

RULES AND REGULATIONS GOVERNING THE EXAMINATION AND REGISTRATION OF OPTOMETRISTS AND THE REGULATION OF THE PRACTICE OF OPTOMETRY

PRC BOARD OF OPTOMETRY RESOLUTION NO. 03, s. 1997, November 04, 1997

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Pursuant to Section 12 and 35 of R.A. No. 8050, otherwise known as the “Revised Optometry Law of 1995”, the Board of Optometry hereby promulgates, subject to the approval of the Professional Regulation Commission, the following Rules and Regulations to effectively carry out the provisions of the Act.

Rule I

TITLE, DEFINITION AND SCOPE OF PRACTICE

SECTION 1. This issuance shall be known and cited as the “Rules and Regulations Governing the Examination and Registration of Optometrists and the Regulation of the Practice of Optometry.”

SECTION 2. Definition of Terms. — Unless otherwise expressly provided, the following terms shall be understood to mean:

- a. “Board” — refers to the Board of Optometry.
- b. “Certificate of Registration” — refers to “a document, signed by the Commission of the PRC and by all members of the Board of Optometry and bearing its seal, issued to an applicant who has satisfied the requirements for the practice of optometry. It shall serve as proof that the registrant is qualified to practice the profession in the Philippines.”
- c. “Clinical Skills Assessment/Examination” — a clinical competency examination developed, prepared and scored/graded by the Board as the clinical examination component of the licensure examination.
- d. “Code of Professional Ethics” — a set of standards relating to the conduct, integrity and moral duties of optometrists, as prescribed by the duly integrated and accredited national organization of optometrists and adopted and promulgated by the Board of Optometry upon the approval of the PRC.
- e. “Continuing Professional Educational Council (CPEC)” — refers to the Council created under PRC Resolution No. 507, s. 1997 which shall assist the Board in implementing Continuing Professional Education (CPE) programs and activities.
- f. “CPE credit units” — refer to credits earned by a participant in attending CPE programs and activities.
- g. “Continuing Professional Education Program/Activity” — refers to a group study program/activity prepared by accredited CPE providers approved by the CPE Council, participation to which CPE credit units are given.
- h. “Diagnostic Pharmaceutical Agents” — specific topical drugs used to aid optometrists in their examination of the human eye. Until otherwise specified by the Board of Optometry, upon approval by the Secretary of the Department of Health (DOH) upon recommendation of the Bureau of Food and Drugs (BFAD), these agents shall be limited to the following:

- (1) Phenylaprine — 2.5% ophthalmic drops;
- (2) Tropicamide — 0.5% ophthalmic drops;
- (3) Proparacaine — 0.5% ophthalmic drops;
- (4) Oxylenprocaine HCl — 0.4% ophthalmic drops; and
- (5) Flurecein strips

i. “Optometrist” — a person who has been certified by the Board of Optometry and registered with the Professional Regulation Commission (PRC) as being qualified to practice optometry in the Philippines.

j. “Optometrist in good standing” — a registered optometrist who is authorized to practice the profession in the Philippines by virtue of a valid certificate of registration and a valid professional license issued by the PRC for the purpose.

k. “Optometry” — the science and art of examining the human eye, analyzing the ocular function, prescribing and dispensing ophthalmic lenses, prisms, contact lenses, and their accessories and solutions, low vision aids, and similar appliances and devices, conducting ocular exercises, vision training, orthoptics, installing prosthetics, using authorized diagnostic pharmaceutical agents (DPA), and other preventive and corrective measures or procedures for the aid, correction, rehabilitation or relief of the human eye, or to attain maximum vision and comfort.

l. “PRC” — refers to the Professional Regulation Commission created under Presidential Decree No. 223.

m. “Professional License” — a renewable card, issued by the PRC to a registered optometrist, indicating that he is competent and authorized to practice optometry in the Philippines. Until the lapse of its validity or its expiration, such license shall serve as evidence that its bearer is an optometrist in good standing.

SECTION 3. Scope of Practice of Optometry. — The following acts shall constitute the practice of Optometry:

- a. The examination of the human eye through the employment of subjective and objective procedures, including the use of specific topical diagnostic pharmaceutical agents or drugs and instruments, tools, equipment, implements, visual aids, apparatuses, machines, ocular exercises and related devices, for the purpose of determining the condition and acuity of human vision to correct and improve the same in accordance with subsections b, c and d hereof;
- b. The prescription and dispensing of ophthalmic lenses, prisms, contact lenses and their accessories and solutions, frames and their accessories, and supplies for the purpose of correcting and treating defects, deficiencies and abnormalities of vision;
- c. The conduct of ocular exercises and vision training, the provision of orthoptics and other devices and procedures to aid and correct abnormalities of human vision, and the installation of prosthetic devices;
- d. The counselling of patients with regard to vision and eye care and hygiene;
- e. The establishment of offices, clinics, and similar places where optometric services are offered; and
- f. The collection of professional fees for the performance of any of the acts mentioned in paragraphs a, b, c and d of this Section.

Rule II

COMPOSITION, QUALIFICATIONS, TERMS OF OFFICE, REMOVAL/SUSPENSION AND

COMPENSATION OF MEMBERS OF THE BOARD

SECTION 4. Composition of the Board of Optometry. — The Board of Optometry shall be composed of five (5) members who shall be appointed by the President of the Philippines, upon recommendation of the PRC, from a list of ten (10) nominees submitted by the duly integrated and accredited national organization of optometrists.

