



1 SEC. 3. *Objectives.* – This Act provides for and shall govern the:

- 2 (a) Standardization, upgrading and regulation of the medical education  
3 including internship training;
- 4 (b) Administration of the medical licensure examination, licensure and  
5 registration of the physicians;
- 6 (c) Supervision, control and regulation of the practice of medicine;
- 7 (d) Integration of the profession into one Philippine Medical  
8 Association (PMA); and
- 9 (e) Promotion of competence, moral values and professional attitude of  
10 physicians through an integrated PMA.

11 SEC. 4. *Enforcement.* – For the purpose of implementing the provisions  
12 of this Act, there shall be created the following: Council of Medical Education,  
13 hereinafter referred to as the Council, and the Professional Regulatory Board  
14 of Medicine, hereinafter referred to as the Board, under the Professional  
15 Regulation Commission (PRC), hereinafter referred to as the Commission.

## 16 ARTICLE II

### 17 THE COUNCIL OF MEDICAL EDUCATION

18 SEC. 5. *Composition of the Council of Medical Education.* – The  
19 Council of Medical Education shall be composed of the following:

- 20 (a) The Chairperson of the Commission on Higher Education (CHED)  
21 or his duly authorized representative as chairperson;
- 22 (b) The Secretary of the Department of Health (DOH) or his duly  
23 authorized representative as member;
- 24 (c) The Chairperson of the Professional Regulatory Board of Medicine  
25 or his duly authorized representative as member;
- 26 (d) The President of the Philippine Medical Association (PMA) or his  
27 duly authorized representative as member;

1 (e) The President of the Association of the Philippine Medical Schools  
2 (APMS) or his duly authorized representative as member; and

3 (f) The President of the Philippine Hospital Association (PHA) or his  
4 duly authorized representative as member.

5 The Chairperson and members of the Council shall hold office during  
6 their incumbency in the respective institutions that they represent.

7 The Council, within sixty (60) days after the effectivity of this Act, shall  
8 appoint a technical panel composed of seven (7) outstanding members of the  
9 academe and/or the profession whose responsibility is to assist the Council in  
10 carrying out its functions and powers.

11 SEC. 6. *Functions and Duties.* – The Council shall have the following  
12 functions and duties:

13 (a) To determine the requirements for admission into a recognized  
14 college of medicine;

15 (b) To determine the minimum requirements for physical facilities of  
16 colleges of medicine, to wit: buildings including hospitals, equipment and  
17 supplies, apparatus, instruments, appliances, laboratories and bed capacity for  
18 instruction purposes, operating and delivery rooms, facilities for out-patient  
19 services and others used for didactic and practical instruction in accordance  
20 with modern trends;

21 (c) To determine the minimum number and the standard qualifications  
22 of teaching personnel including student-teacher ratio;

23 (d) To determine the minimum required curriculum including  
24 internship leading to the degree of Doctor of Medicine;

25 (e) To authorize the implementation of an acceptable innovative  
26 medical curriculum/strategy in a medical school that has exceptional faculty  
27 and equipment facilities. Such an innovative curriculum may prescribe  
28 admission and graduation requirements other than those prescribed in this Act:

1 *Provided*, That only exceptional students shall be enrolled in the innovative  
2 curriculum;

3 (f) To accept applications and issue certificates of admission to a  
4 medical school and keep a registry of those issued with said certificate; and to  
5 collect from said applicants reasonable fees as may be determined by the  
6 Council which shall accrue to the operating funds of the Board of Medical  
7 Education;

8 (g) To recommend to the CHED the closure or suspension of the  
9 degree of Doctor of Medicine program of a college of medicine when called  
10 for based on the evaluation of the statistical information on the performance of  
11 the said college in the physician licensure examination as furnished by the  
12 Board of Medicine and the Commission, and upon inspection of the medical  
13 college by the Council for various deficiencies and/or violations;

14 (h) To select and approve hospitals or some departments of hospitals  
15 for training which comply with the minimum specific physical facilities as  
16 provided in subparagraph (b) hereof; and

17 (i) To promulgate, prescribe and enforce the necessary rules and  
18 regulations for the proper implementation of the foregoing functions.

19 *SEC. 7. Minimum Required Course.* – The medical course leading to  
20 the degree of Doctor of Medicine shall be five (5) years inclusive of clinical  
21 clerkship and internship and shall consist of the following subjects:

22 (a) Anatomy and Histology;

23 (b) Physiology;

24 (c) Biochemistry and Molecular Biology;

25 (d) Pharmacology and Therapeutics;

26 (e) Microbiology and Parasitology;

27 (f) Internal Medicine, Radiology;

28 (g) General and Clinical Pathology and Oncology;

- 1 (h) Obstetrics and Gynecology;
- 2 (i) Pediatrics and Nutrition;
- 3 (j) Surgery, Preventive Medicine and Public Health;
- 4 (k) Otorhinolaryngology, Ophthalmology, Neurology, Psychiatry;
- 5 (l) Family Medicine, Preventive Medicine and Public Health; and
- 6 (m) Legal Medicine, Medical Jurisprudence, Medical Ethics and
- 7 Economics.

