

Mr. President, if there are no other interpellations and if there is no amendment, I move that we approve this bill on second reading.

The PRESIDENT PRO TEMPORE. Is there any objection? (Silence.) The Chair hears none and the bill is approved on second reading.

Senator ALMENDRAS. Thank you.

Senator TOLENTINO. Mr. President.

The PRESIDENT PRO TEMPORE. The Majority Floor Leader.

CONSIDERATION ON SECOND READING OF HOUSE BILL NO. 3018

Senator TOLENTINO. I move that we consider now House Bill No. 3018 to be sponsored by the distinguished lady from Albay, Senator Ziga.

The PRESIDENT PRO TEMPORE. The Secretary will read the bill.

The SECRETARY :

AN ACT TO AMEND CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED TWENTY-THREE HUNDRED AND EIGHTY-TWO, OTHERWISE KNOWN AS "THE MEDICAL ACT OF 1959."

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

SECTION 7. Sections three, four, five, six, seven, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, eighteen, nineteen, twenty, twenty-one, twenty-two and twenty-five of Republic Act Numbered Twenty-three hundred and eighty-two are hereby amended to read as follows:

"SEC. 3. Composition of the Board of Medical Education.—The Board of Medical Education shall be composed of the Secretary of Education or his duly authorized representative, as chairman; and the Secretary of Health or his duly authorized representative; the Director of the Bureau of Private Schools or his duly authorized representative; the chairman of the Board of Medical Examiners or his duly authorized representative; a representative of [private practitioners, upon recommendation of an acknowledged medical association] THE PHILIPPINE MEDICAL ASSOCIATION; THE DEAN OF THE COLLEGE OF MEDICINE, UNIVERSITY OF THE PHILIPPINES; A REPRESENTATIVE OF THE COUNCIL OF DEANS OF MEDICAL SCHOOLS; and a representative chosen by the Philippine Association of Colleges and Universities, as members.

"SEC. 4. Compensation and traveling expenses.—The chairman and the members AND THE SECRETARY of the Board of Medical Education shall [not be entitled to any compensation] BE ENTITLED TO TWENTY-FIVE PESOS PER DIEM FOR EVERY MEETING. PROVIDED, THE NUMBER OF MEETINGS AUTHORIZED WITH A PER DIEM SHALL NOT EXCEED FOUR TIMES IN A MONTH, [except] AND for traveling expenses in connection with their official duties as herein provided.

"SEC. 5. Functions.—The functions of the Board of Medical Education, shall be:

"(a) To determine and prescribe minimum requirements for admission into a recognized college of medicine;

"(b) To determine and prescribe requirement for minimum physical facilities of colleges of medicine, to wit: buildings, including hospitals, equipment and supplies, apparatus, instruments, appliances, laboratories, bed capacity for instruction purposes, operating and delivery rooms, facilities for out-patient services, and others, used for didactic and practical instructions in accordance with modern trends;

"(c) To determine and prescribe the minimum number and minimum qualification of teaching personnel, including student-teacher ratio [and curriculum];

"(d) TO DETERMINE AND PRESCRIBE THE MINIMUM REQUIRED CURRICULUM;

"[(d)] (E) To determine and prescribe the number of students who should be allowed to take up the preparatory course taking into account the capacity of the different recognized colleges of medicine;

"(F) TO KEEP A REGISTER OF MEDICAL STUDENTS AND TO COLLECT FROM SAID MEDICAL STUDENTS THE AMOUNT OF FIVE PESOS EACH WHICH SHALL ACCRUE TO THE OPERATING FUND OF THE BOARD OF MEDICAL EDUCATION;

"[(e)] (G) To select, determine and approve hospitals or some departments of the hospitals for training which comply with the minimum specific physical facilities as provided for in subparagraph (b) hereof; and

"[(f)] (H) To promulgate and prescribe and enforce necessary rules and regulations for the proper implementation of the foregoing functions.

"SEC. 6. Minimum required courses.—Students seeking admission to the medical course must have a bachelor of science or bachelor of arts degree or their equivalent, [and must have taken in four years] WHICH SHOULD INCLUDE the following subjects with their corresponding number of units:

"English	[12] 18
"Latin	3
"Mathematics, including Accounting and statistics	9
"Philosophy, including Psychology and logic	12
"Zoology and Botany	15
"Physics	8
"Chemistry	21
"Humanities and Social Science	12
"Library Science	1

[Twelve units of Spanish shall be required pursuant to Republic Act Numbered Seven hundred nine; but commencing with the academic year nineteen hundred sixty to nine hundred sixty-one] Twenty-four units of Spanish shall be required pursuant to Republic Act Numbered Eighteen hundred and eighty-one as cultural, social and nationalistic studies.

