

## AN ACT REGULATING THE PRACTICE OF MEDICINE AND SURGERY IN THE PHILIPPINE ISLANDS.

*Act No. 310, December 04, 1901*

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

SECTION 1. The Commissioner of Public Health for the Philippine Islands shall appoint a Board of Medical Examiners for the Philippine Islands, with the advice and consent of the Board of Health for the Philippine Islands, consisting of three physicians, who shall be graduates of a legally chartered and reputable medical college and shall hold the degree of doctor of medicine. They shall hold office for three years after their appointment and until their successors are appointed and qualified: Provided, That the first appointees shall be appointed for a period of one, two, and three years, respectively, as specified in their respective certificates of appointment from the Commissioner of Public Health: And provided further, That no member of the faculty of any school, college, or university where medicine or surgery is taught shall be eligible for appointment on said Board. Each person appointed to the Board shall qualify by taking and subscribing the following oath of office:

"I, \_\_\_\_\_, having been appointed a member of the Board of Medical Examiners for the Philippine Islands, do hereby solemnly swear that I am a graduate in good standing of the legally chartered medical college or university at \_\_\_\_\_, in the city of \_\_\_\_\_, that I will well and truly perform all the duties of said office, that I will faithfully account for 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 that I take this oath without any mental reservation whatsoever; so help me God."

The oath shall be recorded and filed in the office of the secretary of the Board of Health for the Philippine Islands. The Commissioner of Public Health shall fill any vacancy which may occur on the Board within one month after the vacancy occurs, and may remove any member of said board for continued neglect of duty, incompetency, or for unprofessional or dishonorable conduct, with the advice and consent of the Board of Health for the Philippine Islands.

SEC. 2. The Board of Medical Examiners shall appertain to the Department of the Interior, so far as executive action may be required in connection with it. It shall organize, immediately after the appointment of its members, and annually thereafter on the anniversary of its first organization, by electing from its members a president, who shall be its chief executive officer, and a secretary-treasurer. It shall procure and keep a seal with which to attest its official acts. The members of the Board, except the secretary-treasurer, shall receive as compensation the sum of two dollars and fifty cents each for each candidate examined for registration as doctor or licentiate of medicine, and one dollar each for each candidate examined for registration as undergraduate of medicine or midwife. The secretary-treasurer shall receive compensation at the rate of two hundred dollars per year, one-half of which amount shall be paid on the thirtieth of June and one-half on the thirty-first of December of each year. The amounts due the members of the Board of Examiners for compensation shall be paid from insular funds and disbursed by the disbursing officer of the Board of Health for the Philippine Islands. The secretary-treasurer shall execute a bond for five hundred dollars, with good and sufficient sureties, which shall be approved by the

Treasurer of the Philippine Archipelago, conditioned that he will pay to the Treasurer of the Philippine Archipelago all moneys received by him as treasurer, and that he will faithfully discharge all 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 as doctors of medicine, licentiates of medicine, undergraduates in medicine, or midwives have been granted under the provisions of this Act, setting forth the name, age, sex, and place of business of each, his post-office address, the name of the medical college or university from which he graduated or in which he has studied, if any, and the date of such graduation or term of study, together with the time spent in his study of medicine elsewhere, if any, and the names and locations of all institutions which have granted to him degrees or certificates of clinics or lectures in medicine and surgery, and all other degrees granted to him from institutions of learning.

SEC. 3. The Board of Medical Examiners shall meet in the city of Manila for the purpose of examining candidates desiring to practice medicine in the Philippine Islands on the second Tuesdays of January, April, July, and October of each year after giving date who has filed his name and address with the secretary-treasurer of the board. The Board of Medical Examiners shall issue a certificate of registration to any person who furnishes satisfactory proof of having received a diploma as doctor of medicine from a chartered medical school or college in good standing or a degree as licentiate of medicine and surgery from the Saint Thomas University in the city of Manila, or who has received permission to appear before a medical board for examination with a view to obtaining a license to practice medicine, in accordance with the provisions of Special Order of the Military Governor Number Six, issued February same authority, issued April first, nineteen hundred, and who shall pass a successful examination before the board as hereinafter described. The Board shall issue four forms of certificates of registration to persons who have been examined and favorably passed upon by the Board: One, for persons holding the degree of doctor of medicine; another, for persons holding the degree of doctor of medicine; a third, for undergraduates in medicine, or "cirujanos ministrantes;" and a fourth, for midwives. Each certificate shall be signed by a majority of the members of the Board. The secretary-treasurer of the Board shall collect a fee of fifteen dollars for each certificate of registration as doctor or licentiate of medicine, and a fee of five dollars for each certificate of registration as "cirujano ministrate," or as midwife, issued by the Board.

SEC. 4. The Board shall, on or before the thirtieth of June of each year, make a report to the Secretary of the Interior of its proceedings during the past year, and of all moneys received and disbursed by it within that period.

