Evaluate and approve applications for licensure examination/s;

(i) Issue, suspend, revoke or reinstate the certificates of registration and special/temporary permits for the practice of nutrition and dietetics;

(j) Administer oaths in the performance of its functions;

(k) Monitor the conditions affecting the practice of nutrition and dietetics as may be deemed proper for the maintenance of professional, ethical and technical standards;

(l) Reissue or reinstate revoked/suspended certificates of registration and unexpired professional identification cards: *Provided*, That the revoked certificate of registration shall only be reissued after the lapse of the period provided in this Act: *Provided, further*, That the Board shall issue a resolution thereon, subject to approval by the Commission, after the suspended RND has established fitness to practice anew nutrition and dietetics;

Administrative Functions:

(m) Hear and investigate cases on violations of this Act, its implementing rules and regulations, the Code of Ethics, the Code of Good Governance, the Code of Technical Standards for the practice of profession, and other policies; and for this purpose, issue summons, subpoena *ad testificandum* and subpoena *duces tecum* to secure the attendance of parties or witnesses or the production of documents in such hearings or investigations;

(n) Delegate the hearing or investigation of cases against alleged violators: *Provided*, That the hearing or investigation of cases wherein the issue or question involved strictly concerns the technical practice of nutrition and dietetics shall be presided over by at least one (1) member of the Board assisted by a Legal or Hearing Officer of the Commission;

(o) Endorse cases involving criminal violations of this Act and other laws, its rules and regulations, and other policies to the Prosecution Office for investigation and, at the discretion of the Board, file a complaint with the same;

(p) Decide administrative cases against examinees or RNDs: *Provided*, That if found guilty, the Board shall cancel their examination papers and/or ban them from taking another licensure examination, or revoke/suspend their certificate of registration: *Provided, further*, That the effectivity of the penalty shall only commence from the date of surrender of the said certificates together with the professional identification cards: *Provided, furthermore*, That the decision of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

(q) Conduct, through the Legal or Hearing Officer, summary proceedings on minor violations of this Act, its implementing rules and regulations (IRR), any of the Codes aforementioned, the General Instructions to Examinees committed by examinees, and to render summary judgment thereon which shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

(r) Prepare an annual report of accomplishment, programs, projects and activities of the Board during the year of submission to the Commission after the close of each calendar year and make appropriate recommendations on issues or problems affecting the profession to the Commission; and

(s) Discharge other implied, incidental, and necessary powers, duties, functions, and responsibilities for the effective implementation of the provisions of this Act and its policies or measures, and the achievement of its objectives.

SEC. 12. *Grounds for Removal or Suspension of Board Chairperson/Member.* – The President of the Philippines may, upon the recommendation of the Commission and after due process, remove or suspend the Chairperson or any member of the Board on any of the following grounds:

(a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty;

(b) Violation of the Revised Penal Code and Republic Act No. 3019 or "The Anti-Graft and Corrupt Practices Act"; and

(c) Manipulation or rigging of the results of the licensure examination for nutritionist-dietitians, disclosure of secret and confidential information on the examination questions prior to the conduct thereof or the tampering of grades.

The Commission, in the conduct of the investigation, shall be guided by Section 7(s) of Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000", the rules on administrative investigation, and the applicable provisions of the new Rules of Court.

SEC. 13. *Records and Support Service.* – The Commission shall have administrative supervision over the Board. It shall keep all records of the Board including applications for examination, examination papers and results, minutes of deliberation, and administrative cases. It shall likewise designate the Secretary of the Board who shall be a staff member in the Commission and shall provide the other support services to the Board in order to implement the provisions of this Act.

ARTICLE V

EXAMINATION, REGISTRATION, CERTIFICATION, AND LICENSURE

SEC. 14. *Passing of Licensure Examination Requirement.* – Except as otherwise specifically allowed under this Act, applicants for registration for the practice of nutrition and dietetics shall be required to pass a Board Licensure Examination for nutritionist-dietitians as provided for in this Act. It shall be held in such places and dates as the Commission may designate in the Resolution thereof on the Master Schedules for all licensure examination in accordance with Section 7(d) of Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000".

SEC. 15. *Qualifications of Applicants.* – An applicant for the licensure examination for nutritionist-dietitian shall satisfactorily prove that he/she possesses the following qualifications:

(a) Citizen of the Philippines or of any foreign country/ state which has a policy or law on reciprocity for Filipinos relative to the practice of nutrition and dietetics in accordance with Section 31 hereof;

(b) Of good moral character;

(c) A holder of a bachelor's degree in nutrition and dietetics or its equivalent which is duly recognized or accredited by the CHED and conferred by a school/college/university, whether here or abroad, duly authorized by the government; and

(d) Not convicted of an offense involving moral turpitude by a court of competent jurisdiction.