"[Provided, That the following students may be permitted to complete the aforesaid preparatory medical course in shorter periods as follows:]

"[(a) Students whose general average is below eighty-five per cent but without any grade of failure or condition

may be allowed to pursue and finish the course in three academic years and the intervening summer sessions; and]

"[(b) Students whose general average is eighty-five per cent or over may be permitted to finish the course in three academic years by allowing them to take each semester the overload permitted to bright students under existing regulations of the Bureau of Private Schools.]

"[Provided, That upon failure to maintain the general average of eighty-five per cent, students under (b) shall automatically revert to the category of students under (a) and those under (a), upon having any grade of failure or condition shall automatically revert to the category of students required to pursue the preparatory course in four years mentioned above.]

"The medical course shall be at least five years, including not less than eleven months rotating internship in an approved hospital, and shall consist of the following subjects:

- "Anatomy
- "Physiology
- "Biochemistry and Nutrition
- "Pharmacology
- "Microbiology
- "Parasitology
- "Medicine and Therapeutics
- "PATHOLOGY
- "Gynecology
- "Ophthalmology, Otolaryngology and Rhinology
- "Pediatrics
- "Obstetrics
- "Surgery
- "Preventive Medicine and Public Health
- "Legal Medicine, including Medical Jurisprudence
- "MEDICAL ECONOMICS and Ethics

"Sec. 7. *Admission requirements.*—The medical college may admit any student to its first year class who has not been convicted by any court of competent jurisdiction of any offense involving moral turpitude, and who presents [(a) a certificate showing completion of a standard high school course.] [(b)] (A) a record showing [completion of a standard preparatory medical course] A BACHELOR'S DEGREE IN SCIENCE OR ARTS OR ITS EQUIVALENT as herein provided, [(c)] (B) a certificate [of registration as medical student] OF ELIGIBILITY FOR ENTRANCE TO A MEDICAL SCHOOL FROM THE BOARD OF MEDICAL EDUCATION, [(d)] (C) a certificate of good moral character issued by the two OF HIS former professors in the [pre-medicine course] COLLEGE OF LIBERAL ARTS, [(e)] (D) birth certificate [and marriage certificate, if any]. Nothing in this Act shall be construed to inhibit any college of medicine from establishing, in addition to the preceding, other entrance requirements that [they] may be deemed admissible.

For purposes of this Act the term "College of Medicine" shall mean to include faculty of medicine, institute of medicine, school of medicine, or other similar institutions offering a complete medical course leading to the degree of Doctor of Medicine or its equivalent.

"Every college of medicine" must keep a complete record of enrollment grades [and turnover] GRADUATES, and must publish each year a catalogue giving the following information:

- "1. Date of publication
- "2. Calendar for the academic year
- "3. Faculty roll indicating whether on full time OR part time basis
- "4. Requirements of admission
- "5. Grading system
- "6. Requirements for promotion
- "7. Requirements for graduation
- "8. [Medical hours per academic year by departments] CURRICULUM AND DESCRIPTION OF COURSE BY DEPARTMENT
- "[9. Schedule hours per academic year by departments]
- "[10.] 9. Number of students enrolled in each class IN THE PRECEDING YEAR.

"Sec. 9. *Candidates for board examinations.*—Candidates for Board examinations shall have the following qualifications:

"(1) He shall be a citizen of the Philippines or a citizen of any foreign country who has submitted competent and conclusive documentary evidence, confirmed by the Department of Foreign Affairs, showing that his country's existing laws permit citizens of the Philippines to practice medicine under the same rules and regulations governing citizens thereof;

"(2) He shall be of good moral character [showing for this purposes certificates of civil status];

"(3) He shall be of sound mind;

"(4) He shall not have been convicted by a court of competent jurisdiction of any offense involving moral turpitudes;

"(5) He shall be a holder of the degree of Doctor of Medicine or its equivalent, conferred by a college of medicine duly recognized by the [Department of Education] GOVERNMENT.

"Sec. 10. *Acts constituting practice of medicine.*—A person shall be considered as engaged in the practice of medicine (a) who shall, for compensation, fee, salary or reward in any form paid to him directly or through another, or even without the same, physically examine any person, and diagnose, treat, operate or prescribe any remedy for human disease, injury, deformity, physical, mental, psychological condition or any ailment, real or imaginary, regardless of the nature of the remedy or treatment administered, prescribed or recommended; or (b) who shall by means of signs, cards, advertisements, written or printed matter, or through the radio, television or any other means of communication, either offer or undertake by any means or method to diagnose, treat, operate or prescribe any remedy for any human disease, injury, deformity, physical, mental or psychological condition; or (c) who shall falsely use the title M.D. after his name.

