

AN ACT TO REGULATE THE PRACTICE OF DIETETICS IN THE PHILIPPINES

REPUBLIC ACT NO. 2674, June 18, 1960

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

SECTION 1. Definition of terms.—As used in this Act, the following terms shall mean:

- Dietetics—the combined science and art of regulating the planning, preparing and serving of meals to individuals or groups according to the principles of nutrition and management with due consideration to economic, social and psychological factors.
- Dietitian—any person legally qualified to practice dietetics under this Act.
- Dietetic Internship—a period of practical training in any accredited hospital which provides opportunity to acquire knowledge and skills in the administrative and therapeutic phases of dietetics. The Administrative phase includes experience in: the planning, purchasing, preparing and serving of food to patients and personnel within budget allowances; supervising the handling and storage of food supplies and equipment; directing the maintenance of proper sanitary measures within the department; and training of personnel. The therapeutic phase includes experience in the application of scientific knowledge to nutritional problems presented by various diseases.
- Hospital—national hospitals, provincial hospitals, mental hospitals, sanatoria, government reformatory institutions established for the care of the sick, infirm, indigents and other persons confined therein for violation of law, whether government or private.
- Accredited hospital—a hospital with at least two qualified dietitians, one of whom shall have a Master's degree in Nutrition or Institution Management, to supervise the training program of dietetic interns.

SEC. 2. Board of Examiners for Dietitians.—Within thirty days after the approval of this Act, there shall be created a Board of Examiners for Dietitians, hereinafter referred to as the Board, to be composed of a Chairman and two members who shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments, upon the recommendation of the Commissioner of Civil Service from among dietitians of recognized standing in the Philippines as may be certified by the bona fide national professional organization or association of dietitians in the Philippines and who, at the time of their appointment, shall:

- Be a citizen and resident of the Philippines;
- Be at least thirty years of age, and of good moral character;
- Be a recipient of a bachelor's degree conferred by a reputable and legally constituted school, college or university, with foods and nutrition as a major study;
- Have had at least five years experience, prior to his appointment, as a dietitian, or in any academic or research work in foods or nutrition at a graduate level, or as a professional teacher of such subjects in college,

or a nutrition specialist or consultant to any organization of publication;

- Be a registered dietitian duly qualified to practice dietetics under this Act: Provided, That this qualification shall not be required of the first appointees to the Board under this Act; and

- Not be a member of the faculty of any school, college or university at the time of appointment nor during the year immediately preceding appointment as member the board, conferring a bachelor's degree with foods and nutrition as major study, nor shall have direct or pecuniary interest in such institution:

Provided, That the first Board of Examiners for Dieticians to be created pursuant to this Act shall each be issued a certificate of registration as dietitian without prior examination in accordance with the provisions of this Act.

SEC. 3. Functions and duties of the Board.—The Board is vested with authority and required, conformable with the provisions of this Act, to:

- Administer the provisions of this Act;

- Administer oaths in connection with the administration of this Act;

- Issue, suspend and revoke certificates of registration for the practice of dietetics;

- Look, from time to time, into conditions affecting the practice of dietetics in the Philippines and, whenever necessary, adopt such measures as may be deemed proper for the maintenance of good ethics and standards in the practice of dietetics;

- Accredite a hospital for dietetic internship; and

- Investigate such violations of this Act or of the 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 the charges presented to the Board.

SEC. 4. Term of office of Board Members.—The members of the Board shall hold office for a term of three years after appointment or until their successors shall have been appointed and duly qualified: Provided, That the first appointees to the Board shall hold office for the following terms; the Chairman for three years, one member for two years, and one member for one year. Interim vacancies in the Board shall be filled for the unexpired term only.

SEC. 5. Removal of the Board members.—Any member of the Board may be removed by the President of the Philippines, for neglect of duty, incompetency, malpractice, unprofessional, unethical, immoral or dishonorable conduct, after having been given opportunity to defend himself in a proper 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.

SEC. 6. Executive Officer of the Board.—The Commissioner of Civil Service shall be the executive officer of the Board, and shall conduct the examinations given by it according to the rules and regulations promulgated by him and approved by the President of the Philippines. The Secretary of the Board of Examiners appointed in accordance with section ten of Act Numbered Four Thousand seven, as amended by Republic Act Numbered Five Hundred forty-six, shall also be the secretary of the Board. All the records of the Board, including examination papers, minutes of deliberations and records of administrative proceedings and investigations, shall be kept by the Bureau of Civil Service.