8 *Provided,* That the Council may recommend to the CHED to rearrange,  
9 recluster or integrate and revise the abovementioned subjects.

10 SEC. 8. *Admission Requirements.* – (a) A medical college may admit  
11 any student who has not been finally convicted by a court of competent  
12 jurisdiction of any criminal offense involving moral turpitude and who presents  
13 all of the following:

- 14 (1) Record showing completion of a Bachelor's Degree in Science or  
15 Arts;
- 16 (2) Certificate of eligibility for entrance to a school of medicine from  
17 the Board of Medical Education;
- 18 (3) Certificate of good moral character issued by two (2) former  
19 professors in the college offering the pre-medical course(s);
- 20 (4) Birth certificate duly authenticated by the National Statistics Office  
21 (NSO); and
- 22 (5) Proof of successfully passing the National Medical Admission Test.

23 *Nothing in this Act shall be construed to inhibit any college of medicine*  
24 *from establishing, in addition to the requirements set forth in this section, any*  
25 *other reasonable entrance requirements relevant to the degree.*

26 For the purpose of this Act, the term "College of Medicine" shall mean  
27 to include faculty of medicine, institute of medicine, school of medicine and  
28 other similar institution which has complied with the standards and

1 requirements set forth by the Board, offering a complete medical course  
2 leading to the degree of Doctor of Medicine.

3 (b) Every college of medicine shall keep complete records of  
4 enrollment, grades, graduates and must publish each year a catalogue giving  
5 the following information:

6 (1) Date of publication;

7 (2) Calendar of academic year;

8 (3) Roll of faculty members indicating whether on full-time or  
9 part-time basis and their curriculum vitae;

10 (4) Requirements for admission;

11 (5) Grading system;

12 (6) Requirements for promotion;

13 (7) Requirements for graduation;

14 (8) Curriculum and description of course by department; and

15 (9) Number of students enrolled in each class in the preceding year.

### 16 ARTICLE III

#### 17 THE PROFESSIONAL REGULATORY BOARD OF MEDICINE

18 SEC. 9. *Composition of the Board.* – There is hereby created a  
19 Professional Regulatory Board of Medicine, hereinafter referred to as the  
20 Board, under the administrative control and supervision of the Professional  
21 Regulation Commission, hereinafter referred to as the Commission, composed  
22 of a Chairperson, a Vice Chairperson and five (5) members to be appointed by  
23 the President of the Philippines from among three (3) recommendees for each  
24 position, chosen and ranked by the Commission from a list of five (5)  
25 nominees for each position submitted by the integrated and accredited  
26 professional organization. The Board shall be organized not later than six (6)  
27 months from the effectivity of this Act.

1           SEC. 10. *Powers and Duties.* – The Board shall be vested with the  
2 following specific powers, functions, duties and responsibilities:

3           (a) Supervise and regulate the practice of medicine in the Philippines;

4           (b) Determine and evaluate qualifications of the applicants for  
5 registration with physician licensure examinations and for special permits;

6           (c) Prepare the questions in physician licensure examinations in  
7 accordance with recognized principles of evaluation and of pertinent  
8 provisions of Section 23, Article IV of this Act; prescribe the syllabi of the  
9 subjects and their relative weights for the licensure examinations; formulate or  
10 adopt test questions and deposit them in a test question bank; draw the test  
11 questions at random through the process of computerization; conduct the  
12 examination; correct and rate the examination papers; and submit the  
13 examination results to the Commission within the period provided for by the  
14 rules of the Commission. The above test questions should be in congruence  
15 with the syllabi and the table of specifications of the Association of Philippine  
16 Medical Colleges (APMC);

17           (d) In the formulation of test questions, the Board shall see to it that the  
18 questions shall have relevant distributions as to the knowledge, skill and  
19 attitude of the examinees;

20           (e) Determine, amend or revise the requirements for the subjects in the  
21 physician licensure examinations and their relative weights and the manner of  
22 giving the examination, subject to the approval of the Commission;

23           (f) Register successful examinees in the physician licensure  
24 examinations in the rolls of physicians and issue the corresponding certificates  
25 of registration;

26           (g) Issue special/temporary permits to foreign physicians to practice  
27 medicine for specific projects and for a specific duration of time, in  
28 coordination with the integrated PMA;

1 (h) Administer the qualifying examinations given to physicians who  
2 wish to train in the Philippines for a specialty field, in coordination with the  
3 integrated PMA;

4 (i) In coordination with the integrated PMA, look into the conditions  
5 affecting the practice of medicine, adopt measures for the enhancement of the  
6 profession and the maintenance of high professional, technical and ethical  
7 standards, in coordination with the Council and conduct ocular inspections of  
8 places where physicians practice their profession;

9 (j) Monitor the performance of medical schools and their compliance  
10 with the rules and regulations of the Board of Medical Education;