"Sec. 11. *Exemptions.*—The preceding section shall not be construed to affect (a) any medical student duly enrolled in an approved medical college or school, OR GRADUATE under training, serving without any professional fee in any government or private hospital, provided that he render such service under the direct supervision and control of a registered physician; (b) any legally registered dentist engaged exclusively in the practice of dentistry; (c) any duly registered masseur or physiotherapist, provided the

he applies massage or other physical means upon written order or prescription of a duly registered physician, or provided that such application of massage or physical means shall be limited to physical or muscular development; (d) any duly registered optometrist who mechanically fits or sells lenses, artificial eyes, limbs or other similar appliances or who is engaged in the mechanical examination of eyes for the purpose of constructing or adjusting eyeglasses, spectacles and lenses; (e) any person who renders any service gratuitously in cases of emergency, or in places where the services of a duly registered physician, nurse or midwife are not available; (f) any person who administers or recommends any household remedy as per classification of existing Pharmacy Laws; [and] (g) any CLINICAL psychologist, or mental hygienist, in the performance of his duties IN REGARD TO PATIENTS WITH PSYCHIATRIC PROBLEMS, provided such performance is done [in conjunction] with THE PRESCRIPTION AND DIRECT SUPERVISION OF a duly registered physician, AND (H) PROSTHETISTS WHO FIT ARTIFICIAL LIMBS UNDER THE SUPERVISION OF A REGISTERED PHYSICIAN.

"SEC. 12. *Limited practice without any certificate of registration.*—Certificates of registration shall not be required of the following persons:

(a) Physicians and surgeons from other countries called in consultation only and exclusively in specific and definite cases, or those attached to international bodies or organizations assigned to perform certain definite work in the Philippines, provided they shall limit their practice to the specific work assigned to them and provided further they shall secure a previous authorization from the Board of Medical Examiners.

(b) Commissioned medical officers of the United States Armed Forces stationed in the Philippines while rendering service as such only for the members of the said armed forces and within the limit of their own respective territorial jurisdiction.

(c) Foreign physicians employed as exchange professors in special branches of medicine or surgery whose service may, [in the discretion] UPON PREVIOUS AUTHORIZATION of the Board of Medical [Education] EXAMINERS, be necessary.

(d) Medical students who have completed the first four years of medical course, graduates of medicine and registered nurses who may be given limited and special authorization by the Secretary of Health to render services during epidemics or national emergencies whenever the services of duly registered physician are not available. Such authorization shall automatically cease when the epidemic or national emergency is declared terminated by the Secretary of Health.

SEC. 13. *The Board of Medical Examiners, its composition and duties.*—The Board of Medical Examiners shall be composed of six members to be appointed by the President of the Philippines from a [confidential] list of not more than twelve names approved and submitted by the Executive Council of the Philippine Medical Association, [after due consultation with other medical association] during the month[s] of [April and October of] SEPTEMBER each year. The chairman of the Board shall be elected from among themselves by the members at a meeting called for the purpose. The President of the Philippines shall fill any

vacancy that may occur during any examination from the list of names submitted by the Philippine Medical Association in accordance with the provisions of this Act.

"No examiner shall handle examinations in more than four subjects or groups of subjects as hereinafter provided. The distribution of subjects to each member shall be agreed upon at a meeting called by the chairman for the purpose. The examination papers shall be under the custody of the Commissioner of Civil Service or his duly authorized representative, and shall be distributed to each member of the Board who shall correct, grade, and sign, and submit them to the said Commissioner within one hundred twenty days from the date of the termination of the examinations.

"A final meeting of the Board for the deliberation and approval of the grades shall be called by the Commissioner of Civil Service immediately after receipt of the records from the members of the Board of Medical Examiners. The Secretary of the Board shall submit to the President of the Philippines for approval the TABULATION OF RESULTS, AND IMMEDIATELY UPON RECEIPT OF THE APPROVED TABULATION FROM THE OFFICE OF THE PRESIDENT, THE BOARD SHALL CAUSE THE PUBLICATION OF THE names of successful candidates [as having been duly qualified for licensure] in alphabetical order without the ratings obtained by each, AND AT THE SAME TIME TRANSMIT A COPY THEREOF TO THE OFFICE OF THE PRESIDENT.

"SEC. 14. *Qualifications of examiners.*—No person shall be appointed a member of the Board of Medical Examiners unless he or she (1) is a natural born citizen of the Philippines, (2) is a duly registered physician in the Philippines, (3) has been in the practice of medicine for at least ten years, (4) is of good moral character and of recognized standing in the medical profession AS CERTIFIED TO BY THE PHILIPPINE MEDICAL ASSOCIATION, (5) is not a member of the faculty of any medical school and has no pecuniary interest, directly or indirectly, in any college of medicine or any institution where any branch of medicine is taught, at the time of his appointment [Provided, That of the six members to be appointed, not more than two shall be graduates of the same institution and not more than three shall be government physician.]

