

[REPUBLIC ACT NO. 2382, June 20, 1959]

THE MEDICAL ACT OF 1959

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

Article I.—OBJECTIVES AND IMPLEMENTATION

SECTION 1. *Objectives.*—This Act provides for and shall govern (a) the standardization and regulation of education; (b) the examination for registration of sicians and (c) the supervision, control and regulation of the practice of medicine in the Philippines.

SEC. 2. *Enforcement.*—For the purpose of implementing the provisions of this Act, there are created the following agencies: the Board of Medical Education under the Department of Education, and the Board of Medical Examiners under the Commissioner of Civil Service.

Article II.—THE BOARD OP MEDICAL EDUCATION—ITS FUNCTIONS

SEC. 3. *Composition of 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 and a representative chosen by the Philippine Association of Colleges and Universities, as members.

The officials acting as chairman and members of the Board of Medical Education shall hold office during their incumbency in their respective positions.

SEC. 4. *Compensation and traveling expenses.*—The chairman and members of the Board of Medical Education shall not be entitled to any compensation except for traveling expenses in connection with their official duties as herein provided.

For administrative purposes, the Board shall hold office in the office of its chairman, who may designate a ranking official in the Department of Education to serve as secretary of the Board.

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 requirements 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 the minimum qualifications of teaching personnel including student-teacher ratio and curriculum;
- d. 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.
- e. To select, determine and approve hospitals or some departments of the hospitals for training which comply with the minimum specific physical facilities as provided in subparagraph (b) hereof: and
- f. 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 the following subjects with their corresponding number of units:

English	12
Latin	3
Mathematics, including Accounting and Statistics	9
Philosophy, including Psychology and Logic	12
Zoology and Botany	15
Physics	8
Chemistry	21
Library Science	1
Humanities and Social Sciences	12

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 nineteen 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 rotating internship in an approved capital, and shall consist of the following subjects:

- Anatomy
- Physiology
- Biochemistry and Nutrition
- Pharmacology
- Microbiology
- Parasitology
- Medicine and Therapeutics
- Genecology
- Ophthalmology, Otolaryngology, Rhinology and Laryngology
- Pediatrics
- Obstetrics
- Surgery
- Preventive Medicine and Public Health
- Legal Medicine, including Medical Jurisprudence 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 record showing completion of a standard preparatory medical course as herein provided, (c) a certificate of registration as medical student, (d) a certificate of good moral character issued by two former professors in the pre-medicine course, and (e) 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 may be deemed admissible.

For the 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 institution 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, 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 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 departing
9. Schedule hours per academic year by departure
10. Number of students enrolled in each class.

Article III.—THE BOARD OF MEDICAL EXAMINERS; REGISTRATION OF PHYSICIANS

SEC. 8. prerequisite to the practice of medicine.—No person shall engage in the practice of medicine in the Philippines unless he is at least twenty-one years of age, has satisfactorily passed the corresponding Board Examination and is a holder of a valid Certificate of Registration inly issued to him by the Board of Medical Examiners.

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 purpose certificate 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 turpitude; and
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.

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 any human disease, injury, deformity, physical, mental or physical condition or any ailment, real or imaginary, regardless of the nature of the remedy or treatment administered, prescribed or recommended; or (b) 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 psychical condition; or (c) who shall 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 under training, serving without any professional fee in any government or private hospital, provided that he renders 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 that 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 eye glasses, 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 psychologist or mental hygienist in the performance of his duties, provide such performance is done in conjunction with a duly 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 of the Board of Medical Education, 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 medical services during epidemics or national emergencies when ever the services of duly registered physicians 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 associations, during the months of April and October of each year. The chairman of the Board shall be elected from among themselves by the members at a meeting called for the purpose. The resident of the Philippines shall fill any vacancy that occur during any examination from the list of names Knitted by the Philippine Medical Association in accordance with the provisions of this Act.

No examiner shall handle the 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 alter receipt of the records from the members of the Board of Medical Examiners. The secretary of the Board shall submit to the Presided of the Philippines for approval the names of the