SEC. 16. *Subjects for Licensure Examination.* – The licensure examination/s for nutritionist-dietitians shall include, but not be limited to, the following:

(a) Nutrition and Dietetics;

(b) Foods and Food Service Systems; and

(c) Community and Applied Nutrition.

The Board, subject to approval by the Commission, may revise or exclude any of the subjects and their tables of specifications and syllabi, and add new ones, as the need arises, to conform to technological changes brought about by continuing trends in the profession.

SEC. 17. *Rating in the Licensure Examination.* – To pass the licensure examination for nutritionist-dietitians, a candidate must obtain a general or weighted average rating of seventy-five percent (75%), with no rating below fifty percent (50%) in any subject: *Provided*, That an applicant who fails to obtain a passing

average but who obtained at least seventy-five percent (75%) in each of at least one-half of the total subjects given in the examination, may be permitted to take within two (2) years from the date of his/her examination, another examination, on the subjects in which he/she obtained a grade below seventy-five percent (75%). Should the examinee fail in the set of subjects repeated in the second examination, he/she shall be required to take all the subjects in the next examination.

SEC. 18. *Report of Rating.* – The Board shall submit to the Commission the ratings obtained by the candidate not later than ten (10) days after the last day of the examination, unless it is extended for a valid cause.

SEC. 19. *Oath.* – All successful candidates in the licensure examination shall take their oath of profession before the Chairperson or any member of the Board; or any authorized officer of the Commission, prior to entering the practice of nutrition and dietetics.

SEC. 20. *Issuance of Certificate of Registration and Professional Identification Card.* – A certificate of registration shall be issued to those who have passed the licensure examination, subject to compliance with the registration requirements and payment of fees, as prescribed by the Commission. It shall bear the signature of the Chairperson of the Commission and the Chairperson and members of the Board, indicating that the person named therein is entitled to the practice of the profession with all the privileges appurtenant thereto. Until withdrawn, revoked, or suspended in accordance with this Act, the certificate of registration shall remain in full force and effect.

A professional identification card, bearing the registration number and date, its validity and expiry duly signed by the Chairperson of the Commission, shall likewise be issued to every registrant who has paid the prescribed fee. It shall be renewed every three (3) years upon payment of the prescribed fees therefor and compliance with the CPD requirement.

SEC. 21. *Grounds for Non-registration.* – The Board shall not register any successful examinee who has been:

(a) Convicted by final judgment of an offense involving moral turpitude by a court of competent jurisdiction;

(b) Adjudged guilty for violation of the General Instructions to Examinees by the Board; and

(c) Declared of unsound mind by a court of competent jurisdiction.

In refusing such registration, the Board shall give the applicant a written statement setting forth the reasons therefor and shall file a copy thereof in its records.

SEC. 22. Revocation or Suspension of the Certificate of Registration and Cancellation of Special/Temporary Permit. – The Board shall have the power, after due process, to revoke or suspend the certificate of registration or to cancel a special/temporary permit upon any of the following grounds:

(a) Violation of any provision of this Act, its IRR, Code of Ethics, Code of Good Governance, standards for the practice of nutrition and dietetics, policy, and measures of the Board and/or the Commission;

(b) Conviction of an offense involving moral turpitude by a court of competent jurisdiction;

(c) Perpetration or use of fraud in obtaining his/her certificate of registration, professional identification card, special/temporary permit;

(d) Gross incompetence, negligence or ignorance resulting in death, injury or damage;

(e) Neglect or failure to pay the annual registration fees for five (5) consecutive years;

(f) Aiding or abetting the illegal practice of a non-registered and licensed person by allowing the use of his/her certificate of registration and/or professional identification card or special/temporary permit;

(g) Practicing the profession during his/her suspension from the practice thereof; and

(h) Drug or alcohol abuse impairing his/her ability to practice the profession or declared of unsound mind by a court of competent jurisdiction.

The Board shall periodically evaluate the aforementioned grounds, and revise or add new ones as the need arises subject to approval by the Commission.