"SEC. 15. *Tenure of office and compensation of members.*—The members of the Board of Medical Examiners shall hold office for [one year: Provided, That any member may be reappointed for not more than one year] A TERM OF THREE YEARS WITHOUT REAPPOINTMENT AND UNTIL THEIR SUCCESSORS SHALL HAVE BEEN DULY APPOINTED AND DULY QUALIFIED. DURING THE FIRST YEAR OF THE IMPLEMENTATION OF THIS AMENDMENT, THE MEMBERS OF THE BOARD OF MEDICAL EXAMINERS SHALL HOLD OFFICE AS FOLLOWS:

"TWO MEMBERS FOR A TERM OF ONE YEAR:

"TWO MEMBERS FOR A TERM OF TWO YEARS; AND

"TWO MEMBERS FOR A TERM OF THREE YEARS

PROVIDED, THAT YEARLY APPOINTMENTS OF TWO NEW MEMBERS WILL BE MADE TO REPLACE THOSE WHOSE TERMS WILL EXPIRE: PROVIDED, FURTHER THAT APPOINTMENTS TO FILL UP VACANCIES CREATED BY CAUSES OTHER THAN THROUGH EXPIRATION OF REGULAR TERMS WILL BE FOR THE UNEXPIRED PERIOD ONLY. Each member shall receive as compensation ten pesos for each candidate examined for registration as physician, and five pesos for each candidate examined in the preliminary or final physician examination,

PROVIDED THE SUM OF SAID COMPENSATION DOES NOT EXCEED EIGHTEEN THOUSAND PESOS ANNUALLY.

"The President of the Philippines, upon the recommendation of the Commissioner of Civil Service, after due investigation, may remove any member of the Board of Medical Examiners for neglect of duty, incompetency, or unprofessional or dishonorable conduct.

"SEC. 16. Executive officer and Secretary of the Board.—The Secretary of the Boards of Examiners appointed in accordance with Section ten of Act Numbered Four thousand seven, as amended, shall also be the secretary of the Board of Medical Examiners, who shall keep all the records, including examination papers and the minutes of the deliberations of the Board. He shall also keep a register of all persons to whom certificates of registration has been granted; set forth the name, sex, age, and place of birth of each, place of business, post office address, the name of the medical college or university from which he graduated or in which he had studied, together with the time spent in the study of the profession elsewhere, the name of the country where the institution is located which had granted to him the degree or certificate of attendance [upon] ON clinics and all lectures in medicine and surgery, and all other degrees granted to him from institutions of learning. He shall keep an up-to-date registration book of all duly registered physicians in the Philippines. He shall furnish copies of all examination questions and ratings in each subject of the respective candidates in the physicians examination, one month after the release of the list of successful examinees, to the deans of the different colleges of medicine exclusively for the information and guidance of the faculties thereof. This report shall be considered as restricted information. Any school which violates this rule shall be deprived of such privilege. [The Secretary of the Board shall likewise keep a record of all registered medical students] He shall keep all the records and proceedings, and issue and receive all papers in connection with any and all complaints presented to the Board.

"SEC. 18. Dates of examinations.—The Board of Medical Examiners shall give examinations for the registration of physicians, [one in May and one in November every] TWICE A YEAR, in the City of Manila or any of its suburbs after giving not less than ten days' notice to each candidate who had filed his name and address with the secretary of the Board.

"SEC. 19. Fees.—The Secretary of the Board, under the supervision of the Commissioner of Civil Service, shall collect from each candidate the following fees:

- "[For registration as medical students P5.00]
- "For complete physical examination 75.00
- "For preliminary or final examination 40.00
- "For registration as physician 20.00

"All fees paid as provided herein shall accrue to the funds of the Board of Medical Examiners and be expended for the payment of the compensation of the members thereof. No fees other than those provided herein shall be paid to the Board.

"SEC. 20. Issuance of Certificates of Registration, grounds for refusal of same.—The Commissioner of Civil Service, [and] THE CHAIRMAN, THE MEMBERS and the Secretary of the Board of Medical Examiners shall sign [jointly] and

issue certificates of registration to those who have satisfactorily complied with the requirements of the Board. They shall not issue a certificate of registration to any candidate who has been convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, or has been found guilty of immoral or dishonorable conduct after the investigation by the Board of Medical Examiners, or has been declared to be of unsound mind.