11 (k) In coordination with the integrated PMA, promulgate rules and  
12 regulations including a Code of Ethics for Physicians, administrative policies,  
13 orders and issuances to carry out the provisions of this Act;

14 (l) Investigate violations of this Act and the rules and regulations,  
15 Code of Ethics, administrative policies, orders and issuances promulgated by  
16 the Board. The rule on administrative investigation promulgated by the  
17 Commission shall govern in such investigation;

18 (m) Issue *subpoena ad testificandum* or *subpoena duces tecum* to  
19 secure attendance of respondents or witnesses as well as the production of  
20 documents relative to the investigation conducted by the Board: *Provided,*  
21 That failure of the party to whom a subpoena has been issued to comply  
22 therewith shall be punishable by way of indirect contempt of the Board.  
23 For this purpose, the Board is hereby vested the power to cite any party for  
24 contempt which may be exercised pursuant to the applicable provisions of  
25 Rule 71 of the Rules of Court;

26 (n) At the Board's discretion, delegate to the Chairperson,  
27 Vice Chairperson or any member of the Board, or a Commission attorney  
28 (PRC attorney) the hearing of an administrative case. If the case concerns

1 strictly the practice of medicine as defined in Section 27 hereof, the  
2 investigation shall be presided over by a member of the Board with the  
3 assistance of a PRC attorney: *Provided*, That the power to cite a party in  
4 contempt shall be issued exclusively by the Board, upon recommendation of  
5 the member charged with such investigation;

6 (o) After due notice and hearing, cancel examination papers and/or bar  
7 any examinee from future examination; refuse or defer his/her registration;  
8 reprimand the registrant with stern warning; suspend him/her from the practice  
9 of his/her profession; revoke his/her certificate of registration; cancel  
10 special/temporary permit; remove his/her name from the roll of physicians for  
11 continuous nonpayment of annual registration fees and noncompliance with the  
12 CME requirement; reinstate or reenroll his/her name in the said roll; and  
13 reissue or return his/her certificate of registration and professional  
14 identification card. A decision of suspension, revocation of the certificate of  
15 registration or removal from the roll by the Board as provided herein may be  
16 appealed initially to the Commission within fifteen (15) days from receipt  
17 thereof;

18 (p) Administer the physician's oath pursuant to Section 26 herein;

19 (q) Institute and prosecute or cause to be instituted and prosecuted any  
20 and all criminal action against any violation of this Act and/or the rules and  
21 regulations of the Board, subject to the provisions of Section 5, Rule 110 of the  
22 Rules of Criminal Procedure, as amended;

23 (r) Adopt an official seal;

24 (s) Coordinate with the Board of Medical Education and the integrated  
25 PMA in prescribing, amending and/or revising the courses in a medical  
26 program;

1 (t) Assist the Commission in the implementation of its prescribed  
2 guidelines and criteria on the Continuing Professional Education (CPE) for  
3 registered/licensed physicians;

4 (u) Set the standards and guidelines for the issuance and re-issuance of  
5 certificates of registration; and

6 (v) Perform such other functions and duties as may be necessary to  
7 efficiently and effectively implement the provisions of this Act.

8 The policies, resolutions, rules and regulations, orders or decisions  
9 issued or promulgated by the Board shall be subject to the review, revision and  
10 approval by the Commission. However, the Board's final decisions, resolutions  
11 or orders rendered in an administrative case shall be immediately executory.

12 SEC. 11. *Qualifications of the Board Members.* – Each Board member  
13 must, at the time of his/her appointment:

14 (a) Be a natural born Filipino citizen and has been a resident of the  
15 Philippines for at least ten (10) consecutive years;

16 (b) Be at least forty (40) years old;

17 (c) Be a holder of a valid certificate of registration and a valid  
18 professional identification card as a physician;

19 (d) Has been a practitioner for at least ten (10) years;

20 (e) Be a *bona fide* member of the integrated PMA;

21 (f) Has not been convicted by final judgment by a competent court of a  
22 criminal offense involving moral turpitude;

23 (g) Has an experience of at least two (2) years as a faculty member of a  
24 college of medicine;

25 (h) Not be a current member of the faculty of an institute, school or  
26 college of medicine nor have any pecuniary interest in any institution which  
27 offers and operates the course or degree of Doctor of Medicine; and

1 (i) Not be connected with a review center/school/group or association  
2 offering classes or lectures in preparation for the physician licensure  
3 examination.

4 SEC. 12. *Term of Office.* -- The members of the Board shall hold office  
5 from the date of their appointment for a term of three (3) years or until their  
6 successors shall have been appointed and qualified. They may, however, be  
7 reappointed for another term but not for a third (3<sup>rd</sup>) term. Appointments to fill  
8 up positions created by causes other than through expiration of regular terms  
9 shall be for the unexpired period only. Each member shall qualify by taking an  
10 oath of office before the performance of his/her duties. The incumbents whose  
11 terms have not yet expired or who are merely holding over, at the effectivity of  
12 this Act, shall be allowed to serve the unexpired portion of their terms or may be  
13 appointed under this Act.