SECTION 5. Qualification of Board Members. — Only persons who possess the following qualifications may be nominated, recommended and appointed to the Board:

- a. A natural born citizen of the Philippines
- b. A duly registered optometrist in good standing
- c. At least 35 years of age at the time of his appointment
- d. Of good moral character and
- e. In active practice of the profession for at least ten (10) years prior to his appointment.

SECTION 6. Persons Disqualified for Appointment. — The following are disqualified from being appointed members of the Board:

- a. A person who is a member of the faculty; whether full time, part time or lecturer of any school or college or university where a regular course in optometry is taught;
- b. A person who has any pecuniary interest, directly or indirectly, in any school or college or university where a regular course in optometry is taught;
- c. An officer of any optometric association.

SECTION 7. Term of Office. — The members of the Board shall hold office for a non-renewable term of office of five (5) years, starting on the date of appointment and until successors shall have been appointed.

The first appointees of the Board, who may include the incumbent members of the existing Board of Optometry, shall hold office as follows:

- a. The Chairperson for five (5) years, and
- b. The four (4) members for fixed terms of four (4), three (3), two (2) and one (1) year/s, such that the term of one member shall be due to expire every year.

Thereafter, one member shall be appointed for the full term (of 5 years) every and such member, in the last year of his term, shall automatically become the Chairperson of the Board.

Vacancies brought about by reasons other than expiration of term shall be filled for the unexpired portion of the term only.

SECTION 8. Removal or Suspension of Board Members. — Any member of the Board may be removed by the President of the Philippines for (a) neglect of duty, (b) incompetence, (c) malpractice, (d) unprofessional, unethical, immoral or dishonorable conduct if found guilty of such act/s in an administrative investigation conducted by the PRC where the member is afforded due process of law.

The member under investigation may be suspended by the President of the Philippines for a period of not more than sixty (60) days and appoint a temporary member in his place.

SECTION 9. Compensation. — The members of the Board shall each received compensation in accordance with

the rules and regulations of the Professional Regulation Commission.

Rule III

POWERS AND FUNCTIONS, MEETINGS OF THE BOARD

SECTION 10. Powers and Functions of the Board. — The Board is hereby vested with authority to:

- a. Promulgate the rules and regulations for the practice of optometry, subject to the approval of the PRC and in accordance with the provisions of this Act;
- b. Administer and enforce the rules and regulations specified in the preceding subsection;
- c. Determine and prepare the contents of licensure examinations, adopt measures to ensure its integrity, check and rate the examination papers and submit the results thereof to the PRC;
- d. Formulate and oversee, in consultation and coordination with the PRC, guidelines for the proper conduct of licensure examinations and the registration of optometrists;
- e. Issue, suspend, revoke and reissue certificates of registration to qualified optometrists and renew their professional licenses;
- f. Impose reasonable requirements and condition, such as attendance in continuing education activities and programs, for the renewal of an optometrist's license to practice and for the purpose of upgrading the professional competence of optometrists;
- g. Maintain a registry of optometrists in good standing;
- h. Adopt, promulgate and disseminate the Code of Ethics for the practice of optometry in the Philippines;
- i. Administer oaths in connection with the implementation of this Act;
- j. Conduct hearings and investigations to resolve complaints against practitioners of optometry for malpractice, unethical and unprofessional conduct, and violations of this Act or its implementing rules and regulations, and in connection therewith, issue subpoena ad testificandum and subpoena duces tecum and punish with contempt persons obstructing, impeding and/or otherwise interfering with the conduct of such proceedings;
- k. Conduct ocular inspections of establishments and/or premises where optometric services are offered to ascertain that professional standards are complied with;
- l. Upon application, to issue an order enjoining or abating the illegal practice of optometry by unqualified persons;
- m. Impose fines and penalties, after due process and in accordance with the provision of this Act, for causes provided for by law or by the rules and regulations promulgated therefor;
- n. Evaluate periodically the status of optometric education and recommend and/or adopt measures to upgrade and maintain its high standards;
- o. Update the list of topical diagnostic pharmaceutical agents, specifically mydriatics, cycloplegics, miotics, anesthetics and diagnostic dyes, that may be used by optometrists, subject to the approval of the Department of Health and the Bureau of Food and Drugs; and
- p. Study the conditions affecting the practice of optometry in all parts of the Philippines, and, whenever necessary, adopt such measures as may be deemed proper for the maintenance of good ethics and high professional standards of optometric practice.

SECTION 11. Meetings of the Board. — The Board shall hold a regular meeting at least once a month within the PRC's premises or in such other place/s as may be agreed upon by the Board with the approval of the PRC on a date and time fixed by the Board. A special meeting may be called by the Chairman or any two (2) members to consider, deliberate or upon act on urgent and important matters. The Board shall keep the minutes of its regular and special meetings certified as correct by the secretary assigned by the PRC to the Board and attested by the Chairman of the Board.

The Chairman of the Board shall, on a rotation basis, designate at least one member to be at the PRC's premises for a week to attend to or act on matters that the PRC or any of its offices may refer to the Board for immediate and appropriate action.

SECTION 12. Quorum in Board Meetings. — The attendance of at least three members in a meeting, whether regular or special, shall constitute a quorum for the Board to officially transact business. The votes of a majority of the quorum shall be sufficient to resolve any matter under consideration by the Board except where a greater number is required by the law or pursuant to a rule adopted by the Board and approved by the Commission.

SECTION 13. Assignment of Duties. — The Chairman shall apportion and assign equitably the subjects for examination to the members. He shall likewise assign other duties, functions and responsibilities to the members.