SEC. 5. After March first, nineteen hundred and two, it shall be unlawful for any person to practice medicine, surgery, or midwifery in any of its branches in the Philippine Islands unless he holds a certificate of registration from the Board or has otherwise complied with the provisions of this Act. Any person in continuous practice of medicine, surgery, and midwifery in any of their branches in the Philippine Islands prior to the passage of this Act may become a registered practitioner by submitting to the Board of Medical Examiners for the Philippine Islands a diploma of doctor or licentiate of medicine from a reputable medical school or college: Provided, That any person now a member of the highest class in the Saint Thomas University in the city of Manila who shall have pursued his studies in medicine and surgery in the said university for not less than five years, and shall receive a degree of licentiate in medicine and surgery from said university in the month of March, nineteen hundred and two, may likewise become a registered practitioner by submitting to the Board of Medical Examiners such degree on or before the first day of April, nineteen hundred and two. For the purposes of this section a physician who has been in the regular practice of his profession in these Islands, but whose practice has been interrupted by trips abroad for study or pleasure only, shall be deemed to have been in continuous practice: Provided, further, That any person who has passed the requisite examination before a board of examiners convened pursuant to Special Orders Number Six, Office of the United States Military Government in the Philippine Islands, dated February twenty-fifth, nineteen hundred, and Circular Number Five, same authority, dated April first, nineteen hundred,

shall not be required to undergo another examination, but shall be entitled to be registered and to receive a certificate of registration as a licentiate of medicine. The fee for such certificate shall be ten dollars: Provided further, That any person who has studied medicine in the Saint Thomas University of the city of Manila for a period of not less than two years, and has received the title of "cirujano ministrante" from said university may be registered to practice medicine in remote towns of a province where no civilian doctor of medicine or licentiate of medicine is available, upon passing a satisfactory examination before the provincial board of health for the province in which he desires to practice and paying to its provincial treasurer a fee of five dollars for a certificate of registration, which shall thereupon be issued to him by the president of the provincial board of health.

SEC. 6. Every person hereafter desiring to begin the practice of medicine or surgery in the Philippine Islands shall apply to the Board of Medical Examiners for a certificate of registration as doctor of medicine, and such applicant shall submit to an examination in the following branches, to wit: Anatomy, physiology, chemistry, materia medica and therapeutics, pathology and bacteriology, hygiene, surgery, practice of medicine, obstetrics, diseases of women and children, diseases of the nervous system, diseases of the eye and ear, medical jurisprudence; and shall present a diploma of doctor of medicine from a medical school or college recognized as reputable by the Board of Health for the Philippine Islands. Examinations may be written or oral, or both. In case any applicant shall fail to pass a satisfactory examination, he shall not be permitted again to present himself for examination until a period of six months has elapsed.

SEC. 7. Every person holding a certificate of registration from the Board of Medical Examiners shall have it recorded in the office of the Registrar of Deeds in the province or provinces within which he may desire to practice, or in the city of Manila, as the case may be, before engaging in the practice of medicine, surgery, or midwifery, and until such certificate is so recorded, the holder thereof shall not exercise any of the privileges to practice medicine conferred therein. The holder of the certificate shall pay the registrar the usual fees for recording such certificate.

SEC. 8. The Board of Medical Examiners may refuse to issue any of the certificates provided for in this Act to an individual convicted by a court of competent jurisdiction of any offense involving immoral or dishonorable conduct. In case of such refusal, the reason therefor shall be stated to the applicant in writing. The Board may also revoke any such certificate for like cause, or for unprofessional conduct, after due notice to the person holding the certificate, and a hearing, subject to an appeal to the Board of Health for the Philippine Islands, the decision of which shall be final.

SEC. 9. Any person shall be regarded as practicing medicine within the meaning of this Act who shall treat, operate upon, prescribe, or advise for any physical ailment of another for a fee, or who shall represent himself by means of signs, cards, advertisements, or otherwise as a physician or surgeon; but nothing in this Act shall be construed to prohibit the rendering of services in cases of emergency or the administration of family remedies, or to apply to medical officers of the United States Army, the United States Navy, or the United States Marine-Hospital Services, or to physicians and surgeons from other countries, provinces, or cities called in consultation, or to actual medical students practicing medicine under the direct supervision of a preceptor who is a registered doctor of medicine.

SEC. 10. Any person practicing medicine or surgery within the Philippine Islands without first having obtained the certificate of registration herein provided for, or otherwise contrary to the provisions of this Act, shall, upon conviction, be punished by a fine of not more than one hundred and fifty dollars, or by imprisonment for not more than ninety days, or both, in the discretion of the court.

SEC. 11. Any person desiring to practice obstetrics in the Philippine Islands shall be entitled to a certificate of

registration as midwife from the Board of Medical Examiners upon passing a satisfactory examination and paying to the secretary-treasurer of the Board a fee of five dollars. The examination shall be of such a practice of midwifery. Any person practicing midwifery in the registration herein provided for, or otherwise contrary to the provisions of this Act, shall, upon conviction, be punished by a fine of not more than fifty dollars for each offense: Provided, That this section shall not be construed to prevent a doctor of medicine or licentiate of medicine who holds a certificate of registration as such from practicing obstetrics, or to prohibit the gratuitous rendering of obstetrical services by a friend or member of the family of the patient, or to prohibit the rendering of obstetrical services by any person in a case of emergency, nor shall it apply to persons practicing midwifery in municipalities where there are no licensed practitioners.

SEC. 12. No person shall in any way advertise as a doctor of medicine, physician, or surgeon, or prefix or append the letters "Dr.," "M. D.," or "M. B." to his name who has not had duly conferred upon him by diploma or degree, from some college, school, or board of examiners legally empowered 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 with the intent to represent falsely that he has received a medical degree or license or certificate of registration. Any person violating this provision shall, upon conviction, be subject to a fine of not more than one hundred dollars or to imprisonment for not more than ninety days.

SEC. 13. Where the word "dollars" is used in this Act, it shall be understood to mean dollars in money of the United States.

SEC. 14. This Act shall take effect on its passage.

Enacted, December 4, 1901.

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