14 SEC. 13. *Compensation of the Board Members.* -- The Chairperson, Vice  
15 Chairperson and members of the Board shall receive compensation and  
16 allowances or other benefits pursuant to the provisions of the "PRC  
17 Modernization Act of 2000" and other pertinent laws and comparable to the  
18 compensation and allowances received by the Chairperson and members of  
19 existing professional regulatory boards.

20 SEC. 14. *Suspension or Removal of Board Member.* -- The President,  
21 upon recommendation of the Commission after giving the member concerned an  
22 opportunity to be heard by himself or counsel in a proper administrative  
23 investigation to be conducted by the Commission, may suspend or remove any  
24 member of the Board on any of the following grounds:

25 (a) Neglect of duty or incompetence;

26 (b) Unprofessional, unethical or dishonorable conduct;

1 (c) Manipulation or rigging of results of any physician licensure  
2 examination, divulging of secret information or disclosure of the said  
3 examination, or tampering of the grades therein; and

4 (d) Final conviction by the court of any criminal offense involving  
5 moral turpitude.

6 SEC. 15. *Administrative Management, Custody of Records, Secretariat*  
7 *and Support Services.* – The Board shall be under the administrative and  
8 executive management of the Commission, with the Commission chairperson  
9 as the chief executive officer thereof. All records of the Board shall be under  
10 the custody of the Commission.

11 The Commission shall designate the secretary of the Board and shall  
12 provide the Secretariat and other support services to implement the provisions  
13 of this Act.

14 SEC. 16. *Implementing Rules and Regulations.* – The Board, with the  
15 approval of the Commission, shall prescribe, issue and promulgate rules and  
16 regulations implementing and carrying out the provisions of this Act, which  
17 shall take effect after fifteen (15) days following the completion of their  
18 publication in the *Official Gazette* or in a major daily newspaper of general  
19 circulation in the Philippines.

20 SEC. 17. *Annual Report.* – The Board shall, on or before the end of  
21 January of the following year, submit to the Commission its annual report of  
22 accomplishments on programs, projects and activities for the calendar year  
23 together with its appropriate recommendations on issues or problems affecting  
24 the practice of medicine.

## 25 ARTICLE IV

### 26 PHYSICIAN LICENSURE EXAMINATION

27 SEC. 18. *Prerequisites to the Practice of Medicine.* – No person shall  
28 engage in the practice of medicine in the Philippines unless he/she:

1 (a) Holds a valid certificate of registration and a valid professional  
2 identification card issued by the Commission;

3 (b) Holds a valid special/temporary permit issued by the Board of  
4 Medicine subject to approval by the Commission, and upon coordination with  
5 the integrated PMA, or unless he/she is exempted by this Act from holding any  
6 of the foregoing certificates of registration; and

7 (c) Is a member of the integrated PMA and its component society in  
8 good standing.

9 Any foreign doctor who intends to undergo specialty training in the  
10 practice of medicine must pass the qualifying examination given by the Board  
11 of Medicine and concurred by the integrated PMA.

12 SEC. 19. *Examination Required.* – All applicants for registration,  
13 before they can be issued a certificate of registration and a professional  
14 identification card as a physician shall be required to pass a written licensure  
15 examination for physician as provided for in this Act, subject to the payment of  
16 the fees prescribed by the Commission.

17 SEC. 20. *Qualifications of Applicants for the Physician Licensure*  
18 *Examination.* – All applicants for the physician licensure examination must  
19 possess all qualifications and none of the disqualifications hereunder set forth,  
20 as follows:

21 (a) He/she is a citizen and resident of the Philippines or a citizen of a  
22 foreign country/state which observes reciprocity in the practice of medicine  
23 with the Philippines or who has been a permanent resident of the Philippines  
24 for at least one (1) year prior to the examination;

25 (b) He/she is mentally, emotionally and physically sound;

26 (c) He/she has not been convicted in a final judgment by a court of any  
27 criminal offense involving moral turpitude;

1 (d) He/she is a holder of the degree of Doctor of Medicine conferred by  
2 a College of Medicine established in the Philippines and duly recognized by  
3 the CHED or a degree conferred by a college of medicine abroad and  
4 accredited by the CHED as substantially equivalent to the degree of Doctor of  
5 Medicine offered by a Philippine College of Medicine.

6 SEC. 21. *Venues and Schedule of Examinations.* – The Board shall give  
7 examinations for the registration of physicians at least twice a year in such  
8 places as the Commission may designate in accordance with the provisions of  
9 Republic Act No. 8981, otherwise known as the “PRC Modernization Act of  
10 2000”.