SECTION 14. Official Business with the PRC. — The PRC exercises general supervision over the Board. Upon call, the Chairman and members of the board should make themselves available to meet with the Commission en banc or with the Chairman of the PRC, as the case may be. In such meetings, the Chairman of the Board shall be the spokesman of the Board. On matters other than those subject to meetings between the Board and the Commission, the Chairman of the Board shall act as the spokesman, representative or liaison officer in any dealing, transaction or business with the PRC or its office or, in his absence, may designate a member to act for and in his behalf.

SECTION 15. PRC Assistance. — For lack of manpower, the Board, upon request duly granted by the Chairman of the PRC, shall be assisted and supported by PRC personnel in carrying out, implementing and/or enforcing the provisions of R.A. 8050.

SECTION 16. Action on Communications. — Matters subject of communications addressed to the Board or Chairman which do not require the collective action of the Board or which are ministerial in nature shall be acted upon by the Chairman or, in his absence, by a Board member duly designated by him.

SECTION 17. Questions Arising from Implementation of R.A. No. 8050 and this Rules and Regulations. — The Board of Optometry shall at first instance resolve questions arising from the implementation of R.A. No. 8050 and the Rules and Regulations promulgated thereunder. It shall be assisted by the Legal and Investigation Division of the PRC. Any party who disagrees with the resolution on the question may elevate the question for resolution by the Commission en banc.

SECTION 18. Publication of Issuances of the Board. — Issuances or Resolutions of the Board which are interpretative regulations and those merely internal in nature and do not affect the public or public interest shall not be published; otherwise such rules and regulations issued in the exercise of its rule-making power to implement the provisions of R.A. No. 8050 shall be published to become effective.

Rule IV

ADMINISTRATIVE INVESTIGATIONS

SECTION 19. Grounds for Disciplinary Action Against Optometrists. — A registered optometrist may be

proceeded against administratively upon the following grounds or causes:

- a. Unprofessional or unethical conduct
- b. Malpractice
- c. Violation of any of the provisions of R.A. No. 8050
- d. Violation of rules and regulations promulgated by the Board
- e. Conviction in a final judgment of a crime involving moral turpitude
- f. Immoral or dishonorable conduct
- g. Unauthorized practice of optometry as defined in Section 5 of R.A. No. 8050
- h. Committing any of the acts declared as prohibited under Section 32 of R.A. No. 8050.

SECTION 20. Administrative Investigations. — The Board of Optometry shall be assisted by the Legal and Investigation Division of the PRC in conducting hearings/investigations of an administrative case brought against an optometrist for any of the causes enumerated in the preceding Section. Where the issue involved strictly concerns the practice of the profession, the hearing shall be presided by at least a member of the Board concerned assisted by a hearing/legal officer of the Commission.

The filing of administrative cases against erring optometrists and their consideration, the conduct of the investigation of said cases, execution of decisions and relief from decisions, orders or proceedings shall be governed by Articles IV, V and VI of the Rules and Regulations governing the Regulation and Practice of Professionals, as amended. The provisions of the Revised Rules of Court including its amendments insofar as pertinent shall be supplementary to the foregoing rules.

SECTION 21. Votes Required in Administrative Cases. — The vote of three (3) members of the Board shall be necessary to render a decision in an administrative case filed against an erring optometrist.

In case members are disqualified to vote by virtue of their relationship to or interest in any of the parties or voluntarily inhibit themselves from participating in the proceedings, the Board shall designate, with the approval of the Commission, an optometrist/s in good standing who is/are respected in the optometric community for their probity and integrity to sit in the Board to participate in the proceedings and vote on the case.

SECTION 22. Finality of the Board's Decision. — The decision of the Board in an administrative case shall become final and executory after thirty (30) days from notice of judgment to counsel, if parties are represented, there being no appeal perfected.

SECTION 23. Supervision of the Board and Custody of its Records. — The members of the Board shall be under the general supervision of the PRC. All records, including examination papers, examination results, minutes of deliberations, records of administrative cases and investigation of the Board shall be kept by the PRC, subject to the disposition of such records, papers and effects in accordance with the rules and regulations promulgated by the PRC.

SECTION 24. Annual Report. — The Board shall, at the end of each calendar year, submit to the Commission an annual report of its activities and proceedings during the year. The Board may, upon request, furnish the PRC with other information or data as often as may be necessary and practicable.

Rule V

CONDUCT OF LICENSURE EXAMINATION

SECTION 25. Place and Date of Examination. — The licensure examination for the practice of optometry shall be given by the Board at least once a year in such places and dates as the PRC may designate. However, the PRC

may, upon request of the Board, for cogent or compelling reasons and there being sufficient time, change the venue of the licensure examination to a place other than the place previously selected.

SECTION 26. Subjects and Percentage Weight. — The grouped or classified subjects in the licensure examination for Optometrists shall be the following, with their corresponding percentage weights:

- a. Written (Theoretical) 60%
 - 1. Visual Biology and Optics 10%
 - 2. Binocular Vision & Perception 10%
 - 3. Contact Lens Practice 10%
 - 4. Low Vision 10%
 - 5. Ocular Diseases 10%
 - 6. Primary Care and Refraction 10%
 - 7. Public Health & Emergencies 10%
 - 8. Jurisprudence, Ethics and Practice Management 10%
 - 9. Ophthalmic Dispensing 10%
 - 10. Ocular Pharmacology 10%
- b. Clinical Skills Assessment (Performance) 40%
 - 1. Subjective Clinical Procedures 20%
 - 2. Objective Clinical Procedures 20%
 - 3. Contact Lens Practice 20%
 - 4. Binocular and Low Vision Clinical Skills 20%
 - 5. Ophthalmic Laboratory & Dispensing 20%

SECTION 27. Program of Examination. — The Board shall issue a program for every scheduled examination indicating therein the subjects with their corresponding dates and time of examination including the individual subject's and the grouped subjects' respective percentage weights, and instructions relative to the examinations signed by the Chairman and the members of the Board at least 30 days before the start of the examination for distribution to the applicants for examination.