"SEC. 21. Scope of examination.—[The examination for the registration of physicians shall consist of the following subjects,] THE FOLLOWING SUBJECTS SHALL BE GIVEN IN

- "(a) PRELIMINARY EXAMINATION
 - "1) ANATOMY AND HISTOLOGY
 - "2) PHYSIOLOGY
 - "3) BIOCHEMISTRY
 - "4) MICROBIOLOGY AND PARASITOLOGY
- "(b) FINAL EXAMINATION
 - "1) PHARMACOLOGY AND THERAPEUTICS
 - "2) PATHOLOGY
 - "3) MEDICINE
 - "4) OBSTETRICS AND GYNECOLOGY
 - "5) PEDIATRICS AND NUTRITION
 - "6) SURGERY AND OPHTHALMOLOGY, OTOLARYNGOLOGY AND RHINOLOGY
 - "7) PREVENTIVE MEDICINE AND PUBLIC HEALTH, AND
 - "8) LEGAL MEDICINE, ETHICS AND MEDICAL JURISPRUDENCE
- "(c) COMPLETE EXAMINATION
 - "1) Anatomy and Histology
 - "2) Physiology
 - "3) Biochemistry
 - "4) Microbiology and Parasitology
 - "5) Pharmacology and Therapeutics
 - "6) Pathology
 - "7) Medicine
 - "8) Obstetrics and Gynecology
 - "9) Pediatrics and Nutrition
 - "10) Surgery and Ophthalmology, Otolaryngology and Rhinology
 - "11) Preventive Medicine and Public Health, and
 - "12) Legal Medicine, Ethics and Medical Jurisprudence

[Provided, however, That the examination questions in each subject or group of subjects at least be ten in numbers: Provided, further, That the examination questions in Medicine shall include at least three from the following branches: Infectious diseases, Neurology, Dermatology, Allergy, Endocrinology and CardioVascular diseases: Provided, finally, That the examination questions in Surgery shall include at least four questions from the following: Ophthalmology, Otology, Rhinology, Laryngology, Orthopedic Surgery and Anesthesiology.]

"The questions shall be the same for all applicants. All answers must be written [either] in English [or Spanish]. No name of the examinee shall appear in the examination paper but the examiners shall devise a system whereby each applicant can be identified by number only.

"In order that a candidate may be deemed to have passed his examination successfully he must have obtained a general average of seventy-five per cent without a grade lower than [sixty-five] FIFTY per cent in [Medicine, Pediatrics and Nutrition, Obstetrics and Gynecology, and Preventive

Medicine and Public Health, and no grade lower than fifty per cent in the rest of the subjects] ANY SUBJECT.

"[The preliminary examinations shall comprise of the following subjects:

- "(1) Gross Anatomy and Histology
- "(2) Physiology
- "(3) Biochemistry
- "(4) Microbiology and Parasitology]

"IF THE APPLICANT IS FOUND TO BE PROFICIENT IN THE SUBJECTS IN THE PRELIMINARY EXAMINATIONS. HE OR SHE SHALL BE EXEMPT IN THESE SUBJECTS AT THE TIME OF THE FINAL EXAMINATION. IN CASE OF FAILURE IN ANY SUBJECT AT ANY PRELIMINARY EXAMINATION GIVEN IN ACCORDANCE WITH THIS SECTION, THE CANDIDATE SHALL NOT THEN BE REEXAMINED IN SUCH SUBJECT IN WHICH HE MAY HAVE FAILED UNTIL HE SHALL HAVE FINISHED THE PRESCRIBED COURSE OF MEDICAL STUDY AND INTERNSHIP.

"SEC. 22. *Administrative investigations.*—In addition to the functions provided for in the preceding sections, the Board of Medical Examiners shall perform the following duties: (1) to administer oath to physicians who qualified in the examinations; (2) to study the conditions affecting the practice of medicine in all parts of the Philippines; (3) to exercise the powers conferred upon it by this article with the view of maintaining the ethical and professional standards of the medical profession; (4) to *subpoena* or *subpoena duces tecum* witnesses for all purposes required in the discharge of its duties; and (5) to promulgate, with the approval of the Commissioner of Civil Service, such rules and regulations as it may deem necessary for the performance of its duties in harmony with the provisions of this Act and necessary for the proper practice of medicine in the Philippines.

"Administrative investigations [may] SHALL be conducted by [not less than four] AT LEAST TWO members of the Board of Medical Examiners WITH ONE LEGAL OFFICER SITTING DURING THE INVESTIGATION, otherwise the proceedings shall be considered void. The existing rules of evidence shall be observed during all administrative investigations. The Board may disapprove applications for examination or registration, reprimand erring physicians, or suspend or revoke registration certificates, if the respondents are found guilty after due investigation.