11 SEC. 22. *Registration, Issuance of Certificate of Registration and*  
12 *Professional Identification Card; PMA Membership Card; Non-registration;*  
13 *Grounds Therefor.* – All successful examinees, upon compliance with all legal  
14 requirements and payment of fees prescribed by the Commission, shall be  
15 registered and issued certificates of registration and professional identification  
16 cards. They shall likewise be deemed members of the duly recognized  
17 integrated PMA upon compliance with all requirements and payment of  
18 compulsory dues, and shall be issued the necessary identification cards proving  
19 such membership therein, upon presentation of their certificates of registration  
20 and professional identification card.

21 The certificate of registration of a physician shall bear the registration  
22 number and the date of issuance and the signatures of the chairperson of the  
23 Commission and the members of the Board stamped with the seals of the  
24 Commission and the Board, certifying that the name of the person stated  
25 therein appears in the Registry/Roster/Roll of Physicians under the custody of  
26 the Commission; that the person has met or complied with all the legal  
27 requirements for registration as a physician; and that the person is entitled to  
28 exercise all the privileges appurtenant to the practice of his/her profession:

1 *Provided*, That he/she does not violate this Act, the rules and regulations, Code  
2 of Ethics for Physicians and other regulatory policies of the Commission and  
3 the Board.

4 The professional identification card shall bear the name of the  
5 registered/licensed physician, the registration number and the date of issuance,  
6 and its date of expiry and, together with the membership identification card  
7 issued by the integrated PMA, shall be sufficient evidence that the physician  
8 can lawfully practice his/her profession.

9 A successful examinee who has been finally convicted by a competent  
10 court of a criminal offense involving moral turpitude, or found guilty by the  
11 Board of dishonorable or immoral conduct, or declared by the court to be of  
12 unsound mind shall not be registered. The decision of the Board, finding the  
13 examinee guilty of dishonorable or immoral conduct, may be appealed by the  
14 examinee to the Commission within fifteen (15) days from receipt of the  
15 Board's decision or resolution, and to the Court of Appeals within the same  
16 period from the receipt of the decision or resolution of the Commission. The  
17 facts and the reasons for refusal to register shall be clearly stated in writing,  
18 communicated to the examinee and duly incorporated in the records of the  
19 Commission.

20 SEC. 23. *Scope of Examination.* – The physician licensure examination  
21 shall cover the following thirteen (13) individual or combined/clustered  
22 subjects with relative weights for each one final examination after completion  
23 of internship:

- 24 (a) Anatomy and Histology;  
25 (b) Physiology;  
26 (c) Biochemistry and Molecular Biology;  
27 (d) Pharmacology and Therapeutics;  
28 (e) Microbiology and Parasitology;

- 1 (f) Internal Medicine, Radiology;  
2 (g) General and Clinical Pathology and Oncology;  
3 (h) Obstetrics and Gynecology;  
4 (i) Pediatrics and Nutrition;  
5 (j) Surgery, Preventive Medicine and Public Health;  
6 (k) Otorhinolaryngology, Ophthalmology, Neurology, Psychiatry;  
7 (l) Family Medicine, Preventive Medicine and Public Health; and  
8 (m) Legal Medicine, Medical Jurisprudence, Medical Ethics and  
9 Economics.

10 When an urgent and important need arises in order to conform to  
11 technological advancements and other changes, the Board, in coordination with  
12 the integrated PMA and the Council, may revise the substance and the conduct  
13 of such examinations.

14 Each of the thirteen (13) subjects shall have its syllabus or table of  
15 specifications. The Board shall apply each syllabus after a lapse of three (3)  
16 months reckoned from the concurrence of all the following requisites:

- 17 (a) Consultation with the concerned academe;  
18 (b) Approval by the Commission;  
19 (c) Publication of the Board resolution in a newspaper of general  
20 circulation; and  
21 (d) Dissemination to all Colleges of Medicine.

22 *SEC. 24. Rating in the Examination.* – To pass the physician licensure  
23 examination, an examinee must obtain a general average rating of at least  
24 seventy-five percent (75%) in all thirteen (13) subjects, with no rating in any  
25 subject below fifty percent (50%).

26 *SEC. 25. Report and Publication of the Results of Examination.* – The  
27 Board shall report the rating of each examinee to the Commission within ten  
28 (10) days from the last day of examination. The official results of the

1 examination containing the list of topnotcher examinees without indication of  
2 their respective schools/colleges, the names of the schools/colleges obtaining  
3 top percentages of successful graduate-examinees shall be published by the  
4 Commission in the major daily newspapers of general circulation.

5 The report of rating of every examinee shall be mailed to his/her given  
6 address, using the mailing envelope he/she submitted during the examination.

7 SEC. 26. *Oath.* -- All successful examinees shall be required to take  
8 their oath before the Board or any person authorized by the Commission to  
9 administer oath before they are issued their certificates of registration and  
10 professional identification cards or before they start the practice of the  
11 profession.