SECTION 28. Publication of Announcement for the Holding of Examination. — The Board shall prepare an announcement for the holding of the licensure examination indicating therein the dates and venue/s of the examination and other material information relative to the examination which shall be published twice in a newspaper of general circulation at least 30 days before the first day of the examination. The same announcement shall be given to all schools, colleges and universities offering the optometry course for dissemination to their graduates.

SECTION 29. Qualification Requirement for Applicants for Examination. — To be eligible to be admitted to take the licensure examination for the practice of optometry, the applicant must be:

- a. A Filipino citizen;

- b. At least 21 years old;
- c. In good health and of good reputation with high moral values;
- d. Has not been convicted by final judgment for an offense involving moral turpitude by a court of competent jurisdiction;
- e. A holder of a degree of Doctor of Optometry (O.D.) or its equivalent obtained from a school, college, university or institution and whose course of study have been duly accredited by the Board and the government, after passing at least a six-year course offering the following minimum basic subjects: mathematics, general and organic chemistry, practical and mechanical optics, psychology, physics, physiological optics, pharmacology, theoretic optics, practical optometry, sociology, applied psychology, general anatomy, physiology, general histology and embryology, ocular anatomy and physiology, general pathology, ocular pathology, biochemistry, microbiology, clinical optometry, theoretic optometry, contact lens practice, orthoptics and vision training, neuro-optometry and visual fields, research methods, optometric ethics and jurisprudence, optometric economics and practice management, hygiene, sanitation and public health optometry and low vision and pediatric optometry.

SECTION 30. Filing of Application for Examination. — An applicant for examination shall file with the Application Division of the PRC his/her application in a form prescribed by the PRC duly accomplished at least twenty (20) days before or prior to the first day of the examination together with the following documents:

- a. Proof of Philippine citizenship: authentic or authenticated copies of Certificate of Birth or Certificate of Live Birth; in the absence of these documents, voter's I.D. or voter's affidavit, or marriage contract of parents; certificate of naturalization; decision of court granting naturalization, other authentic documents showing Philippine citizenship of applicant;
- b. Marriage Contract, if applicant is a married female;
- c. Authentic or authenticated copy of Transcript of Records showing the course or degree, date of graduation and special order (S.O.) number in case applicant is a graduate of a recognized private school, college or university.
- d. Certificate of good moral character issued by the Barangay Captain of the place where applicant resides or a resident of the community where he resides of good repute for probity and integrity.

No application shall be approved unless the applicant has substantially established his/her qualifications by the documents above-required.

SECTION 31. Rating in the Examination. — To pass the examination, an examinee must obtain a general average of at least seventy-five (75%) percent in all subjects with no rating below fifty (50%) percent in any subject.

Rule VI

SPECIAL CERTIFICATION EXAMINATION FOR THE USE OF SPECIFIC DIAGNOSTIC PHARMACEUTICAL AGENT (DPA)

SECTION 32. Optometrists Competency in the Use of Diagnostic Pharmaceutical Agents (DPA). — Persons who have been admitted to the practice of optometry prior to the passage of Republic Act No. 8050 must take a course in Pharmacology to be prescribed by the Commission on Higher Education (CHED) and pass a special certification examination to be administered by the Board before they are allowed to use specific diagnostic pharmaceutical agents.

SECTION 33. Requirements for Taking Special Certification Examination. — To qualify for the special

certification examination, an applicant must file an application with the Application Division of the PRC duly accomplished, together with the following documents:

- a. Authentic or authenticated copy of Certificate of Registration as Optometrist;
- b. Authentic or authenticated xerox copy of valid Professional License (I.D.)
- c. Certificate of completion of the special course in pharmacology prescribed by the CHED issued by the appropriate official of a school, college or university, public or private, offering the prescribed course.

SECTION 34. Incorporation or Integration of Pharmacology in the Curriculum of Optometry Course. — The Technical Panel on Optometry Education created pursuant to Section 30 of R.A. No. 8050 shall incorporate or integrate the Pharmacology course or subject in the curriculum of the six-year optometry course offering as required by Section 19 of the said Act.

This Pharmacology course or subject shall be included among those subjects for examination by those who graduated or who graduates from the six-year optometry course.

Rule VII

ISSUANCE OF CERTIFICATE OF REGISTRATION AND PROFESSIONAL LICENSE

SECTION 35. Registration of Successful Examinee. — A successful examinee shall be required to take the oath of optometrists before the Board or any person authorized to administer oaths and, after payment of the required fees, shall be registered/enrolled in the Roster of Optometrists. The newly admitted optometrist shall be issued a Certificate of Registration signed by all the members of the Board and the Chairman/Commissioner of the PRC and a Professional License (I.D.) which is renewable every after three (3) years.

SECTION 36. Renewal of Professional License. — The Professional License issued to an optometrist shall be renewed every three (3) years on the birth month of the registered Optometrist upon compliance with the Continuing Professional Education (CPE) requirements, unless exempted therefrom; and upon payment of the license fees for three (3) years.

