AMENDMENT TO AND INCORPORATION OF PROVISIONS ON LICENSURE EXAMINATIONS AND BOARD’S OBLIGATIONS IN THE RULES AND REGULATIONS GOVERNING THE REGULATION AND PRACTICE OF PROFESSIONALS

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WHEREAS, to reinforce and entrench the effectiveness, credibility, and integrity of the licensure examinations and the members of the Board, it behooves the Commission to amend some provisions and embody new ones into the "Rules and Regulations Governing the Regulations and Practice of Professionals"; and

WHEREAS, under Sec. 5 (b), (h) and (o) of P.D. No. 223, as amended, the Commission is empowered to promulgate rules and regulations that will carry out effectively the policies on licensing and regulation of the various boards, execute its powers and functions, and improve its services

NOW, THEREFORE, by virtue of its quasi-legislative (rule-making) power, the Commission hereby RESOLVED, as it now so RESOLVES, to effectuate amendments and incorporation of the hereunder provisions on licensure examinations and boards' qualifications and obligations in the Rules and Regulations Governing the Regulations and Practice of Professionals".

SECTION 1. Sections 3 and 6, Art. III shall now read, to wit:

> "SEC. 3. Unless otherwise directed, the application to take the licensure examination together with all the documents supporting an applicant's qualifications shall be filed not later than twenty (20) days before the first day of the examination with the Application Division of the Commission. If filed through the mails, it must be received not later than fifteen (15) days before the start of the examination. The Board concerned, subject to review by the Commission, shall satisfy itself that each applicant possesses all the qualifications provided for in the law."
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> Sec. 6. Notice of the final action on the application shall be relayed to the applicant not later than ten (10) days prior to the first day of the examination.

SECTION 2. Section 14, Art. III shall now read, to wit:

> SEC. 14. The questions for inputting into the test bank shall be constructed and personally prepared by the Board Members assigned to the subjects based on their syllabi containing their concepts and topics. However, questions from the academe or any other sources may be adopted and inputted into the test bank after they have been reviewed as to validity and then modified. Adoption in toto or verbatim of such questions shall not be allowed.
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> Questions which have been used in the last examination or which have become irrelevant or obsolete are to be withdrawn from the test bank. Withdrawn questions, if still relevant and not obsolete, may be redeposited after they are modified. Questions must be abreast of the economic, technological, and scientific modernization and globalization of the profession and in accordance with their syllabi prepared by the Board and duly approved by the Commission. The proceedings on such withdrawal and replacement shall take place under strict confidential condition.

SECTION 3. Section 15, Art. III shall read, to wit:

"SEC. 15. From the Test Bank, questions to be used in each examination subject shall be drawn at random. Two (2) sets of differently arranged questions shall be drawn and assembled in an encrypted disk before they are printed.

The encrypted disks containing the questions shall be fed into the computer for stenciling by the Board Member concerned, with or without the assistance of the computer operator. After stenciling, authorized Commission personnel shall mimeograph, assemble, pack, and seal the test or questions set for distribution to testing centers. Distribution shall be done by other authorized Commission personnel.

The drawing, extraction stenciling, printing, assembling, packing and sealing of test questions shall take place within reasonable hours before the start of the examination and only be done inside the security room.

During the extraction of questions, stenciling printing, assembling, packing and sealing of questionnaires, only authorized persons shall be allowed inside the security room. No person shall leave the said room until one (1) hour has elapsed from the start of the examination in the particular subject.

SECTION 4. Section 36, Art III shall now read, to wit:

"SEC. 36. An examinee shall be allowed to have access to or go over his/her test papers or answer sheets on a date not later than thirty (30) days from the official release of the results of the examination. Within ten (10) days from such date, he/she may file his/her request for reconsideration of ratings. Reconsideration of rating shall be effected only on ground of mechanical error in the grading of his/her test papers or answer sheets, or malfeasance.

SECTION 5. Added as new rules to Art. X — Miscellaneous Provisions are Sections 13, 14, 15 and 16, to wit:

"SEC. 13. A member of a board shall possess sound, adequate knowledge of P.D. No. 223, the professional regulatory law creating the board, other related laws, the rules and regulations of the Commission and the Board, their respective policies, issuances or orders embodied in their resolutions and memorandum circulars, the code of ethics, executive orders and other presidential issuances that the Commission and the Board are obliged to enforce, including administrative jurisprudences, decisions, orders and resolutions, their opinions and interpretations/constructions of the laws, rules, etc. relative to their examination, licensure and regulatory powers and functions.

"SEC. 14. A member of a board shall undergo seminars, workshops, etc. to get himself/herself apprised about the laws, rules and jurisprudences set forth in Sec. 13, to learn the techniques on construction of test questions and answers, test measurement, appraisal or item analysis of the test results and test administration, and to be briefed on the standing procedures observed by the application, examination, rating, EDP, registration, legal and investigation, standard and inspection Divisions."

"SEC. 15. The Commission shall preferably hire proctors/supervisors non-personnel thereof who are civil service eligible employees and who meet the other qualifications that the Commission may prescribe therefor. The supervisors, proctors and all persons participating in the licensure examinations shall undergo seminars or briefings on their duties and responsibilities before the examination.

SEC. 16. To help secure the licensure examinations, the Commission may seek the assistance of other agencies, particularly the NBI, CIS, PNP, and invite representative/s of duly accredited organization and/or academe to observe the conduct of the examination.

SECTION 6. The herein Resolution shall upon approval hereof be effective after fifteen (15) days following its publication in the Official Gazette or any newspaper of general circulation, whichever is earlier.

SECTION 7. A copy of the herein Resolution shall be furnished to all concerned, including the Office of the

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President of the Philippines.

Adopted: 29 Sept. 1994

(SGD.) HERMOGENES P. POBRE
Commissioner

(SGD.) ARMANDO C. PASCUAL
Associate Commissioner

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