Any person may file charge/s against any registrant in accordance with the provision of this section. An affidavit-complaint shall be filed together with the affidavits of witnesses and other documentary evidence with the Board through the Legal and Investigation Office: *Provided*, That the Board may, *motu proprio*, recommend an investigation of any RND for violation of any of the abovementioned causes. The *motu proprio* action to recommend an investigation shall be embodied in a resolution to be signed by at least the majority of the members of the Board. The rules on administrative investigation issued by the Commission shall govern the hearing or investigation, subject to applicable provisions of this Act, Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000", and suppletorily the Rules of Court.

SEC. 23. Reissuance of Revoked Certificates of Registration, Replacement of Lost or Damaged Certificates of Registration, Professional Identification Cards or Special/Temporary Permits. – The Board may, upon petition, reinstate or reissue a revoked certificate of registration after four (4) years from the effectivity of the period for revocation, which is the date of surrender of the said certificate and/or the professional identification card if still valid, to the Board and/or the Commission. The Board may impose a shorter period of time to reinstate or reissue said certificate as may be provided for in the IRR. In all cases, the Board shall not require the holder thereof to take another licensure examination unless the ground violated is the commission of fraud under Section 22 (c). The petitioner shall prove to the Board that he/she has valid reason/s to practice the profession and that he/she has undergone CPD Program. For

the grant of the petition, the Board shall issue a Board Resolution subject to the approval by the Commission.

A duplicate copy of lost certificates of registration, professional identification cards or special/temporary permits may be reissued in accordance with rules thereon and upon payment of the prescribed fee.

SEC. 24. *Nonpayment of the Annual Registration Fees.* – The Board shall suspend an RND from the practice of his/her profession for nonpayment of the annual registration fees for five (5) consecutive years from its last or previous year of payment and for nonrenewal of license every three (3) years. The resumption of his/her practice shall take place only upon payment of the delinquent fees plus surcharges and interest, and in accordance with the rules of the Commission. The five (5)-year suspension period may be interrupted upon written notice of the discontinuance of his/her practice and surrender of the certificate of registration to the Board and/or the Commission.

SEC. 25. *Vested Rights.* – All nutritionist-dietitians registered before the effectivity of this Act shall automatically be registered hereunder, subject to the provisions herein set forth as to future requirements.

Certificates of registration and professional identification cards or special/temporary permits held by such persons in good standing at such effectivity shall have the same force and effect as though they were issued under the provisions of this Act.

ARTICLE VI PRACTICE OF NUTRITION AND DIETETICS

SEC. 26. *Scope of Practice in Nutrition and Dietetics.* – A person is deemed to be in the practice of nutrition and dietetics within the meaning and intent of this Act when he/she, for a fee, salary or other reward or compensation, paid to the individual or through another person or even without such rewards or compensation, renders or offers to render professional services in nutrition and dietetics such as:

(a) Providing medical nutrition therapy through the application of the Nutrition Care Process for purposes of disease prevention, treatment and management;

(b) Optimizing the health and well-being of patients/clients through the delivery of quality products, programs and services;

(c) Promoting nutritional health and well-being of individuals, groups, communities and populations;

(d) Setting standards, guidelines and policies that create and encourage an environment that supports nutritional health;

(e) Managing food and nutrition systems, including programs, projects and services;

(f) Facilitating and conducting food, nutrition and related research across a variety of practice settings; and

(g) Educating and training others about food and nutrition in a variety of practice settings.

The Board, subject to the approval by the Commission and in consultation with the AIPO, may modify the scope of practice specified above as the need arises in order to keep the same aligned with local and international developments: *Provided*, That such modifications are consistent with the enumeration above.

SEC. 27. *Required RNDs for Various Types of Healthcare Institutions and Other Establishments.* – The Department of Health (DOH), in coordination with the National Nutrition Council (NNC) and the AIPO, shall determine the appropriate number of RNDs for various types of healthcare institutions and other establishments that need their professional services. It shall likewise issue the necessary guidelines one hundred twenty (120) days after the enactment of this Act for the proper implementation of this section.

Plantilla positions, with titles that specify “nutritionist-dietitian”, “nutritionist” or “dietitian” as well as positions requiring the expertise of RNDs shall be occupied by RNDs.

SEC. 28. *Roster of Nutritionist-Dietitians.* – A roster of nutritionist-dietitians shall be prepared by the Commission during the month of August every year, commencing on the year following that in which this Act shall become effective. This roster shall contain the name and address of each RND, date of registration or issuance of certificates and other dates, which, in the opinion of the Board, may appear pertinent. The roster shall be opened for public inspection, and copies thereof shall be on file in the records of the Commission. Other bureaus or government agencies and the public may be given a copy upon request.