SECTION 37. Persons Other Than Optometrists Allowed Limited Performance of Acts Constituting Practice of Optometry. — No person shall practice optometry as defined in Sec. 3 hereof or perform any of the acts constituting the practice of optometry set forth in Section 4 of R.A. No. 8050 except the following:

- a. Regularly licensed and duly registered physicians who have received post-graduate training in diagnosis and treatment of eye diseases.
- b. Registered physicians who examine the human eye in connection with the physical examination of patients; and
- c. Public health workers trained and involved in the government's blindness prevention program who may conduct only visual acuity test and visual screening.

SECTION 38. Disclosure of Authority to Practice. — Only a duly registered and licensed optometrist shall practice the profession. He shall be required to indicate his Professional License number and the date of its expiration in the documents, including prescriptions, which he issues or signs in connection with or in the course of the practice of his profession.

SECTION 39. Delinquent Optometrist to be Dropped from the Roll of Optometrists. — A registered optometrist who fails to pay his license fees continuously for five or more years since the last payment shall be considered delinquent and shall be dropped from the Roll of Registered Optometrists in Good Standing. The name of the optometrist shall be reinstated in the Roll of Optometrists upon payment of all unpaid license fees including

penalties and surcharges and shall be issued the professional license.

SECTION 40. Reinstatement, Reissuance or Replacement of Certificates of Registration. — (1) The Professional License of a registered optometrist which has been suspended for the cause/s provided in R.A. No. 8050 may, after the lapse of sixty (60) days from the last day of suspension, be returned, if it has not expired, or a new one be issued if the surrendered license has expired, upon application duly filed with the Registration Division of the PRC together with the following documents:

a. Sworn statement executed by an active and recognized practitioner in optometry of the community where the applicant resides and a sworn statement of an incumbent officer of the association of optometrists duly registered with the Securities and Exchange Commission (SEC) both attesting to the fact that the applicant has comported himself/herself in a manner befitting a professional and that he never practiced optometry during the period of his suspension.

b. NBI clearance

2. The Certificate of Registration of a registered optometrist which has been revoked for any of the causes provided in the same Act may, after the lapse of three (3) years from the day the revocation took effect, be re-issued and a new professional license be issued upon application duly accomplished filed with the Registration Division of the PRC together with the following documents:

a. Sworn statement executed by an active and recognized practitioner in optometry of the community where the applicant resides and a sworn statement of an incumbent officer of the association of optometrists duly registered with the SEC and accredited by the PRC both attesting to the fact that the applicant has comported himself/herself in a manner befitting a professional and that he never practiced optometry during the period that his Certificate of Registration has been revoked.

b. NBI Clearance

3. A duplicate certificate to replace the certificate which has been lost, destroyed or mutilated may be issued to the registered optometrist upon application filed with the Registration Division of the PRC accompanied by a sworn statement of the applicant narrating the circumstance/s under which the certificate was lost, destroyed or mutilated. The certificate which was destroyed or mutilated if still existing, shall be surrendered.

Rule VIII

PROFESSIONAL PRACTICE

SECTION 41. Advertisement. — An optometrist in making known his services shall use only true, honest, fair, dignified and objective information or statement of facts. An optometrist shall not use or permit the use of any false, fraudulent, misleading, deceptive, undignified, self-laudatory or unfair statement or claim regarding his qualifications. Unprofessional and unethical conduct in advertisement as used herein shall include, but are not limited, to the following acts:

(1) Using or permitting the use of advertisement which is self-laudatory as regards performance of service, number and types of services rendered, exclusivity and/or superiority of methods of practice/treatment and instrumentation utilized;

(2) Using or permitting the use of advertisement which is deceptive and misleading;

(3) Using or permitting the use of advertisement demeaning to the profession and which tend to foster degrading and unfair competition, such as:

a. those which contain any form of reference to fees collected from the patient, especially those which state

lower fees than customary rates insofar as it concerns the cost of examination, lenses, frames, mountings or any other optometric service or procedure, article or device rendered or given to the patient;

b. those which state in any form the rendering of “free examination”, or other gratuitous services, bonuses, premiums, discounts, sales, prizes or any other forms of financial inducements to attract patronage;

c. those which contain unrealistic, exaggerated and false warranties as regards to services rendered;

(4) Using or permitting the use of advertisement which is undignified, immodest and vulgar such as:

a. use or display of his/her name in letters and characters and logos of such sizes, dimensions, shapes and colors which do not conform with professional standards or are not usual among health practitioners in city, commercial, telephone, or public directory listings, lobbies and any other parts of public halls, offices and buildings.

b. use or display of glaring and flickering signs, depictions containing representations or figures of a human eye or any portion of the human head and/or eyeglasses, spectacles and the like;

(5) Using or permitting the use of advertisement under a trade name or commercial style other than his/her own name as registered and appearing in the registry of optometrists in the PRC;

(6) Directly or indirectly soliciting patients by way of:

a. house to house and/or office to office canvassing or solicitation;

b. employing solicitors, public agents, entertainers, lecturers and the like for the purpose of inviting or attracting patronage;

c. using groups, institutions or organizations;

d. using circulars, letters, personal communications, interviews and other forms of media.

SECTION 42. Display of Certificate of Registration and Professional License. — The optometrist shall prominently display his/her Certificate of Registration in a conspicuous area/portion of his clinic, office or place where optometric services are offered and rendered.