"SEC. 25. *Rights of respondents.*—The respondent physician shall be entitled to be represented by counsel or be heard [by himself for herself] IN PERSON, to have a speedy and public hearing, to confront and to cross-examine witnesses against him or her, and to all other rights guaranteed by the Constitution and provided for in the Rules of Court."

SEC. 26. This Act shall take effect upon its approval.

The PRESIDENT PRO TEMPORE. The lady from Albay is recognized.

Senator ZIGA. Mr. President, this is a very simple bill, the purpose being to clarify and strengthen the provisions of the Medical Act of 1959, which has been found in actual practice to have certain deficiencies in the implementation. One of the main

features of the bill, Mr. President, is to give definite terms of office to the members of the Board of Medical Examiners. The present one-year term is too short to implement the policies formulated by the Board. Moreover, there are many administrative and legal cases pending due to the short term of office of the members of the Board. Moreover, also, the policy of the medical association cannot be effectively formalized and implemented due to the short term of office of the members of the Board, which is only one year under the existing law.

Another feature of the proposed amendment to the Medical Act, Mr. President, is to provide a limitation on the examinees taking the board examinations to improve the quality of our physicians. The candidates who fail to pass the critical examinations for the third time will be required to take a refresher course prescribed by the Board of Medical Examiners for at least one year in a recognized college before they can be allowed to take subsequent examinations.

If there are no interpellations, I move that we proceed to the period of amendment.

The PRESIDENT PRO TEMPORE. We are now in the period of amendment.

Senator ZIGA. The Committee would like to present the following amendments:

On page 13, line 13, after the "comma(,)" add the words "WITHOUT NAMES".

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none and the amendment is approved.

Senator ZIGA. On page 14, line 1, after the word "SHALL" add the phrase "INSERT THE NAMES AND".

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none and the amendment is approved.

Senator ZIGA. On page 14, line 14, before the word "BY", delete the word "TO" and between the "comma(,)" and the word "is" put "(5)".

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none and the amendment is approved.

Senator ZIGA. On page 15, line 1, delete the phrase "TERM OF THREE YEARS WITHOUT REAPPOINTMENT AND" and in lieu thereof put the following: "TERM OF THREE YEARS AND MAY BE REAPPOINTED AND".

Senator DIOKNO. Mr. President, before we vote on this amendment...

The PRESIDENT PRO TEMPORE. The gentleman from Batangas is recognized.

Senator DIOKNO. I would like to inquire from the distinguished lady from Albay what is the reason for allowing the reappointment. I understand that the medical association prefers that the members of the Board of Examiners should be changed from time to time so as to enable the other members of the medical profession to become members of the Board. Because with this, you would be permitting a particular doctor who happens to be very close, let us say, to whoever is the power that be to perpetuate himself in office.

Senator ZIGA. While that is true, Mr. President, it should also be remembered that there are physicians or doctors who are appointed to the Board of Medical Examiners, who are really very dedicated to their work and because of the short time that is given them under existing law, which is one year, they are unable to implement the policies they are formulating.

Senator DIOKNO. But, precisely, the purpose of this bill is to extend the term to three years. So, the short term of one year could no longer be an excuse. They are already given three years. So, why permit them to be reappointed for another three years? Why not make it three years without reappointment, like the House version. I do not see the reason behind this.

Senator ZIGA. But this really will depend on the appointing power. They may or may not be reappointed. If the appointing power finds that a certain physician who has been appointed as member of the Medical Board of Examiners is really doing his or her job excellently than this proposed amendment will give the appointing power the discretion to reappoint or not to reappoint him or her.

Senator DIOKNO. I do not know if Your Honor is familiar with some of the basic history of the Philippine Medical Association. I am, because I had the privilege of being their counsel in 1962. One of the reasons why the Philippine Medical Association was against the reappointment and long-term basis was precisely because under the law and under the Constitution, we cannot make the President accept the recommendation of the Philippine Medical Association. The Philippine Medical Association merely recommends. It is up to the President to act, to accept or to reject the recommendation.

Senator ZIGA. Yes.

Senator DIOKNO. Now, what can happen under this amendment proposed by Your Honor is different. If a doctor who is not recommended by the Philippine Medical Association but is politically strong can be appointed to the Board and then reappointed and reappointed and reappointed — and perpetuate himself in power — I would suggest, if Your Honor would consider, the possibility of an amendment to the effect of three years without immediate reappointment, so that after another three years have lapsed he can be reappointed again.

Senator ZIGA. All right. I am agreeable to the amendment if presented.

Senator DIOKNO. Well, I am now presenting an amendment to the amendment presented by Your Honor in the form of inserting the word "IMMEDIATELY" between the words "WITHOUT" and "REAPPOINTMENT" in the original text of the bill, so that it will read: "TERM OF THREE YEARS WITHOUT IMMEDIATE REAPPOINTMENT."

