

Republic Act No. 5527

(As amended by RA 6132, PD 498 and PD 1534.)

An Act Requiring the Registration of Medical Technologist, Defining Their Practice, and for Other Purposes

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

Section 1. *Title.*- This Act may be also cited as the Philippine Medical Technology Act of 1969.

Section 2. *Definition of Terms.*- As used in this Act, the following terms shall mean:

a. *Practice of Medical Technology* - A person shall be deemed to be in the practice of medical technology within the meaning of this Act, who shall for a fee, salary or other compensation or reward paid or given directly or indirectly through another, renders any of the following professional services for the purpose of aiding the physician in the diagnosis, study and treatment of diseases and in the promotion of health in general:

1. Examination of tissues, secretions and excretions of the human body and body fluids by various electronic, chemical, microscopic, bacteriologic, hematologic, serologic, immunologic, nuclear, and other laboratory procedures and techniques either manual or automated;
2. Blood banking procedures and techniques;
3. Parasitologic, Mycologic and Microbiologic procedures and techniques;
4. Histopathologic and Cytotechnology; provided that nothing in this paragraph shall inhibit a duly registered medical laboratory technician from performing histopathologic techniques and procedures.
5. Clinical research involving patients or human beings requiring the use of and/or application of medical technology knowledge and procedures;
6. Preparations and standardization of reagents, standards, stains and others, provided such reagents, standards, stains and others are exclusively for the use of their laboratory;
7. Clinical laboratory quality control;
8. Collection and preservation of specimens;

Provided, That any person who has passed the corresponding Board examination for the practice of a profession already regulated by existing law, shall not be subject to the provisions of the last four preceding paragraphs if the performance of such acts or services is merely incidental to his profession.

b. *Pathologist* - A duly registered physician who is specially trained in methods of laboratory medicine, or the gross and microscopic study and interpretation of tissues, secretion and excretions of the human body and its functions in order to diagnose disease, follow its course, determine the effectivity of treatment, ascertain cause of death and advance medicine by means of research.

c. *Medical Technologist* - A person who engages in the work of medical technology under the supervision of a pathologist or licensed physician authorized by the Department of Health in places where there is no pathologist and who having passed the prescribed course (Bachelor of Science in Medical Technology/Bachelor of Science in Hygiene) of training and examination is registered under the provision of this Act.

d. *Medical Laboratory Technicians* - A person certified and registered with the Board as qualified to assist a medical technologist and/or qualified pathologist in the practice of medical technology as defined in this Act.

- e. *Accredited Medical Technology Training Laboratory* - A clinical laboratory, office, agency, clinic, hospital or sanitarium duly approved by the Department of Health² or its authorized agency.
- f. *Recognized School of Medical Technology* - Any school, college, or university which offers a course in Medical Technology approved by the Department of Education in accordance with the requirements under this Act, upon recommendation of the council of medical technology education.
- g. *Council* - The council of medical technology education established under this Act.
- h. *Board* - The Board of Examiners for Medical Technology established under this Act.

Section 3. *Council of Medical Technology Education, Its Composition.*- There is hereby established a Council of Medical Technology Education, hereafter referred to as Council, which shall be composed of the Director of Higher Education as Chairman; the Chairman of the Professional Regulation Commission as Vice-Chairman; and the Director of the Bureau of Research and Laboratories of the Department of Health,⁴ the Chairman and two (2) members of the Board of Medical Technology, a representative of the Deans of Schools of Medical Technology and Public Health, and the Presidents of the Philippine Society of Pathologists and the Philippine Association of Medical Technologists, as members.

Section 4. *Compensation and Traveling Expenses of Council Members.*- For every meeting actually attended, the Chairman shall be entitled to a fifty pesos (P50.00) per diem while the members shall be entitled to twenty-five pesos (P25.00) each regardless of whether or not they receive regular salaries from the government. In addition, the Chairman and members of the Council shall be entitled to traveling expenses in connection with their official duties.