SECTION 43. Practice. — The practice of optometry shall be governed by the highest standards of professionalism with the aim of promoting the visual welfare of the public and the best standards of professional care.

1. The practice of optometry shall be conducted only in such premises used exclusively for optometric practice such as a regular clinic/office which shall:

a. be maintained in keeping with professional standards of other practitioners in primary care and allied health professions in terms of practice location, clinical and office environment and professional attitudes, devoid of mercantile or business considerations;

b. be conducive for the exercise of independent clinical judgment and shall promote autonomy of management procedures, except in cases of multi-disciplinary management with members of allied health professional;

2. An optometrist shall not conduct his practice by examining patients outside the regular office/clinic unless an unsolicited request is made for patients who are not ambulant, or for health reasons, are unable to visit the optometrist's regular office/clinic;

3. An optometrist shall not use mobile units for the purpose of examining, dispensing or selling eyeglasses or other visual aids unless with the permission and under the auspices of the concerned national or local public health officials in relation to public services or medical aid programs;

4. An optometrist may hold office/clinic together with members of allied health professionals provided that such joint practice is not conducted under a commercial trade name.

SECTION 44. Consultant, Advisor, Staff or Employed Optometrist. —

1. An optometrist may:

- a. be engaged as a consultant to business/industry engaged in the optical, ophthalmic manufacturing or distribution;
- b. be engaged as a staff optometrist or optometric administrator by municipal, city, provincial, regional or national government offices or agencies, research organizations, educational institutions, insurance companies or licensed health facilities or hospitals.

Rule IX

OFFICE/CLINIC OF OPTOMETRIST

SECTION 45. Instrument/Equipment. — An office/clinic maintained for the practice of optometry shall be fully equipped for the making of a complete optometric examination including but not limited to the following:

1. Ophthalmometer/kerameter or equivalent
2. Ophthalmoscope and retinoscope
3. Trial lenses (case) and its accessories or phoropter/refractor
4. Visual Acuity charts
5. Ophthalmic chair
6. Visual field testing equipment
7. Slit-lamp Biomicroscope or equivalent
8. Tonometer or equivalent

SECTION 46. Office/Clinic. —

- a. An office/clinic for the practice of optometry shall exclusively be used as such. The optometrist shall notify the Board of the location of this office/clinic within thirty (30) days from date of securing the premises for the purpose.
- b. Advertising, signs and displays shall comply with the requirements prescribed in this Rules and Regulations and the Code of Professional Ethics.
- c. The space occupied by the optometrist shall be definite and apart from space occupied by other commercial or mercantile concerns occupying proximate space.
- d. The office/clinic shall display only such certificates, diplomas and similar documents attesting to the competence and educational qualifications earned by the optometrist.

Rule X

UNLAWFUL PRACTICE

SECTION 47. Unlawful Practice and Prohibited Acts — Unlawful or prohibited practices and acts shall consist of, but shall not be limited to the following:

- a. Giving false or forged evidence of any kind to the Board or to any member thereof for the purpose of obtaining a certificate of registration and/or professional license;
- b. Assumption, use or advertisement by a person, not holding a valid certificate of registration and a valid

professional license in accordance with R.A. No. 8050, of a description, in connection with his name or title, tending to convey the impression that he is a duly registered optometrist.

c. Any form of advertisement in media outlets giving information and impression to the public that the particular optometrist is better than the others, is collecting lower professional fees or selling cheaper frames of lenses;

d. The use of diagnostic pharmaceutical agents by an untrained optometrist in violation of Section 31 of the Act whether or not such use results in injury to the patient;

e. The use by an optometrist of pharmaceutical agents other than those which he is authorized to use;

f. Engaging in the unauthorized practice of optometry as defined in Section 5 of the Act and by performing any of the acts constituting the practice of optometry as set forth in Section 4 of the Act without having been first admitted to the practice of this profession pursuant to the provisions of R.A. No. 8050 and its implementing rules and regulations; Provided, that this prohibition shall not apply to those persons other than optometrists allowed limited performance of acts constituting practice of optometry as provided in Section 37, Rule VII, hereof.

g. The relationship between an optometrist and his patient is strictly personal and professional. Hence, natural persons who are not optometrists or certified ophthalmologists or juridical persons shall be allowed to directly or indirectly engage in the practice of optometry by hiring or engaging the services of optometrists for the purpose of selling ophthalmic lenses, prisms, contact lenses, and their accessories and supplies owned by such natural or juridical persons intended for the purpose of correcting and treating defects, deficiencies and abnormalities of vision. Neither shall an optometrist aid and abet any natural or juridical person in such unlawful practice of optometry and any optometrist found guilty of such violation shall be suspended from the practice of optometry and his/her certificate of registration may be suspended or revoked;

h. The services of an optometrist may be engaged by natural or juridical persons who are not optometrists or certified ophthalmologists only in cases of retainerships where the optometrist serves as an in-house optometrist, consultant or the like, serving only the health/technical needs of the employees of his/her employer and not those of patients from the general public;

i. Accepting employment or associating himself/herself with an optometrist whose license has been suspended or his certificate of registration has been revoked during the period of such suspension or revocation. An optometrist who was previously associated with such erring practitioner, if he/she wishes to continue his/her practice, should dissociate himself/herself from erring practitioner during the period of suspension or revocation of the latter's license or certificate of registration, as the case may be;

j. Prescribing and endorsing doubtful products;

k. Entering into contracts of whatever kind or nature with his/her patients or third parties which will compromise the optometrist's professional judgment/diagnosis or which will tend to prevent the patient from obtaining the treatment or services due or from obtaining redress for gross negligence on the part of the optometrist resulting in injury to the patient;

l. Engaging in unethical or illegal practice or conduct which fails to conform to the accepted and prevailing standard of optometric practice or which violates national laws;

m. Violation by any person, whether natural or juridical, of any of the provisions of R.A. No. 8050 and its rules and regulations.

