

AN ACT PROVIDING NEW REGULATIONS FOR THE EXAMINATION OF DENTISTS AND THE PRACTICE OF DENTISTRY IN THE PHILIPPINE ISLANDS, AND FOR OTHER PURPOSES.

Act No. 2462, February 05, 1915

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By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. Board of Dental Examiners; appointment of members; removal and appointment of their successors.—The Director of Health, with the approval of the Secretary of the Interior of the Philippine Islands, shall appoint a Board of Dental Examiners consisting of three reputable dentists, legally practicing their profession in the Philippine Islands at the time of their appointment, who are graduates of any reputable dental college or institution legally constituted and recognized as such by the Insular Government. They shall hold office for three years after their appointment, and until their successors are appointed and qualified: Provided, That of the first appointments made, one shall expire on the thirty-first of December, nineteen hundred and fifteen; another on the thirty-first of December, nineteen hundred and sixteen; and the third on the thirty-first of December, nineteen hundred and seventeen, as certified in their respective certificates of appointment. Each person appointed to the Board shall qualify by taking and subscribing to the following oath of office:

"I, ..., having been appointed a member of the Board of Dental Examiners for the Philippine Islands, do hereby solemnly swear that I have the qualifications required by law; that I will well and truly perform the duties of said office; that I will give an exact and full account of all moneys coming into my hands as such officer; that I will bear true faith and allegiance to the Government of the United States and to the Government of the Philippine Islands; and that I take this oath without any mental reservation whatsoever. So help me God."

The oath shall be filed and recorded in the office of the Director of Health.

The Director of Health, with the approval of the Secretary of the Interior, shall fill any vacancy that may occur in the Board within one month after the vacancy occurs, and the person so appointed to fill a vacancy shall hold office only for the unexpired term of the member whose place he is appointed to fill. The Director of Health, with the approval of the Secretary of the Interior, may remove any member of said Board for neglect of duty, or incompetency, or for unprofessional or dishonorable conduct, or for any other just cause.

SEC. 2. Board of Dental Examiners; organization and duties; compensation; annual election; records.—The Board of Dental Examiners shall appertain to the Bureau of Health. It shall organize immediately after the appointment of its members by electing from its members a president and a secretary-treasurer thereof; it shall hold an annual election on each second Tuesday of January; and it shall keep a seal with which to attest its official acts. The secretary-treasurer shall receive as annual compensation the amount of three hundred pesos per annum, and the other members of the Board shall receive as compensation the sum of five pesos for each candidate examined for registration as a dentist. The compensation of the secretary-treasurer shall be paid one-half on the thirtieth of June and the other half on the thirty-first of December of each year.

All receipts of the Board from whatever source shall be covered into the Insular Treasury, and all expenditures of the Board, including compensation of the members thereof, shall be paid out of the funds appropriated for the Bureau of Health, and the sum of one thousand pesos is hereby appropriated for such purpose for the fiscal year nineteen hundred and fifteen out of any funds in the Insular Treasury not otherwise appropriated. The secretary-treasurer shall execute a bond for five hundred pesos, with good and sufficient sureties, which shall be approved by the Insular Treasurer, conditioned upon the payment of all moneys which he may receive as secretary-treasurer and upon the faithful performance of the duties of his office. He shall keep a record of the proceedings of the Board, and a register of all persons to whom certificates of registration have been granted, setting forth the name, age, place where established, post-office address, the name of the dental institution from which he graduated or in which he has studied, the date of such graduation or upon which he finished his studies, together with the time spent by him in the study of dentistry, and the names and locations of all other institutions which have granted to him degrees or certificates of attendance, clinics, or lectures in medicine or dentistry.