Section 5. *Functions of the Council of Medical Technology Education.*- The functions of the Council shall be:

- a. To recommend the minimum required curriculum for the course of medical technology.
- b. To determine and prescribe the number of students to be allowed to take up the medical technology course in each school, taking into account the student-instructor ratio and the availability of facilities for instruction.
- c. To approve medical technology schools meeting the requirements and recommend closure of those found to be substandard.
- d. To require all medical technology schools to submit an annual report, including the total number of students and instructors, list of facilities available for instruction, a list of their recent graduates and new admissions, on or before the month of June.
- e. To inspect, when necessary, the different medical technology schools in the country in order to determine whether a high standard of education is maintained in said institutions.
- f. To certify for admission in to an undergraduate internship students who have satisfactorily completed three years of the medical technology course or its equivalent and to collect from said student the amount of five pesos each which money accrue to the operating fund of the Council.
- g. Formulate and recommend approval of refresher course for applicants who shall have failed the Board Examination for the third time.
- h. To promulgate and prescribe and enforce necessary rules and regulations for the proper implementation of the foregoing functions.

Section 6. *Minimum Required Course.*- The medical technology course shall be at least four years, including a 12-month satisfactory internship in accredited laboratories, and shall include the following subjects:

English	Biochemistry
Spanish	Gross Anatomy
Social Science	Histology
General Zoology	Physiology
Botany	Clinical Parasitology
Mathematics	General Pathology

College Physics
General Chemistry
Qualitative Chemistry
Quantitative Chemistry

Microbiology
Biostatistics
Clinical Laboratory
Methods including hematology, serology, blood banking, clinical microscopy, applied microbiology, and parasitology, histopathologic techniques, and cytotechnology

The Council is hereby authorized, subject to the approval of the Secretary of Education, to change, remove from or add to the subjects listed above as the needs and demands of progress in the science of medical technology may require.

Section 7. Medical Technology Board.- There is hereby created a Medical Technology Board under the Professional Regulation Commission, which shall thereafter be referred to as the Board composed of a Chairman who is a pathologist, and two (2) members who are registered medical technologists who shall be appointed by the President of the Republic of the Philippines upon recommendation of the Professional Regulation Commission. The Chairman and members of the Board shall hold office for three (3) years after appointments or until their successors shall have been appointed and duly qualified: *Provided*, That the incumbent members will continue to serve until the expiration of their terms. In case of death, disability, or removal of a member of the Board, his successor shall serve only the balance of his term.

Section 8. Qualifications of Examiners.- No person shall be appointed as member of the Board of Examiners for Medical Technology unless he or she is (1) is a Filipino citizen; (2) is of good moral character; (3) is a qualified Pathologist, or a duly registered medical technologist of the Philippines with the degree of Bachelor of Science in Medical Technology/Bachelor of Science in Hygiene/Public Health; (4) has been in practice of laboratory medicine or medical technology for at least ten years prior to his appointment, and (5) is not a member of the faculty of any medical technology school for at least two (2) years prior to appointment or having any pecuniary interest direct or indirect in such institution: *Provided, however*, That for the first three years following the approval of this Act, the requirements mentioned in number four (4) shall be reduced to five years.

Section 9. Executive Officer of the Board.- *Section 10. Compensation of Members of the Board of Examiners for Medical Technology.*- Each member of the Board shall receive as sum of ten pesos for each applicant examined and five pesos for each applicant granted a certificate of registration without examination.

Section 11. Functions and Duties of the Board.- The Board is vested with authority and required, conformably with the provisions of this Act, to:

- a. Administer the provisions of this Act;
- b. Administer oaths in connection with the administration of this Act;
- c. Issue, suspend and revoke certificates of registration for the practice of medical technology and medical laboratory technician;
- d. Look into conditions affecting the practice of medical technology in the Philippines and, whenever necessary, adopt such a measure may be deemed proper for the maintenance of good ethic and standards in the practice of medical technology;
- e. Investigate such violations of this Act or of the rules and regulations issued thereunder as may come to the knowledge of the Board and, for this purpose issue subpoena and subpoena duces tecum to secure appearance of witnesses and production of documents in connection with charges presented to the Board; and
- f. Draft such rules and regulations as may be necessary to carry out the provisions of this Act: *Provided*, that the same shall be issued only after the approval of the President of the Philippines;

- g. To determine the adequacy of the technical staff of all clinical laboratories and blood banks before they could be licensed with the Department of Health in accordance with R.A. No. 4655 and 1517;
- h. To prescribe the qualifications and training of medical technologists as to special fields of the profession and supervise their specialty examination conducted by the professional organization of medical technologists accredited by the Professional Regulation Commission;
- i. To classify and prescribe the qualification and training of the technical staff of clinical laboratories as to: Medical Technology; Medical Technologist; Senior Medical Technologist; Medical Technologist and Medical Laboratory Technician.