SECTION 48. Fee Sharing. —

a. No optometrist shall divide, share, split or allocate either directly or indirectly, any fee for optometric services or materials with any person, firm or corporation. This rule shall not be interpreted to prevent an optometrist from paying an employee in the regular course of employment.

b. No optometrist shall divide or share any fee or compensation for optometric services rendered by him with anyone who is not licensed to practice optometry in the Philippines. No division of fees for services rendered shall be made except with another optometrist, based upon a division of services or responsibilities.

SECTION 49. Professional Conduct. —

a. Registered optometrists shall adhere to the standards of professional conduct which are generally accepted by the profession of optometry in the Philippines.

b. The standards of professional conduct for registered optometrists are higher than, and shall not be placed on the same level as, the standards of practice in the market place.

Rule XI

RECORDS

SECTION 50. Patient's Records. —

a. An optometrist shall use professional judgment to determine what services are to be provided to his patients. Records of the actual services rendered shall be maintained for a minimum of five (5) years after the last consultation with a patient. Records shall indicate when a referral has been made to a physician or other professional. An examination may include, but not limited to, the following:

1. Complete history
2. Incorrect visual acuity
3. Detailed report of the external findings
4. Ophthalmoscopic examination (media, funds, blood vessels, disc)
5. Corneal curvature measurements
6. Static retinoscopy
7. Amplitude of convergence and accommodation
8. Ocular muscle balance
9. Subjective refraction test
10. Fusion
11. Stereopsis
12. Color vision
13. Visual fields (Confrontational)
14. Visual field central (after age 40)
15. Prescription given and visual acuity obtained
16. Biomicroscopy (slitlamp)
17. Tonometry
18. Prognosis, stable or unstable

b. An optometrist shall comply with a patient's request for a copy of the patient's spectacle prescription within 2 years from the patient's last eye examination. Requests for spectacle prescription based on examination made two (2) years prior to the request or for contact lens prescription, may be complied with at the discretion of the optometrist.

c. An optometrist's professional license number and its expiry date shall appear on the prescription written, signed and issued by that optometrist.

Rule XII

CONTINUING PROFESSIONAL EDUCATION

SECTION 51. Coverage. — (a) This section shall apply to all optometrists registered with the Professional Regulation Commission:

(b) Registered optometrists who reached the age of 65 years are permanently exempted from CPE requirements.

(c) Registered optometrists who are working or practicing their professions or furthering their studies abroad are temporarily exempted from CPE requirements only for the duration of their stay abroad.

SECTION 52. Continuing Professional Education (CPE) Units Requirements. — (a) For the renewal of his/her professional license, an optometrist is required, during the three (3) year period preceding the expiry date of the license, to submit documentary proof that he/she has earned a minimum of 60 units of CPE:

(b) Optometrists who fail to meet the CPE requirements are prohibited from the practice of optometry until such time as they shall have complied with CPE requirements.

(c) The Board may waive CPE requirements for certified prolonged illness or for any cogent or compelling reason/s as it may determine. Waiver of such requirement may, in case of prolonged illness, be granted upon notice in writing to the Board accompanied by a physician's certificate of prolonged illness and, in the case of cogent or compelling reasons, upon notice in writing to the Board accompanied by a sworn statement stating the cogent or compelling reason/s.

The waiver is automatically lifted as soon as the reason/s for the grant of such waiver ceased to exist.

SECTION 53. Continuing Professional Education Subject Matter. — Programs, activities or sources of continuing professional education shall be limited to the use of means or methods of examination, diagnosis and treatment of conditions of the human visual system which may include examination for, adapting to and fitting of all types of lenses. The Continuing Professional Education Council shall not accredit programs, activities or sources which do not relate to the actual practice of optometry such as programs in office management and financial procedures not directly used in optometric practice.

SECTION 54. Accreditation of Continuing Professional Education Provider. — Any natural or juridical person may be accredited as CPE Provider:

1. Requirements for natural person

Any person seeking to offer an organized or arranged program, activity or source shall submit to the CPE Council an application duly accomplished and under oath containing but not limited to the following data/information:

- a. Full name, mailing address, telephone and fax numbers of applicant provider
- b. Relevant educational qualifications
- c. Profession, principal area of professional work/practice and number of years of practice of the profession
- d. PRC professional license number and expiry date of license
- e. Current employment, if any
- f. Submit a valid NBI clearance

2. Requirements for juridical persons

Any organization, institution, association, agency or entity seeking to offer an organized program, activity or source shall submit an application duly accomplished and under oath to the CPE Council containing, but not limited to the following data/information:

- a. Full name, office/mailling address, telephone and fax numbers of applicant provider
- b. Registration documents/papers
- c. List of officers

3. All applicants shall include in the application to be submitted to the CPE Council:

- a. a mechanism for measuring the quality of the program, activity or source being offered and
- b. criteria for selecting and evaluating speakers, resource persons, panelists, reactors, moderators, discussion leaders, lecturers or facilitators.

SECTION 55. Continuing Professional Education (CPE) Program/Activity/Accreditation. — 1. A CPE provider seeking accreditation of an organized or arranged program, activity or source shall submit to the CPE Council three (3) copies of such program, activity or source for evaluation. The program, activity or source shall cover a period not to exceed three (3) years.