SEC. 3. Board of Dental Examiners; meetings; examinations.—The Board of Dental Examiners shall meet in the city of Manila for the purpose of examining candidates desiring to practice dentistry in the Philippine Islands on the second Tuesday of June and December of each year, and shall issue a certificate of registration as dentist to each candidate who furnishes satisfactory proof of having received a diploma as either doctor of dental medicine or doctor of dental surgery as required by section six of this Act, of being of good moral conduct, and who in addition passes a satisfactory examination before the Board in all of the subjects of dental surgery and other auxiliary subjects, in accordance with the teaching plan of the principal and best dental institutions having the best reputation for the excellency of their teaching.

SEC. 4. Certificate fees.—The secretary-treasurer of the Board of Dental Examiners shall charge the following fees: For admission to examination, twenty pesos; For each new certificate of registration as dentist, or temporary certificate, thirty pesos; and each renewal of a certificate of registration as provided for in section seven of this Act, two pesos.

SEC. 5. Rules and reports of the Board of Dental Examiners; requirements as to dental colleges or schools.—The Board of Dental Examiners shall, on the thirty-first of December of each year, make a detailed report to the Director of Health of all of its work during the year, and of all moneys received and disbursed by it during that period.

With the approval of the Director of Health and the Secretary of the Interior, the Board may approve such rules and regulations not in conflict with the provisions of this Act as may be necessary to carry said provisions into effect. Private dental schools or colleges or the departments of dental surgery of the universities shall be subject to the rules and regulations to be prescribed by the Board, with the approval of the Director of Health and the Secretary of the Interior, for the purpose of establishing therein a uniform plan of teaching.

SEC. 6. Qualifications of candidates to be admitted to Qualifications of examination.—Hereafter the Board of Dental Examiners can shall admit to examination for the practice of dentistry in the Philippine Islands only those persons who have a diploma of doctor of dental medicine or of doctor of dental surgery from an institution duly accredited and legally constituted: Provided, however, That all students who at present are bona fide taking a course in dentistry in the University of Santo Tomas, Manila, and who will graduate as surgeon dentists from said institution in the academic courses terminating in March, nineteen hundred and fifteen, and in March, nineteen hundred and sixteen, shall be exempt from this requirement and may be admitted to examination provided they have the title of dental surgeon from said university and have all the other qualifications hereinunder prescribed.

SEC. 7. Who may legally practise dentistry in the Philippine Islands; certificate of registration from the Board of

Dental Examiners.—Any person who, upon the passage of this Act, is registered in the official register of the Board of Dental Examiners, created by Act Numbered Five hundred and ninety-three, as a fully qualified dentist, or who, if an undergraduate dentist, has practised as such for not less than three years, may hereafter practise dental surgery anywhere in the Philippine Islands, provided such person presents his old certificate to the Board of Dental Examiners established by this Act within six months after the organization thereof and secures a certificate of registration in accordance with this Act, it being the duty of said Board to issue a new certificate to any person presenting his old certificate: Provided, however, That any undergraduates, undergraduate dentist hereafter completing three years of practice as such may likewise practise dentistry anywhere in the Philippine Islands after obtaining his certificate of registration: Provided, further, That any undergraduate dentist having practised dentistry for less than three years may freely practise at the place where he is established, although a fully qualified dentist may establish himself at the same, or at any other place where a fully qualified dentist is not established: And provided, finally, That any undergraduate dentist having practised as such for less than three years may register under this Act and practise anywhere in the Islands, provided he has passed a postgraduate course in any duly-established dental college, and in such case such undergraduate may practise as such while taking such course at the place where the college in which he is studying is located.

SEC. 8. Practice of dentistry.—Any person shall be regarded as practicing dentistry within the meaning of this Act who shall for a fee, salary, or other reward, paid to himself or to another person, perform any operation or part of an operation upon the human teeth or jaws, or who shall treat diseases or lesions or correct malpositions of the teeth; but this provision shall not apply to artisans engaged in the mechanical construction of artificial dentures or other oral devices, or to students of dentistry practicing in any legally chartered dental college or establishment on patients under the direction of a professor in such college or of a dental surgeon of such establishment: Provided, however, That nothing contained in this section shall apply to the dental surgeons of the United States Army or Navy in these Islands while on duty as such for the members of said Army or Navy: Prodded, further, That this provision shall not be construed to interfere with physicians and surgeons in their legitimate practice as defined by Act Numbered Three hundred and ten.