The PRESIDENT PRO TEMPORE. What does the sponsor say?

Senator ZIGA. I accept the amendment, Mr. President.

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. The amendment is approved.

Senator ZIGA. Mr. President, on page 17, line 8 delete the word "He" before the word "shall" and in lieu thereof place the words "THE SECRETARY."

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. The amendment is approved.

Senator ZIGA. On page 17, lines 13 and 14, between the words "physician" and "n", delete the words one in May and one in November every" and in lieu thereof, insert the following: "TWICE A YEAR ON DATES TO BE DETERMINED BY IT PROVIDED THE INTERVAL BETWEEN THE FIRST AND THE SECOND EXAMINATIONS IN A YEAR SHALL BE SIX MONTHS."

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. Amendment approved.

Senator ZIGA. On page 17, line 22, after the word "complete", delete the word "physicial" and in lieu

May 15, 1964

thereof place the word "PHYSICIAN." This is just a mere correction.

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. Amendment approved.

Senator ZIGA. On page 18, line 12, between the period (.) and the word "shall", delete the word "The" and in lieu thereof place the word "THEY".

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. Amendment approved.

Senator ZIGA. On page 18, line 22, between the word "THE" and the word "EXAMINATIONS", delete the word "FOLLOWING".

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. Amendment approved.

Senator ZIGA. On page 21, line 4, after the period (.) add the following: "PROVIDED THAT A CANDIDATE WHO FAILS FOR THE THIRD TIME IN THE COMPLETE OR FINAL EXAMINATIONS WILL BE REQUIRED TO TAKE A REFRESHER COURSE PRESCRIBED BY THE BOARD OF MEDICAL EXAMINERS OF AT LEAST ONE (1) YEAR IN A RECOGNIZED MEDICAL SCHOOL OR COLLEGE BEFORE HE COULD BE ALLOWED TO TAKE SUBSEQUENT EXAMINATIONS."

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. Amendment approved.

Senator ZIGA. Mr. President, if there are no individual amendments to House Bill No. 3018, I move that the same be approved on second reading as amended.

APPROVAL ON SECOND READING
OF HOUSE BILL NO. 3018

The PRESIDENT PRO TEMPORE. Those in favor of the bill as amended may say *aye*. (*Several senators: aye.*) Those who are against may say *nay*. (*Silence.*) The bill is approved on second reading as amended.

CONSIDERATION AND APPROVAL ON SECOND
READING OF HOUSE BILL NO. 10337

Senator TOLENTINO. Mr. President, I move that we consider House Bill No. 10337.

The PRESIDENT PRO TEMPORE. Consideration of House Bill No. 10337 is now in order.

The Secretary will please read the bill.

The SECRETARY:

AN ACT TO AUTHORIZE AN APPROPRIATION FOR THE DEVELOPMENT OF THE MINDANAO STATE UNIVERSITY, AND FOR OTHER PURPOSES.

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

SECTION 1. The sum of fifteen million pesos (P15,000,000) is hereby authorized to be appropriated out of any funds in the National Treasury not otherwise appropriated, and to be made available to the Mindanao State University at the rate of three million pesos (P3,000,000) annually beginning the fiscal year nineteen hundred and sixty-five to support its development, including capital outlay for permanent improvements and for other purposes at the discretion of its Board of Regents: *Provided*, That any amount of the said fifteen million pesos not released to the University after five years shall continue to be made available until the whole amount appropriated shall have been used by the University, any provision of law to the contrary notwithstanding.

SEC. 2. This Act shall take effect upon its approval.

SPONSORSHIP SPEECH OF SENATOR TOLENTINO

Senator TOLENTINO. Mr. President, this is a mere authority to appropriate the sum of P15 million for a five-year development program of the Mindanao State University, disbursements to be at the rate of P3 million per annum beginning with the fiscal year 1965.

The Mindanao State University was established to accelerate the social and economic development of Mindanao, Sulu, and Palawan. It has already organized the Colleges of Engineering, Fisheries, Agriculture, Forestry, Community Development and Public Administration, Education and Liberal Arts. And hundreds of students from the provinces in the region are now enrolled; and many are manifesting their desire to enrol in that university, instead of coming here to Manila and Quezon City. In order to expand its facilities therefore, Mr. President, it needs the appropriation that is sought to be authorized by this bill.

Mr. President, the Committee has no amendments. And unless there are any questions, I move that we approve the bill without amendment.

Senator OSIAS. Mr. President.

The PRESIDENT PRO TEMPORE. The gentleman from La Union.