Section 12. *Removal of Board Members.*- Any member of the Board may be removed by the President of the Philippines for neglect of duty, incompetency, malpractice or unprofessional, unethical, immoral or dishonorable conduct after having been given opportunity to defend himself in a proper and administrative investigation: *Provided*, that during the process of investigation, the President shall have the power to suspend such member under investigation and appoint a temporary member in his place.

Section 13. *Accreditation of Schools of Medical Technology and of Training Laboratories.*- Upon the recommendation of the Medical Technology Board, the Department of Education and Culture¹⁵ shall approve schools of Medical Technology in accordance with the provisions of this Act, as amended, in conjunction with the Board of Medical Technology. The Department of Health¹⁶ through the Bureau of Research and Laboratories shall approve laboratories for accreditation as training laboratories for medical technology students or post-graduate trainees in conjunction with the Board of Medical Technology. The laboratories shall show satisfactory evidence that they possess qualified personnel and are properly equipped to carry out laboratory procedures commonly required in the following fields: Clinical Chemistry, Microbiology, Serology, Parasitology, Hematology, Blood Banking, Clinical Microscopy, and Histopathologic techniques, and that the scope of activities of said laboratories offer sufficient training in said laboratory procedures.

Section 14. *Inhibition Against the Practice of Medical Technology.*- No person shall practice or offer to practice medical technology as defined in this Act without having previously obtained a valid certificate of registration from the Board provided that registration shall not be required of the following:

- a. Duly registered physicians.
- b. Medical technologist from other countries called in for consultation or as visiting or exchange professors to colleges or universities: *Provided*, they are only practicing the said function.
- c. Medical technologists in the service of the United States Armed Forces stationed in the Philippines rendering services as such for members of the said forces only.

Section 15. *Examination.*- Except as otherwise specifically allowed under the provision of this Act, all applicants for registration as medical technologist shall be required to undergo written examination which shall be given by the Board annually in the greater Manila area, Cebu, and Davao during the month of August or September on such days and places as the Board may designate. Written notices of such examination shall be published in at least three newspapers of national circulation by the Secretary of the Board of least thirty days prior to the date of examination.

Section 16. *Qualification for Examination.*- Every applicant examination under this Act, shall, prior to the date thereof, furnish the Board satisfactory proof that he or she:

- a. Is in good health and is of good moral character;
- b. Has completed a course of at least four (4) years leading to the degree of Bachelor of Science in Medical Technology or Bachelor of Science in Public Health conferred by a

recognized school, college or university in accordance with this Decree or having graduated from some other profession and has been actually performing medical technology for the last five (5) years prior to the date of the examinations, if such performance began prior to June 21, 1969.

Section 17. *Scope of Examination.*- The examination questions shall cover the following subjects with their respective relative weights:

Clinical Chemistry	20%
Microbiology & Parasitology	20%
Hematology	20%
Blood Banking & Serology	20%
Clinical Microscopy (Urinalysis and other body fluids)	10%
Histopathologic Techniques, Cytotechnology, Medical Technology Laws, Related Laws and its implementing rules, and the Code of Ethics	10%

The Board shall prepare the schedule of subjects for examination and to submit the same to the Commissioner of the Professional Regulation Commission for publication at least thirty (30) days before the date of examination. The Board shall compute the general average of each examinee according to the above-mentioned relative weights of each subject. Provided, however, that the Board may change, add to or remove from the list of subjects or weights above as progress in the science of Medical Technology may require, subject to the prior approval of the Professional Regulation Commission, and publication of the change or amendment at least three (3) months prior to the date of examination in which the same is to take effect.

Section 18. *Report of Rating.*- The Board shall, within one hundred and twenty days after the date of completion of the examination, report the result thereof to the Commissioner of Civil Service, who shall submit such result to the President of the Philippines for approval.