SEC. 9. Temporary certificates of registration.—Any two members of the Board may issue a temporary certificate of registration to practice dentistry to the applicant upon presentation by such applicant of satisfactory evidence that he possesses the qualifications prescribed by this Act to practice dentistry. Such certificate shall be valid only until the next regular meeting of the Board, at which time the person to whom it has been issued shall report for examination. Temporary certificates of registration shall be issued only when the Board is not in session and will not meet within thirty days. In no case shall a temporary certificate of registration be renewed or extended, nor shall a second temporary certificate of registration be granted to any person. The applicant shall also file in said office an affidavit to the effect that it is his intention to appear at the next regular meeting of the Board and to submit to an examination with a view to obtaining a permanent certificate. Should he appear and pass a satisfactory examination, a permanent certificate shall be granted to him without additional charge; but should he fail to appear or pass a satisfactory examination, the money deposited by him shall not be returned to him.

SEC. 10. Reasons for not granting and for revoking certificates of registration.—The Board of Dental Examiners shall refuse to issue the certificates provided for by this Act to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, to any person guilty of immoral or dishonorable conduct, or of unsound mind, and in the event of such refusal shall 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. The Board may also revoke a certificate for like cause, or for unprofessional conduct, malpractice, incompetency or serious ignorance, or malicious negligence in the practice of dentistry, willful destruction or mutilation of a natural tooth of a person with the deliberate purpose of substituting same by an unnecessary or unessential artificial tooth ; for

making use of fraud, deceit, or false statements to obtain a certificate of registration; habitual use of intoxicating liquors or medicines causing him to become incompetent to practice dentistry; the employment of persons who are not duly authorized to do the work that under this Act can be done only by persons who have certificates of registration to practice dentistry in the Philippine Islands; the employment of deceit or any other fraud with the public in general or some client in particular, for the end or purpose of extending his clientele; making false advertisements, publishing or circulating fraudulent or deceitful allegations regarding his professional attainments, skill, or knowledge, or the methods of treatment employed by him. The revocation of a certificate of registration made by the Board, after having duly notified and heard the party concerned, shall be subject to appeal before the Director of Health, whose decision shall be final in all cases.

SEC. 11. Display of name and certificate of registration.— Display of name and Every practitioner of dentistry shall display in a conspicuous place upon the house or office where he practices his name and surname and he shall further display his certificate of registration in his office in plain sight of patients occupying his dental chair. Any owner or proprietor of a dental office or establishment is also under obligation of displaying in conspicuous places upon the office or establishment the names and surnames of each and every one of the persons practicing dentistry in said office or establishment and of displaying the certificates of registration of each and every one of such persons in the same manner as hereinbefore provided.

SEC. 12. Illegal use of diplomas or titles.—No person shall in any way advertise as a bachelor of dental surgery, doctor of dental surgery, master of dental surgery, licentiate of dental surgery, doctor of dental medicine, or dental surgeon, or append the letters B. D. S., D. D. S., M. D. S., L. D. S., or D. M. D. to his name, who has not had duly conferred upon him by diploma from some school, college, university, or board of examiners qualified to confer the same, the right to assume said title, nor shall any person assume any title or prefix or append any letters to his name to represent falsely that he has received a dental degree or certificate of registration.

SEC. 13. Penalties.—Any person violating any section, clause, paragraph, or any provision of this Act shall be criminally prosecuted before a court of competent jurisdiction and, upon conviction, shall be punished for each violation with a fine of not more than one thousand pesos, or by imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the court.

SEC. 14. Repeal of other laws.—All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 15. This Act shall take effect on its passage.

Enacted, February 5, 1915.

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