SEC. 29. *Lawful Practitioners of Nutrition and Dietetics.* – The following persons shall be authorized to practice nutrition and dietetics:

(a) Duly registered and licensed nutritionist-dietitians and holders of valid certificates of registration and valid professional identification cards issued by the Board and the Commission pursuant to this Act; and

(b) Foreign-licensed nutritionist-dietitians who are holders of valid special/temporary permits issued by the Board and the Commission pursuant to this Act.

SEC. 30. *Requirement for Inactive Nutritionist-Dietitians Returning to Practice.* – Nutritionist-Dietitians who have not actively practiced the profession for five (5) consecutive years are required to attend a refresher course and the CPD Program offered by an institution accredited by the AIPO.

SEC. 31. *Foreign Reciprocity.* – No foreign nutritionist-dietitian shall be granted any of the rights and privileges under this Act unless the country of which he/she is a subject or citizen grants the same or similar rights or privileges to Filipino nutritionist-dietitians.

SEC. 32. *Practice Through Special/Temporary Permits.* – Special/Temporary permits may be issued by the Board subject to the approval by the Commission and payment of fees which the latter has prescribed to licensed nutritionist-dietitians from countries/states where services are either for a fee or free in the following instances:

(a) If they are internationally known nutritionist-dietitians or experts in any branch or specialty of nutrition and dietetics;

(b) If their services are urgently necessary for lack, or inadequacy, of available local specialists or experts, for the promotion and advancement of the practice of nutrition and dietetics, through transfer of technology;

(c) If their services are intended for indigent patients whether in a particular healthcare facility or while on a humanitarian mission; and

(d) If licensed nutritionist-dietitians from foreign countries/states are employed as exchange professors in a branch or specialty of nutrition and dietetics in schools, colleges or universities offering the course of nutrition and dietetics.

The permit shall be valid for a period of not more than one (1) year subject to renewal. It shall indicate, among others, the branch or specialty of nutrition and dietetics, and the specific place of practice such as clinic, hospital, center, school, college or university offering the course of nutrition and dietetics. The Board, subject to approval by the Commission, shall promulgate rules and regulations in the implementation of this particular section.

SEC. 33. *Continuing Professional Development (CPD) Program.* – All nutritionist-dietitians shall abide by the requirements, rules and regulations on continuing professional development to be promulgated by the Board, subject to the approval by the Commission, in coordination with the AIPO or any duly accredited educational institutions.

SEC. 34. *Indication of Numbers: Certificate of Registration and Professional Identification Card, Professional Tax Receipt (PTR), AIPO Membership and Official Receipt (O.R.).* – The nutritionist-dietitian shall be required to indicate his/her certificate of registration number and date of issuance, and the expiry of his/her current professional identification card, PTR number, AIPO membership number and O.R. number on the documents he/she signs, uses, or issues in connection with the practice of nutrition and dietetics.

SEC. 35. *Posting of Certificate of Registration and Professional Identification Card or Special/Temporary Permit.* – The certificate of registration and professional identification card of nutritionist-dietitians or special/temporary permit in original or authentic/authenticated copies shall be posted in a conspicuous place or kept on file in his/her office. Those previously registered in accordance with Presidential Decree No. 1286 shall retain their certificate of registration numbers.

SEC. 36. *Integration of the Nutrition and Dietetics Profession.* – The nutrition and dietetics profession shall be integrated into one (1) national professional organization of nutritionist-dietitians that is duly registered with the Securities and Exchange Commission (SEC). The Board, subject to approval of the Commission, shall accredit the organization as the one and only AIPO. All nutritionist-dietitians whose names appear in the registry book of nutritionist-dietitians shall *ipso facto* become members thereof and shall receive all the benefits and privileges appurtenant thereto upon payment of AIPO membership fees and dues.

Membership in the AIPO shall not be a bar to membership in other nutrition and dietetics organizations.

ARTICLE VII

NUTRITION AND DIETETICS HUMAN RESOURCE PRODUCTION, UTILIZATION AND DEVELOPMENT

SEC. 37. *Studies for Nutrition and Dietetics Manpower Needs, Production, Utilization and Development.* – The Board, in coordination with the AIPO and appropriate government or private agencies shall initiate, undertake and conduct studies on nutrition and dietetics human resource production, utilization and development.