Senator OSIAS. The gentleman from Manila brought us the intelligence that the present institution of learning in Mindanao offers courses in different colleges. I would like to just stand and emphasize the need of attending to strengthening

the College of Agriculture and the College of Fisheries. It being established on a wide tract of land, it will be the source of leaders for the agricultural development of that great part and portion of the Philippines; and it being near Lake Lanao, I believe that it will be contributory to the achievement of self-sufficiency in food if the College of Fisheries would be strengthened. I am in favor of the bill.

Senator TOLENTINO. Mr. President, I move for the approval of the bill on second reading.

The PRESIDENT PRO TEMPORE. Those in favor of the bill may say *aye*. (*Several senators: aye.*) Those against may please say *nay*. (*Silence.*) The bill is approved on second reading.

SECOND READING AND CONSIDERATION
OF HOUSE BILL NO. 538

Senator TOLENTINO. Mr. President, I move that we consider now House Bill No. 538, to be sponsored by the distinguished gentleman from Iloilo, Senator Ganzon.

The PRESIDENT PRO TEMPORE. Consideration of House Bill No. 538 is now in order.

The Secretary will please read the bill.

The SECRETARY:

AN ACT TO FURTHER AMEND SECTION THIRTEEN OF THE GOVERNMENT SERVICE INSURANCE ACT SO AS TO INCLUDE PERIODS OF SERVICE IN THE PHILIPPINE RED CROSS, PUERICULTURE CENTERS AND ASSOCIATED CHARITIES IN THE COMPUTATION OF TOTAL SERVICE FOR RETIREMENT PURPOSES.

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

SECTION 1. Section thirteen of Commonwealth Act Numbered One hundred eighty-six, otherwise known as the Government Service Insurance Act, as amended, is further amended to read as follows:

"SEC. 13. *Computation of service.*—The aggregate period of service which forms the basis for retirement and calculating the amount of annuity described in Section eleven hereof shall be computed from the date of original employment, whether as a classified or unclassified employee in the service of an 'employer', including periods of service at different times and under one or more employers, PERIODS OF SERVICE IN THE PHILIPPINE RED CROSS, PUERICULTURE CENTERS AND ASSOCIATED CHARITIES BEFORE AND AFTER THE APPROVAL OF THIS ACT and also periods of service performed overseas under the authority of the Republic of the Philippines and periods of honorable service in the Armed Forces of the Philippines prior to June sixteen, nineteen hundred fifty-one, and periods of honorable service in the Philippines under the authority of the United States Government if rendered prior to July four, nineteen hundred

and forty-six: *Provided, however,* That in case of an employee who is eligible for and receives retirement pay on account of military or naval service or on account of disability incurred therein, the period of service upon which such retirement pay is based shall be excluded: *Provided,* also, That periods of service rendered after June sixteen, nineteen hundred fifty-one during which premiums are not required shall be excluded, unless the premiums corresponding to said service be later on paid to the System with interest: *And provided, further,* That the period from January one, nineteen hundred and forty-one to February twenty-eight, nineteen hundred and forty-five and any period not exceeding one year at a time during which an officer or employee had been thereafter out of the service to the date of his reinstatement or reappointment before June sixteen, nineteen hundred fifty-one, shall be included for those who were in the service on December eight, nineteen hundred and forty-one, except those who were separated prior to the Japanese occupation, in the computation of total service, the annuity mentioned herein, and payment of premiums therefor. For the purpose of this section, the term 'service' shall include only full-time service with compensation: *Provided,* That the Board may include part-time and other services with compensation under such rules and regulations as it may prescribe."

SEC. 2. This Act shall take effect upon its approval.

The PRESIDENT PRO TEMPORE. The gentleman from Iloilo is recognized.

SPONSORSHIP SPEECH OF SENATOR GANZON

Senator GANZON. Mr. President, the title of the bill is self-explanatory, and it seeks to include services rendered in the Red Cross, Philippine Red Cross, and, or puericulture centers for purposes of computation of retirement and annuity under the GSIS. Now, the Committee seeks to amend, as it hereby proposes to amend, the said bill by deleting on page 2, line 4, the words "AND ASSOCIATED CHARITIES". The Committee is not prepared to defend the phrase therein, because it will be open to some associations wanting to join this privilege, but it is prepared only to include services in the Red Cross, Philippine Red Cross, and puericulture centers for purposes of computation of retirement and annuity under the GSIS.

Now, Mr. President, that is a very short sponsorship speech. It has no further committee amendment, but I wish that the Senate act. And so, I move, Mr. President, that on page 2, line 4, the words "AND ASSOCIATED CHARITIES" should be deleted.

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. The amendment is approved.

Senator OSIAS. Mr. President.