## 12 ARTICLE V

### 13 REGULATION OF THE PRACTICE OF THE MEDICAL PROFESSION

14 SEC. 27. *Acts Constituting the Practice of Medicine.* -- (a) A person  
15 shall be considered as engaged in the practice of medicine under any of the  
16 following circumstances:

17 (1) Physically examining any person for any disease, injury or  
18 deformity, or diagnosing, treating, operating, prescribing or dispensing any  
19 remedy therefor;

20 (2) Examining a person's mental condition for any ailment, real or  
21 imaginary, regardless of the nature of the remedy or treatment administered,  
22 prescribed or recommended;

23 (3) Offering or undertaking to diagnose, treat, operate or prescribe and  
24 administer any remedy for any human disease, injury, deformity, physical or  
25 mental condition either personally or by means of signs, cards or  
26 advertisements by way of mass media or any other means of communication;

27 (4) Using or affixing "MD" with his/her name in the practice of the  
28 medical profession or in his/her written or oral communications; or

1 (5) Conducting formal medical classes in medical schools, seminars,  
2 lectures, symposia and the like.

3 (b) Practice Through Special/Temporary Permit – A special/temporary  
4 permit may be issued by the Board in consultation with the PMA and the DOH,  
5 subject to approval by the Commission and the Department of Labor and  
6 Employment (DOLE) pursuant to its mandate as provided for in Articles 40 to  
7 42 of the Labor Code. Such permits shall likewise be issued, only after  
8 payment of fees as prescribed by the Commission, to the following:

9 (1) Physicians licensed from foreign countries/states whose services  
10 are either for a fee or free:

11 (i) If they are internationally well-known specialists or publicly  
12 acknowledged as experts in any area of medical specialization; and

13 (ii) If their services are urgently necessary, owing to the lack of  
14 available local specialists/experts, or for the promotion or advancement of the  
15 practice of medicine including, but not limited to, the conduct of formal  
16 classes, acting as resource persons in medical seminars, fora, symposia and the  
17 like;

18 (2) Physicians licensed in foreign countries/states who intend to render  
19 services for free and limited only to indigent patients in a particular hospital,  
20 center or clinic: *Provided, however, That they render such services under the*  
21 *direct supervision and control of a duly registered/licensed physician; and*

22 (3) Physicians licensed in foreign countries/states employed as  
23 exchange professors in any area of medical specialization.

24 (c) The permit shall, among others, provide for such limitations,  
25 specifications and conditions hereunder cited, as follows:

26 (1) A period of not more than one (1) year subject to renewal or  
27 extension: *Provided, That such renewal or extension shall be under the same*  
28 *process and requirements hereinabove provided;*

- 1           (2) The specific area of medical specialization; and  
2           (3) The specific place of practice, such as clinic, hospital, center,  
3 college of medicine.  
4           (d) The Board, subject to approval by the Commission and the DOLE,  
5 shall prescribe rules and regulations for the implementation of this particular  
6 section.

7           SEC. 28. *Disciplinary Sanctions.* – The Board shall have the power,  
8 upon proper notice and hearing, to suspend from the practice of profession or  
9 revoke the certificate of registration of a physician, or issue a reprimand or  
10 cancel the special/temporary permit issued to a foreign physician for any of the  
11 following grounds/causes:

12           (a) Final conviction by a court of competent jurisdiction of any  
13 criminal offense involving moral turpitude;

14           (b) Immoral or dishonorable conduct;

15           (c) Insanity;

16           (d) Fraud in the acquisition of the certificate of registration and the  
17 professional identification card or temporary/special permit;

18           (e) Gross negligence, ignorance or incompetence in the practice of  
19 his/her profession, resulting in an injury to or death of the patient;

20           (f) Addiction to alcoholic beverages, to any habit forming drug or to  
21 any form of illegal gambling, rendering him incompetent to practice his/her  
22 profession;

23           (g) Making or causing to be made false, misleading, extravagant or  
24 unethical advertisements wherein things other than his name, profession,  
25 limitation of practice, clinic hours, office and home address are mentioned;

26           (h) Issuance of any false statement or spreading any false news or  
27 rumor which is derogatory to the character and reputation of another physician  
28 without justifiable motive;

1 (i) Knowingly issuing any false medical certificates and/or findings, or  
2 making any fraudulent claims with government or private health insurance;

3 (j) Performance of, or aiding in, any criminal abortion;

4 (k) Performing any act constituting the practice of an area of medical  
5 specialization without fulfilling the specialization requirements prescribed by  
6 the integrated PMA and the Board;

7 (l) Knowingly aiding or subjecting one's self to be a patient of any  
8 person who is unqualified or unregistered to practice medicine or an area of  
9 medical specialization, except in aid of training of a medical student, or  
10 performing any act constituting the practice of medicine or an area of medical  
11 specialization in behalf of any such unlicensed or unregistered person:

12 *Provided, however,* That this provision shall not apply when an act constituting  
13 the practice of medicine or an area of medical specialization is performed in a  
14 hospital, clinic or medical center as an accredited practitioner of such hospital,  
15 clinic or medical center. For this purpose, all hospitals, clinics and medical  
16 centers are hereby required to furnish the appropriate regional office of the  
17 DOH a list of all medical practitioners duly accredited to practice within their  
18 respective institutions every three (3) months;

19 (m) Violation of any provision of the Code of Ethics for Physicians as  
20 prescribed by the integrated PMA and adopted and promulgated by the Board,  
21 subject to approval by the Commission;

22 (n) Practice of profession during the period of his suspension; and

23 (o) Willful failure or refusal to be a member of the integrated PMA or  
24 expulsion or termination of membership therefrom.