SEC. 38. *Comprehensive Nutrition and Dietetics Specialty Program.* – Within ninety (90) days from the effectivity of this Act, the Board, in coordination with the accredited professional organization, recognized specialty organizations and the DOH, is hereby mandated to formulate and develop a comprehensive nutrition and dietetics specialty program that would upgrade the

level of skills and competence of nutritionist-dietitian specialists in the country, such as, but not limited to, the areas of diabetes management, cardiovascular disease management, renal disease management, oncology, nutrition support, weight management, sports nutrition, obstetrics, pediatrics, dental medicine, and such other areas as may be determined by the Board.

ARTICLE VIII
PENAL PROVISION

SEC. 39. *Penal Provision.* – Any person who shall commit any of the following acts, shall, upon conviction, be imposed a fine of not less than three hundred thousand pesos (P300,000.00) and/or imprisonment of not less than six (6) months, at the discretion of the court:

(a) Offering himself/herself as, or using the title “Nutritionist-Dietitian”, or any word, letter, figure, or sign whatsoever, tending to convey the impression that he/she is a nutritionist-dietitian, or advertising or indicating in any manner that he/she is qualified to perform the work of a nutritionist-dietitian without holding a valid certificate of registration and a valid professional identification card as issued by the Board in accordance with this Act and/or covered by reciprocity, unless exempt from registration;

(b) Practicing nutrition and dietetics without a valid certificate of registration and/or valid professional identification card or valid special/temporary permit;

(c) Attempting to use the seal, certificate of registration and/or professional identification card of an RND or special/temporary permit issued to foreign nutritionist-dietitian;

(d) Abetting the illegal practice of nutrition and dietetics by an unregistered or unauthorized person;

(e) Securing through false information or fraudulent means a Certificate of Registration and/or Professional Identification Card or Special/Temporary Permit; and

(f) Impersonating an RND or a holder of a Special/Temporary Permit.

ARTICLE IX
FINAL PROVISIONS

SEC. 40. *Enforcement.* – In carrying out the provisions of this Act, the Board shall be assisted by the Commission, the AIPO, duly constituted government agencies and authorities, and private organizations in the industry. A memorandum of agreement between agencies or organizations may be executed.

SEC. 41. *Funds.* – The funds or budget for the implementation of this Act shall be included in the annual General Appropriations Act for the Commission, provided that the amount incurred for its initial implementation shall be charged against the current year's appropriation of the Commission.

SEC. 42. *Transitory Provisions.* – The incumbent Board shall, in an interim capacity, continue to operate or function in carrying out the provisions of this Act without new appointments until the first Board created under this Act shall have been constituted or organized pursuant thereto.

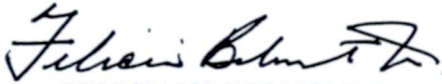
SEC. 43. *Implementing Rules and Regulations (IRR).* – The Board of Nutrition and Dietetics, subject to approval by the Commission and after consultation with the AIPO, other agencies, and private organizations concerned in the industry, shall prescribe, promulgate and issue a Board Resolution on the IRR of this Act within ninety (90) days from the effectivity of this Act.

SEC. 44. *Separability Clause.* – If any provision, section, or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other provisions, sections or parts hereof, but shall be merely confined to the provision, section, or part thereof that is directly involved in the issue upon which such judgment has been rendered.

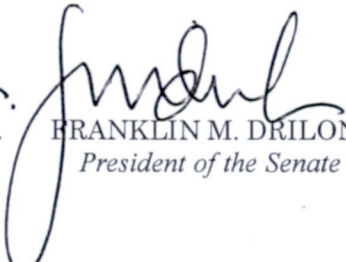
SEC. 45. *Repealing Clause.* – Presidential Decree No. 1286 is hereby repealed. Laws, decrees, orders, letters of instruction, rules and regulations, or other issuances, and parts thereof inconsistent with the provisions of this Act are likewise repealed or modified accordingly.

SEC. 46. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in any major daily newspaper of general circulation in the Philippines.

Approved,



FELICIANO BELMONTE JR.
*Speaker of the House
of Representatives*



FRANKLIN M. DRILON
President of the Senate

Senate Bill No. 2582, which was approved by the Senate on February 1, 2016, was adopted as an amendment to House Bill No. 6077 by the House of Representatives on February 2, 2016.



MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*



OSCAR G. YABES
Secretary of the Senate

Approved: MAY 25 2016



BENIGNO S. AQUINO III
President of the Philippines



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Office of the President of the Philippines



PNOY021397