SEC. 7. Compensation of Board members.—The members of the Board shall each receive as compensation the

sum of ten pesos for each applicant examined. Any dietitian in the service of the Government of the Philippines appointed as member of the Board shall receive the compensation herein provided in addition to his salary.

SEC. 8. Rules and Regulations.—Subject to the approval of the President of the Philippines and with the advice of the Commissioner on Civil Service, the Board shall set ethical and professional standards for the practice of dietetics and prescribe collegiate courses therefor and, in general, adopt such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 9. Annual Report.—The Board shall submit an annual report to the President of the Philippines and to the President of the Senate and the Speaker of the House of Representatives after the close of each fiscal year, giving a detailed account of the proceedings of the Board during the year and embodying such recommendations as the Board may desire to make.

SEC. 10. Inhibition against the practice of dietetics.—Unless exempt from registration or not subject to the requirements of this Act as provided in Sections eleven and seventeen hereof, no person shall practice or offer to practice as a dietitian without having previously obtained a valid certificate of registration from the Board: Provided, That registration shall not be required of the following classes of persons:

- Dietitians from other countries called in for consultations; and
- Dietitians in the service of the United States Armed Forces stationed in the Philippines while rendering services as such for members of the said armed forces.

SEC. 11. Requirement for Hospitals.—Every hospital, whether government or private, with more than seventy-five but less than one hundred fifty bed capacity shall employ at least one dietitian; those with more than one hundred fifty but less than three hundred bed capacity shall employ at least one dietitian and two assistant dietitians ; and those with more than three hundred bed capacity shall employ two dietitians and not less than four assistant dietitians: Provided, That no person shall be appointed a dietitian in any hospital without having been registered in accordance with the provisions of this Act. The provisions of this section shall be complied with within one year from the date of approval of this Act by hospitals with seventy-five but less than one hundred fifty bed capacity and by hospitals with more than one hundred fifty but less than three hundred bed capacity, and within two years from the same date by hospitals with more than three hundred bed capacity: Provided, however, That within the first year from the date of approval of this Act, hospitals with more than three hundred bed capacity shall employ at least one dietitian and two assistant dietitians: Provided, further, That in case of government hospitals, the necessary sums to carry into effect the provisions of this section shall be included in the annual general appropriation acts: Provided, finally, That no provision of this Act shall in any way be construed to prejudice regularly appointed dietitians who are employed in hospitals at the date of approval of this Act except that in government hospitals their salaries may not be increased or until after they have passed the examinations and as dietitians in accordance with the provisions of this Act.

In the appointments of dietitians to fill vacancies in hospitals, preference shall be given to employees therein who have passed the examinations and qualified as dietitians in accordance with the provisions of this Act, and such appointments shall be subject to Civil Service Laws and Regulations.

SEC. 12. Examinations.—Except as otherwise specifically allowed under the provisions of this Act, all applicants for registration as dietitians shall be required to undergo a written examination which shall be given by the Board annually in Manila during the month of May on such working days and places as the Bureau of Civil Service may designate and shall be governed by Civil Service rules and regulations. Written or printed notice of such examination shall be published in newspapers and copies mailed to each candidate who has filed his name and

address with the Secretary of the Board at least thirty (30) days prior to the date of the first examination.

SEC. 13. Qualifications of examinee.—In order to be admitted to the examination for dietitians, an applicant must, at the time of filing his or her application therefor, establish to the satisfaction of the Board that:

- He or she is a citizen of the Philippines;
- He or she is at least twenty-one years of age, in good health and is of good moral character;
- He or she had finished a standard academic high school course or its equivalent in a school, college or university legally established and duly recognized by the government;
- He or she is a recipient of a bachelor's degree conferred by a reputable and legally constituted school, college or university, with foods and nutrition as major study.
- He or she has completed at least six months dietetic internship in an accredited hospital.

SEC. 14. Scope of Examination.—The examination cover the following minimum requirements:

- Biochemistry
- Institution Management
- Foods
- Nutrition
- Dietetics

It shall be the duty of the Board to prepare the schedule of subjects of the examination and submit the same to the President of the Philippines for approval thru the Commissioner of Civil Service and to publish the same as approved at least six (6) months before the date of the examination wherein they are to be used. Any alteration or amendment that may be made in said schedule shall likewise be approved by the President.