25 SEC. 29. *Rights of the Parties.* – The private complainant and the  
26 respondent physician shall be entitled to counsel and to be heard in person, to  
27 have a speedy and public hearing, to confront and to cross-examine witnesses,  
28 and to all other rights guaranteed by the Constitution and the Rules of Court.

1 All cases filed or pending under this Act shall not be discussed or taken in any  
2 forum until after the same shall have been decided with finality.

3 SEC. 30. *Appeal from Judgment.* – The decision of the Board shall  
4 become final fifteen (15) days from the date of receipt of such decision by the  
5 parties or their counsel. Within the same period, the aggrieved party may ask  
6 for a reconsideration of the decision for being contrary to law or for  
7 insufficiency of evidence. When such motion for reconsideration is denied, the  
8 aggrieved party may appeal to the Court of Appeals under Rule 43 of the Rules  
9 of Court. No second motion for reconsideration to the Board shall be allowed.

10 A decision rendered by the Commission against the respondent shall be  
11 executory.

12 SEC. 31. *Re-issuance of Revoked Certificate of Registration and*  
13 *Professional Identification Card and Replacement of Lost Certificate of*  
14 *Registration and Identification Card.* – After two (2) years and after due  
15 consultation with the integrated PMA and the accredited national organization  
16 of physicians, the Board may order the reinstatement of any physician whose  
17 certificate of registration has been revoked, if the respondent has acted in an  
18 exemplary manner in the community.

19 A new certificate of registration or professional identification card that  
20 has been lost, destroyed or mutilated may be issued, subject to the rules of the  
21 Commission.

22 SEC. 32. *Mandatory Use of Certificate of Registration, Professional*  
23 *and PMA Identification Cards and Professional Tax Receipt Number.* –  
24 A registered physician shall indicate his/her certificate of registration number,  
25 the number and the expiry date of the professional identification card and the  
26 PMA membership card, and the professional tax receipt number on the  
27 prescription and other documents he/she signs, uses or issues in connection  
28 with the practice of his/her profession.

1           SEC. 33. *Vested Rights.* – All physicians registered at the time this law  
2 takes effect shall be automatically registered under the provisions hereof,  
3 without prejudice to the other requirements herein set forth.

4           SEC. 34. *Exceptions.* – For purposes of this Act, any medical student  
5 duly enrolled in an accredited medical college or school, or any graduate of  
6 medicine undergoing post graduate training, serving without any professional  
7 fee in any government or private hospital, shall not be considered as engaging  
8 in the practice of medicine: *Provided,* That he/she renders such service under  
9 the direct supervision and control of a duly registered/licensed physician.

10           SEC. 35. *Integration of the Profession.* – The profession shall be  
11 integrated into one (1) organization, the Philippine Medical Association, to be  
12 duly recognized and accredited by the Board and the Commission. A  
13 physician duly registered and licensed by the Board and the Commission shall  
14 automatically become a member of the said organization and shall receive the  
15 benefits and privileges appurtenant thereto upon payment of required fees and  
16 dues. Membership in the integrated organization shall not be a bar to  
17 membership in any other association of physicians.

18           SEC. 36. *Mandatory Continuing Medical Education.* – The Board shall  
19 implement through the integrated PMA a mandatory continuing medical  
20 education among practicing physicians in consonance with the guidelines of  
21 the CPE as shall hereafter be promulgated by the Commission.

22           SEC. 37. *Automatic Registration of Physicians.* – All physicians whose  
23 names appear at the Registry/Roll/Roster of Physicians at the time of the  
24 effectivity of this Act shall automatically be registered by the Board and the  
25 Commission as physicians and, thereafter, by the integrated PMA and the  
26 accredited national organization of registered and licensed physicians as its  
27 *bona fide* members, pursuant to Section 22 of this Act.



1           (5) Any registered and licensed physician or medical specialist who  
2 shall abet or assist in the illegal practice by a person who is not lawfully  
3 qualified to practice medicine or any area of medical specialization;

4           (6) Any person who actually engages in the practice of medicine as  
5 defined in paragraphs (a)(1) and (a)(2) of Section 27 of this Act without any  
6 certificate of registration;

7           (7) Any person who shall attempt to use a revoked or suspended  
8 certificate of registration or a cancelled temporary/special permit;

9           (8) Any person who shall use or advertise any title or description  
10 tending to convey the impression to the general public that he/she is a  
11 registered and licensed physician when in fact he/she is not;

12           (9) Any registered and licensed physician or medical specialist who  
13 shall use or advertise any title or description tending to convey the impression  
14 to the general public that he/she is a specialist in an area of medical  
15 specialization when in fact he/she is not; and

16           (10) Any registered physician who shall commit any of the prohibited  
17 acts as enumerated in paragraphs (i), (j), (k) and (l) of Section 28 hereof.

