

AMENDING SECTIONS TWO, THREE, FOUR, SEVEN, EIGHT, ELEVEN, THIRTEEN, SIXTEEN, SEVENTEEN, TWENTY-ONE, AND TWENTY-NINE OF REPUBLIC ACT NO. 5527, ALSO KNOWN AS THE PHILIPPINE MEDICA...

PRESIDENTIAL DECREE NO. 498, June 28, 1974

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WHEREAS, Republic Act No. 5527, An Act Requiring: the Registration of Medical Technologists, Denning Their Practice, And For Other Purposes took effect on June 21, 1969;

WHEREAS, in the implementation of said Act, some provisions were found to be prejudicial to the interests of some medical technology practitioners who would otherwise qualify for registration as medical technologist without examination; and

WHEREAS, it was likewise found that some provisions were inadequate to meet the primary objectives of maintaining the high standard of the medical technology profession, hence, there is an imperative need to correct these deficiencies of the said Act.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, as amended do hereby order and decree:

SECTION 1. Subsections (a) and (d) of Section 2 of Republic Act No. 5527 are hereby amended to read as follows:

"SEC. 2. Definition of Terms.—As used in this Act, the following terms shall mean:

- 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:
- 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;
- Blood banking procedures and techniques;
- Parasitologic-Mycologic and Microbiologic procedures and techniques;
- Histopathologic and Cytotechnology; provided that nothing in this paragraph shall inhibit a duly registered medical laboratory technician from performing histopathologic techniques and procedures.
- Clinical research involving patients or human beings requiring the use of and/or application of medical technology knowledge and procedures;
- Preparations and standardization of reagents, standards, stains and others, provided such reagents, standards,

stains and others are exclusively for the use of their laboratory;

- Clinical laboratory quality control;
- 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 laws, shall not be subject to the provisions of the last four (4) preceding paragraphs if the performance of such acts or services is merely incidental to his profession.

- 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."

SEC. 2. Section 3 of the same Act is hereby amended and now to read as follows:

"SEC. 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 Commissioner of the Professional Regulation Commission as Chairman, the Chairman of the Board of Medical Technology as Vice-Chairman, and the two (2) members of the Board of Medical Technology, and the Director of Private Education or its duly authorized representative, the Director of the Bureau of Research and Laboratories of the Department of Health, and a representative of the deans or heads of the private schools of medical technology, as member."

SEC. 3. Section 4 of the same Act is hereby amended to read as follows:

"SEC. 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."

SEC. 4. Section 7 of the same Act is hereby amended to read as follows:

"SEC. 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 appointment 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."

SEC. 5. Paragraph 3 and 5 of Section 8 of the same Act are hereby amended to read as follows:

"SEC. 8. Qualification of Examiners.—No person shall be appointed a member of the Medical Technology Board unless he or she:

- x x x

- x x x x

- is 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;

- x x x

- 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."

SEC. 6. Subsection (c) of Section 11 of the same Act is hereby amended and subparagraphs (g), (h) and (1) are hereby added to read as follows:

"SEC. 11. x x x

- (c) Issue, suspend and revoke certificates of registration for the practice of medical technology and medical laboratory technician;

- 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. 4355 and 1517;

- To prescribe the qualification 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;

- To classify and prescribe the qualification and training of the technical staff of clinical laboratories as to: Chief Medical Technologist; Senior Medical Technologist; Medical Technologist and Medical Laboratory Technician."

SEC. 7. Section 13 of the same Act is hereby amended to read as follows:

"SEC. 13. Accreditation of Schools of Medical Technology and of Training Laboratories.—Upon the recommendation of the Medical Technology Board, the Department of Education and Culture shall approve schools of medical technology in accordance with the provisions of this Decree. The Professional Regulation Commission upon recommendation of the Medical Technology Board shall approve laboratories for accreditation as training laboratories for medical technology students or post graduate trainees upon satisfactory evidence that said laboratories possess qualified personnel and are properly equipped to carry out laboratory procedures commonly required in the following fields: bacteriology, serology, parasitology, hematology, biochemistry, and blood banking, and that the scope of activities of said laboratory offer sufficient training in said laboratory procedures."

SEC. 8. Subparagraph (b) of Section 16 is hereby amended to read as follows:

"SEC. 16. x x x

- 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."

SEC. 9. Section 17 of the same Act is hereby amended to read as follows:

"SEC. 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 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."

SEC. 10. Section 21 of the same Act is hereby amended to read as follows:

"SEC. 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 (P50.00) show evidence satisfactory to the Board that:

- He or she passed the civil service examination for medical technician given on March 21, 1964; or
- 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 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
- 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."

SEC. 11. Section 29 subparagraph (j) of the same Act is hereby amended to read as follows:

"(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."

SEC. 12. Repealing Clause.—All laws, executive orders, decrees, rules and regulations or parts thereof, inconsistent with the provisions of this Decree are hereby repealed, amended or modified accordingly.

SEC. 13. This Decree shall take effect immediately.

Done in the City of Manila, this 28th day of June, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.)

FERDINAND E. MARCOS

President of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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