Section 19. *Rating in the Examination.*- In order to pass the examination, a candidate must obtain a general average of at least seventy-five percent in the written test, with no rating below fifty percent in any of the major subjects: *Provided*, That the candidate has not failed in at least sixty percent of the subjects computed according to their relative weights. No further examinations, unless and until he shall have completed 12 months refresher course in an accredited laboratory: *Provided*, That graduate of paramedical profession other than Bachelor of Science in Medical Technology/Bachelor of Science in Hygiene admitted to an examination under the provisions of this Act shall not be given further examinations after the provisions of this Act shall be given further examinations after his failure to qualify for the third time.

Section 20. *Oath Taking.*- All successful examinees shall be required to take a professional oath before the Board or before any person authorized to administer oaths prior to entering upon the practice of medical technology in the Philippines.

Section 21. *Issuance of Certificate of Registration.*- Every applicant who has satisfactorily passed the required examination for medical technologist shall be issued a certificate of registration as such: *Provided*, That no such certificate shall be issued to any successful applicant who has not attained the age of twenty-one (21) years. All certificate shall be signed by the members of the Board and by the Commissioner of the Professional Regulation Commission. The duly registered medical technologists shall be required to display his certificate of registration in the place where he works. Provided, that upon application filed and the payment of the required fee of one hundred and fifteen pesos (P115.00) the Board shall issue a certificate of registration as medical technologist without examination to persons who have been graduated with Bachelor of Science in Medical Technology/Bachelor of Science in Public Health in duly recognized

schools of medical technology in the Philippines or in any foreign country, *Provided*, That in case of the latter, the standard of medical technology education is substantially the same as ours, and in addition shall have been in the practice of medical technology for at least three (3) years prior to the filing of the application in laboratories in the Philippines duly accredited by the Bureau of Research and Laboratories, Department of Health, or in foreign countries if such performance began prior to June 21, 1969 and also to all other persons who having graduated from other professions have been actually performing medical technology practice for the last eight (8) years prior to filing of the application, *Provided*, that such performance began prior to June 21, 1969. *Provided, further*, that the Board shall likewise issue a certificate of registration as medical laboratory technician without examination to any person who upon application and payment of the required fee of fifty pesos (P500.00) show evidence satisfactory to the Board that:

1. He or she passed the civil service examination for medical technician given on March 21, 1964; or
2. Has finished a two-year college course and has at least one (1) year of experience as medical laboratory technician, *Provided*, that for every year of deficiency in college attainment two (2) years of experience may be substituted; *Provided, further*, that an applicant who has at least ten (10) years of experience as medical laboratory technician as of the date of approval of this Decree regardless of his academic attainment may qualify for registration without examination; or
3. Has failed to pass the board examination for medical technology but had obtained a general rating of at least 70%. *Provided, finally*, that a registered medical laboratory technician when employed in the government shall have the equivalent civil service eligibility not lower than second grade.

Section 22. *Fees.*- The Board shall charge each applicant for examination and registration the sum of fifty pesos for each certificate of registration issued without prior examination in accordance with the provisions of this Act the sum of twenty-five pesos; for issuance of a new certificate to replace certificate lost, destroyed or mutilated, the Board shall charge the sum of ten pesos. All such fees shall be paid to the disbursing officer of the Civil Service Commission who shall pay from the receipts thereof, all authorized expenses of the Board including the compensation of each member.

Section 23. *Refusal to issue Certificate.*- The Board shall refuse to issue a certificate of registration to any person convicted by the court of competent jurisdiction of any criminal offense involving moral turpitude, or any person guilty of immoral or dishonorable conduct, or of unsound mind, or incurable communicable disease, and in such shall be give to the applicant a written statement setting forth the reason for its action, which statement shall be incorporated in the record of the Board.

Section 24. *Administrative Investigation.- Revocation or Suspension of Certificates* - Administrative investigation shall be conducted by at least two members of the Board with one legal officer sitting during all administrative proceedings, the respondents shall be entitled to be represented by counsel or be heard in person, to have a speedy and public hearing, to confront and cross-examine witnesses against him or her, and to all other rights guaranteed by the Constitution. The Board may, after giving proper notice and hearing to the party concerned reprimand an erring medical technologist or revoke or suspend his certificate of registration for causes mentioned in the next preceding section or for causes enumerated in section twenty-nine (29) of this Act, or for unprofessional conduct, malpractice, incompetency, or serious ignorance or gross negligence in the practice of medical technology. No penalty of revocation shall be imposed unless there is a unanimous vote of all the three members of the Board. The Board may, by majority vote, impose the penalty or reprimand or suspension, the latter however not to exceed two years. When the penalty of suspension or revocation is imposed by the Board the medical technologist shall be required to surrender his certificate of registration within thirty days after the decision becomes final, under the pain of perpetual disqualification from the practice of medical technology in the Philippines for inexcusable failure to do so. The suspension shall run from the date of such surrender.