18           (b) When any of the acts defined in paragraphs 5 and 6 of this section  
19 is committed by a person against three (3) or more persons, or when any of  
20 such acts is committed by at least three (3) persons who shall cooperate and  
21 confederate with one another, or when death occurs as a result of the  
22 commission of the prohibited act mentioned in paragraph (k) of Section 28 of  
23 this Act, the offense shall be considered as a qualified violation of this Act and  
24 shall be punishable by life imprisonment and a fine of not less than Five  
25 hundred thousand pesos (P500,000.00) but not more than Two million pesos  
26 (P2,000,000.00).

1 Prosecution of offenses under this Act shall be without prejudice to a  
2 separate prosecution under the provisions of the Revised Penal Code and other  
3 laws.

4 SEC. 40. *Injunctions.* – Upon written motion by any interested party  
5 and after notice and hearing, the Board may issue an order enjoining any  
6 person illegally practicing medicine from performing any act constituting the  
7 practice of medicine until the necessary certificate therefor is secured.  
8 However, if it is shown in the affidavits attached to the motion that the movant  
9 or the general public will suffer grave injustice or irreparable injury, the  
10 chairperson of the Board, or, in his/her absence, any Board member holding  
11 office may issue a temporary restraining order effective for seventy-two (72)  
12 hours. The applicable provisions of Rule 58 of the Rules of Court shall govern  
13 the issuance of the writ of injunction and lifting thereof, except that where after  
14 hearing it is shown that the movant is entitled to the injunction prayed for, such  
15 writ of injunction shall be effective until there is clear showing that the  
16 respondent is authorized to practice medicine in the Philippines.

17 Any such person who, after having been so enjoined, continues on the  
18 illegal practice of medicine shall be punished for contempt of court. The  
19 issuance of the said injunction shall not relieve the person from criminal  
20 prosecution and punishment as provided in the preceding section.

## 21 ARTICLE VII

### 22 FINAL PROVISIONS

23 SEC. 41. *Enforcement.* – The Commission shall be the enforcement  
24 agency of the Board. As such, the Commission shall implement the provisions  
25 of this Act, enforce its implementing rules and regulations as adopted by the  
26 Board, assist the Board in the investigation of complaints against violators of  
27 this Act, its rules and regulations, the Code of Ethics for Physicians and other  
28 policies of the Board.

1           The Commission or the Board shall call upon or request any  
2 department, instrumentality, office, bureau, institution or agency of the  
3 government including local government units (LGUs) to render such assistance  
4 as it may require, or to coordinate or cooperate in order to carry out, enforce or  
5 implement the professional regulatory policies of the government or any  
6 program or activity it may undertake.

7           SEC. 42. *Appropriations.* – The Chairpersons of the Commission on  
8 Higher Education and the Professional Regulation Commission shall  
9 immediately include in their programs the implementation of this Act, the  
10 funding of which shall be charged against their current years' appropriations  
11 and thereafter in the annual General Appropriations Act.

12           SEC. 43. *Implementing Rules and Regulations.* – Within ninety (90)  
13 days after the approval of this Act, the PRC, together with the Board, the PMA  
14 and the Council of Medical Education of the CHED shall prepare and  
15 promulgate the implementing rules and regulations (IRRs) to carry out the  
16 provisions of this Act and adopt the integrated PMA Code of Ethics. The IRRs  
17 shall take effect after fifteen (15) days following their publication in a major  
18 daily newspaper of general circulation.

19           SEC. 44. *Transitory Provisions.* – The incumbent Board shall continue  
20 to function in the interior until such time as the new Board shall have been  
21 constituted pursuant to this Act.

22           SEC. 45. *Separability Clause.* – If any clause, provision, paragraph or  
23 part hereof be declared unconstitutional or invalid, such judgment shall not  
24 affect, invalidate or impair any other part hereof, but such judgment shall be  
25 merely confined to the clause, provision, paragraph or part directly involved in  
26 the controversy in which such judgment has been rendered.

27           SEC. 46. *Repealing Clause.* – Republic Act No. 2382, also known as  
28 “The Medical Act of 1959”, as amended by Republic Act Nos. 4224 and 5946;

1 all laws amending the said Act, all other laws, decrees, executive orders and  
2 other administrative issuances and parts thereof which are inconsistent with the  
3 provisions of this Act are hereby modified, amended, superseded or repealed  
4 accordingly.

5 SEC. 47. *Effectivity Clause.* – This Act shall take effect after fifteen  
6 (15) days following its publication in the *Official Gazette* or in at least two (2)  
7 newspapers of general circulation in the Philippines.

Approved,

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