SEC. 15. Report of Rating.—The Board shall within one hundred twenty (120) days after the date of completion of the examination report the result thereof to the Commissioner of Civil Service, who shall, with his recommendation, submit such result to the President of the Philippines for approval.

SEC. 16. Oath of Dietitians.—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 dietetics in the Philippines.

SEC. 17. Issuance of Certificate of Registration.—Every applicant who has satisfactorily passed the required examination, shall upon payment of the registration fee, be issued a certificate of registration as dietitian: Provided, That no such certificate shall be issued to any applicant who has not attained the age of twenty-one; (21) years. All certificates shall be signed by the members of the Board and attested by its Secretary. Upon approval of Act the Board shall, upon application and payment of the corresponding registration fees, issue a certificate registration as dietitian without examination to persons who have been graduated with a Bachelor's Degree with a major in Foods and Nutrition and have been in the practice as such graduate for at least three years prior to the enactment of this law, or have passed the Civil Service examinations for dietitians given on December 28, 1959.

SEC. 18. Fees for examination and registration.—The Board shall charge for each applicant for examination the sum of forty pesos, for each certificate of registration thirty pesos, and for each duplicate registration certificate,

five pesos. All such fees shall be paid to the disbursing officer of the Bureau of Civil Service, and such officer shall pay from the receipts thereof, all the authorized expenses of the Board, including the compensation of its members: Provided, further, That one-half of the examination fee shall be refunded to the applicant if his application is disapproved.

SEC. 19. Refusal to issue certificates.—The Board shall refuse to issue a certificate of registration to any person convicted by a 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 infectious disease and in such case 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.

SEC. 20. Revocation or suspension of certificates.—The Board may, after giving proper notice and hearing to the party concerned, revoke or suspend a certificate of registration for the causes mentioned in the next preceding section, or for unprofessional conduct, malpractice, incompetency or serious ignorance or malicious negligence in the practice of dietetics; or for making use of fraud, deceit, or false statements to obtain a certificate of registration; or for habitual use of intoxicating drink, drugs or medicines causing him to become incompetent to practice dietetics; or for 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 dietetics in the Philippines.

SEC. 21. Appeal.—The revocation or suspension of a certificate made by the Board shall be subject to appeal to the President of the Philippines whose decision shall be final.

SEC. 22. Reinstatement, reissue or replacement of certificate.—The Board may, upon application and for reasons deemed proper and sufficient, reinstate any suspended registration certificate, or issue another certificate in lieu of one previously revoked, and in so doing, it may in its discretion, exempt the applicants from taking another examination. A new certificate to replace any certificate lost, destroyed or mutilated may be issued subject to the rules of the Board.

SEC. 23. 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 a citizen permits Filipino dietitians to practice within its territorial limits on the same basis as the subjects or citizens of said country or state: Provided, however, That the number of foreigners allowed to practice in the Philippines shall not exceed the number of Filipinos practising in their respective countries.

SEC. 24. Roster of Dietitians.—A roster of dietitians 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 and address of each of the registered dietitians, date of registration or issuance of certificate, and other data which in the opinion of the Board may appear pertinent. The roster shall be open for public inspection, and copies thereof shall be mailed to each person included therein, placed on file in the Office of the President of the Philippines, and furnished to all Department Heads, to the Bureau of health, and to such other bureaus or government agencies as may be deemed necessary and to the public upon request.

SEC. 25. Penal provisions.—The following shall be punished by a fine of not less than five hundred pesos nor more than two thousand pesos, or imprisonment for not less an one month nor more than two years, or both, in the accretion of the court:

- Any person who shall practice or offer to practice dietetics in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act;
- Any person presenting or attempting to use as his own,

the certificate of registration of another;

- 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 dietitian;
- Any person who shall impersonate any registrant of like or different name;
- Any person who shall attempt to use a revoked or suspended certificate of registration;
- 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 dietitian without holding a valid certificate of registration;
- Any person who shall violate any provision of this Act; or
- Any person or corporate body who shall violate the rules and regulations of the Board or orders promulgated by it duly approved by the President of the Philippines upon the recommendation of the Commissioner of Civil Service for the purpose of carrying out the provisions of, this Act.

SEC. 26. Separability clause.—If any provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of the Act or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SEC. 27. Repealing clause.—All Acts, executive orders, rules and regulations, or part thereof inconsistent with the provisions of this Act are hereby repealed.

SEC. 28. Effectivity.—This Act shall take effect upon its approval.

Approved, June 18, 1960.

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