2. The application for accreditation of a CPE program, activity or source shall contain the following data/information:

- a. Title/s of program/s, activity/ies, source/s
- b. Name of CPE provider, Registration Number, mailing address, phone and fax numbers of provider
- c. Schedule of activities, the administration of CPE program/s, activity/ies, source/s indicating dates, name of administration
- d. Objectives
- e. Targeted audience or participants
- f. Contents and number of hours
- g. Names and qualifications of resource speakers, lecturers, discussion leader, panelists, reactors, moderators and facilitators
- h. Printed program showing schedule of activities
- i. Seminar, workshop, symposium, convention or conference fee to be collected
- j. Number of credit hours or units requested
- k. Evaluation to be used should be the following modes or systems:
 - 1. Evaluation of seminar by participants
 - 2. Evaluation of participants by CPE providers
 - 3. Other acceptable methods of evaluation of seminar and participants

3. If, upon evaluation, the CPE program, activity or source is relevant to the profession, the CPE Council shall issue a certificate of accreditation within thirty (30) days from receipt of the application.

SECTION 56. Report/s on the Administration/Conduct of CPE Program, Activity, Source. — Within ten (10) days from the last day of the administration/conduct of an accredited CPE program, activity or source, the CPE provider shall submit a report, which shall be under oath, to the CPE Council which shall contain but not limited to the following data/information:

- a. Name of CPE provider
- b. Title and/or Description of CPE program or activity
- c. Accreditation Numbers of Provider and CPE Program, Activity or Source and dates of issuance of such accreditations
- d. Certified list of participants indicating names and PRC professional license numbers; names of resource speakers, lecturers, discussion leaders, panelists, moderators and/or facilitators who actually performed/participated in their assigned tasks in the program or activity.
- e. Number of days, dates, time/s started; time/s of adjournment of the holding of the CPE program, activity or

source

- f. Venue or location of the holding/administration of program, activity or source
- g. Number of hours devoted to lecture and open forum by resource speakers, lecturers, etc.
- h. Summary of evaluation results of participants
- i. Attendance sheet showing the venue and signature of PRC Secretariat representative assigned to monitor the CPE activities done during the holding of the program, activity or source.

SECTION 57. Standards for Continuing Professional Education Providers. — Applicants for accreditation as provider shall, prior to the approval of the application, be required to comply with the following:

1. Submit to the CPE Council documents to prove that the applicant, if a juridical entity, is a duly (SEC) registered organization, firm, institution, agency or entity and in the case of a natural person, he should show proof that he is a professional in good standing and has never been convicted of a crime.
2. Submit to the CPE Council proof of possession/ownership of adequate, modern and updated instructional materials to carry out the CPE programs, activities and sources.
3. Submit to the CPE Council list of proposed resource speakers, lecturers, panelists, reactors and/or facilitators with their respective bio-data, indicating their area/field of expertise.

SECTION 58. Other Sources of Continuing Professional Education Units/Hours. — In addition to the sources of Continuing Professional Education programs, activities as provided in PRC Resolution No. 507, Series of 1997, the following may also be availed of as sources of CPE credit units:

- a. Attendance in clinical conferences, clinical rounds or training under preceptor in clinical hospitals, medical centers, schools, colleges and universities which may be approved by the CPE Council at the rate of 1 credit unit per one hour of attendance.
- b. Service as preceptor, lecturer, speaker, resource person, panelist, reactor and/or facilitator in accredited CPE programs, activities or sources administered by accredited provider at the rate of 1.5 credit units per hour of participation including time used in open forum.

SECTION 59. Retention of CPE Records. —

1. All records, papers and documents generated by virtue of the administration/conduct of CPE programs/activities shall be maintained/retained by the provider for a period of six (6) years after completion of program, activity or source.
2. The records, papers and documents maintained/retained by the provider shall be made available upon request of the Council, Board or PRC.
3. The provider shall give to each registrant/participant certification or documentary evidence of attendance and satisfactory completion of the program, activity or source.

SECTION 60. PRC Res. No. 507, Series of 1997 Suppletory to Rule XII. — The provisions of PRC Resolution No. 507, Series of 1997 insofar as pertinent shall be suppletory applied in case of deficiency in the implementation of the provisions of Rule XII hereof.

SECTION 61. Falsification of Information. — Falsification of information required under Rule XII may result in the withdrawal of accreditation of CPE programs or as CPE providers or in the suspension or revocation of license of CPE providers.

Rule XIII

MISCELLANEOUS PROVISIONS

SECTION 62. Separability Clause. — If, for any reason, any section or provision of this Rules and Regulations or the application of such sections or provisions to any person or circumstance is declared unconstitutional or null and void, no other section or provision of this Rules and Regulations shall be affected thereby.

SECTION 63. Effectivity Clause. — This Rules and Regulations duly approved by the Professional Regulation Commission shall be effective after thirty days following its publication in the Official Gazette or any newspaper of general circulation.

Adopted: 04 Nov. 1997

(SGD.) PRIMITIVA U. PEREZ-SISON

Chairman

(SGD.) ANTONIO F. JOSON, JR.

Member

Attested:

(SGD.) CARLOS G. ALMELOR

Secretary, Prof. Regulatory Boards

Approved:

(SGD.) HERMOGENES P. POBRE

Commission Chairman

(SGD.) ALFONSO G. ABAD

(SGD.) ROSALINDA D. EVANGELISTA

Commission Members

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