Section 25. *Appeal*.- The revocation or suspension of a certificate made by the Board shall be subject to appeal to the Civil Service Commissioner²⁴ whose decision shall become final thirty days after its promulgation, unless the respondent within the same period has appealed to the office of the President of the Philippines.

Section 26. *Reinstatement, Reissue or Replacement of Certificate*.- The Board may, upon application and for reason deemed proper and sufficient, reissue any revoked registration certificate. The suspension of a certificate shall be re-issued to the medical technologist concerned upon request without prejudice to further actions by the Board for violation of the provisions of this Act or conditions imposed by the Board upon the medical technologist during the period of suspension.

Section 27. *Foreign Reciprocity*.- No foreigner shall be admitted to examination, or be given a certificate of registration or be entitled to any of the rights and privileges under this Act, unless the country or state of which he is a subject or citizen permits Filipino Medical Technologist to practice within its territorial limits on the same as the subject or citizens of said country or state.

Section 28. *Roster of Medical Technologist*.- A roster of Medical Technologist shall be prepared annually by the Secretary of the Board, commencing on the year following that in which this Act shall become effective. This roster shall contain the name, address and citizenship of each registered Medical Technologist, date of registration or issuance of certificate, and other data which in the opinion of the Board are pertinent. The roster shall be open to public inspection and copies thereof shall be mailed to each person included therein, placed on file in the Office of the President, furnished all Department Heads and all bureau, offices and instrumentalities of the Department of Health and to such other offices, private or governmental, and to the public upon request.

Section 29. *Penal Provisions*.- Without prejudice to the provision of the Medical Act of 1959 as amended relating to illegal practice of Medicine, the following shall be punished by a fine of not less than two thousand pesos nor more than five thousand pesos, or imprisonment for not less than six months nor more than two years, or both, in the discretion of the court:

- a. Any person who shall practice Medical Technology in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act;
- b. Any medical technologist, even if duly registered, who shall practice medical technology in the Philippines without the necessary supervision of a qualified pathologist or physician authorized by the Department of Health;
- c. Any medical technologist who shall knowingly make a fraudulent laboratory report;
- d. Any duly registered medical technologist who shall refuse or fail, after due warning by the Board to display his certificate of registration in the place where he works;
- e. Any person presenting or attempting to use as his own, the certificate of registration of another;
- f. Any person who shall give any false or fraudulent evidence of any kind to the Board or any member thereof in obtaining a certificate of registration as Medical Technologist;
- g. Any person who shall impersonate any registrant of like or the same name;
- h. Any person who shall attempt to use a revoked or suspended certificate of registration;
- i. Any person who shall in connection with his name or otherwise, assume, use or advertise any title or description tending to convey the impression that he is a Medical Technologist without holding a valid certificate of registration;
- j. Any person or corporate body who shall allow anyone in his employ who is not a registered medical technologist/medical laboratory technician to engage in the practice of medical technology or recommend for appointment anyone to the position of medical technologist/medical laboratory technician knowing that he is not registered as such.
- k. Any person or corporate body who shall violate the rules and regulations of the Board or orders promulgated by it after having been duly approved and issued by the President of

the Philippines upon recommendation of the Commissioner of Civil Service²⁸ for the purpose of carrying out the provisions of this Act.

Section 30. *Separability Clause*.- All acts, executive, rules and regulations, or parts thereof inconsistent with the provisions to any persons or circumstances is declare invalid by a court of competent jurisdiction, the remainder of this Act of the application of such provisions to other persons or circumstances shall not be affected by such declaration.

Section 31. *Repealing Clause*.- All acts, executive, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed: Provided, however, that nothing in this Act shall be construed as repealing or amending any portion of the Medical Act of 1959 (R.A. 2382, as amended by R.A. 4224), the Clinical Laboratory Act of 1966 (R.A. 4688), and the Blood Banking Law of 1956 (R.A. 1517).

Section 32. *Effectivity*.- This Act shall take effect upon its approval.

Approved, June 21, 1969.