

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8835

Introduced by Representatives Joaquin M. Chipeco, Jr., Frederick W. Siao, Eric Go Yap, Isidro T. Ungab, Raymund Democrito C. Mendoza, Rose Marie "Baby" J. Arenas, Ferdinand L. Hernandez, Pablo John F. Garcia, Xavier Jesus D. Romualdo, Jose Christopher Y. Belmonte, Elenita Milagros "Eileen" Ermita-Buhain, Joey Sarte Salceda, Junie E. Cua, Jose "Pingping" I. Tejada, Micaela S. Violago, Greg G. Gasataya, Romeo M. Jalosjos Jr., Horacio P. Suansing, Jr., Francisco Jose "Bingo" Matugas III, Jose Enrique "Joet" S. Garcia III, Ruwel Peter Gonzaga, Teodorico Haresco, Jr., Luisa Lloren Cuaresma, Juliet T. Uy, Paul Ruiz Daza, Jocelyn Sy Limkaichong, Manuel F. Zubiri, Manuel T. Sagarbarria, Lorna F. Bautista-Bandigan, John Peter D. Calderon, Luis N. Campos, Jr., David "Jay-Jay" C. Suarez, Sandro L. Gonzales, Romeo S. Momo, Vincent Franco "Duke" D. Frasco, Way Kurat Zamora, Joy Myra S. Tambunting, Yasser Alonto Balindong, Angelo Marcos Barba, Joseph Sto Nino B. Bernos, Narciso R. Bravo, Jr., Alfel M. Bascug, Wilfredo "Willy" S. Caminero, Carl Nicolas C. Cari, Maximo Y. Dalog, Jr., Alfred S. Delos Santos, Cheryl P. Deloso-Montalla, Abdullah D. Dimaporo, Jumel Anthony I. Espino, Ria Christina G. Farinas, Jocelyn F. Fortuno, Ann K. Hofer, Cesar "Jawo" L. Jimenez, Jr., Glona G. Labadlabad, Mario Vittorio "Marvey" A. Mariño, Maricel G. Natividad-Nagaño, Ma. Lucille L. Nava, MD., Pablo C. Ortega, Emmarie "Lolypop" Ouano-Dizon, Eddiebong G. Plaza, Strike B. Revilla, Geraldine B. Roman, Hector S. Sanchez, Lorna T. Silverio, Christine Singson-Meehan, John Reynald M. Tiangco, Kristine Alexie B. Tutor, Diego "Nonoy" C. Ty, Rosanna "Ria" V. Vergara, Elizaldy S. Co, Argel Joseph T. Cabatbat, Sergio C. Dagooc, Godofredo N. Guya, Stella Luz A. Quimbo, Lawrence "Law" H. Fortun, Leonardo L. Babasa, Jr., Manuel DG. Cabochan III, Wilfrido Mark M. Enverga, Weslie T. Gatchailan, Jericho Jonas B. Nograles, Josephine Ramirez-Sato, Rufus B. Rodriguez, Roman T. Romulo, Amihilda J. Sangcopan, Edgar Mary S. Sarmiento, Jesus "Bong" C. Suntay, Luis Raymond, 'Lray' F. Villafuerte, Jr.

**AN ACT REGULATING THE PRACTICE OF MICROBIOLOGY
IN THE PHILIPPINES, AND APPROPRIATING FUNDS THEREFOR**

*Be enacted by the Senate and the House of Representatives of the Philippines in
Congress Assembled:*

ARTICLE I

TITLE, DECLARATION OF POLICY AND OBJECTIVES

SECTION 1. Title. - This Act shall be known as the "Philippine Microbiology Act."

SEC. 2. Statement of Policy and Objectives. - The State recognizes the important role of microbiologists in national development. Hence, this Act institutes a regulatory system that guarantees the delivery of technical services in a manner that ensures food safety and high quality of manufactured goods, prevents the rapid spread of microbially-caused diseases in

1 human, plant, and animal populations, and helps provide a safe and healthy environment for
2 the general populace. It also aims to develop and nurture competent, ethical, globally
3 competitive and well-rounded professionals who shall observe the highest standard of
4 excellence through a credible and relevant licensure examination.

5 ARTICLE II

6 DEFINITION OF TERMS AND SCOPE OF PRACTICE

7 SEC. 3. *Definition of Terms*- As used in this Act:

- 8 a. *Accredited Integrated Professional Organization (AIPO)* refers to the professional
9 organization established for the benefit and welfare of professionals of
10 microbiology, the advancement of the microbiology profession and attainment of
11 other professional ends,
- 12 b. *Archaeal Biology* – refers to the scientific discipline that concerns with the study
13 of the biology of archaea, a domain of organisms consisting of single,
14 nucleus-free cells, distinct from bacteria and eukaryotes
- 15 c. *Bacteriology* - refers to the branch of microbiology that specifically deals with the
16 biochemistry, physiology, morphology, evolution, genetics, and ecology of
17 bacteria which is the large domain of single-celled prokaryotic microorganisms.
18 Bacteriology also deals with the study of medically- and industrially-significant
19 bacteria, such as those which cause major infectious diseases, food spoilage,
20 and those which are able to ferment food or produce valuable pharmaceuticals
21 and enzymes.
- 22 d. *Clinical Microbiology* - refers to the branch of microbiology that relates to the
23 diagnosis, treatment, management, and prevention of infectious diseases in
24 patients in hospital and clinical laboratories. It also includes hospital facility
25 environmental surveillance and monitoring in support of infection control and
26 safety programs as well as quality control. This field of practice encompasses
27 several different sciences applied to hospital and clinical laboratories, including
28 bacteriology, mycology, virology, parasitology, immunology and molecular
29 diagnostics. It involves culture, analysis and identification of pathogenic and other
30 clinically relevant bacteria, fungi, viruses, and parasites isolated from clinical
31 specimens or other non-biological specimens, or both. It also involves
32 susceptibility testing to guide antimicrobial therapy and provide antibiograms to
33 the health facility or local community, or both to demonstrate the prevalence of
34 various pathogens and emerging antibiotic resistance.
- 35 e. *Environmental Microbiology* – refers to the branch of microbiology that deals with
36 study of indigenous microorganisms on earth, water, and air system and their

1 interactions with organic and inorganic pollutants and the application of their
2 products for the benefit of human health and welfare. It is the applied part of
3 microbial ecology which deals with the study of the interactions of
4 microorganisms with the biotic and abiotic environment.

- 5 f. *Medical Microbiology*- refers to the branch of microbiology that specifically deals
6 with the study of characteristics of pathogens, their modes of transmission,
7 mechanisms of infection and growth. It is also concerned with the interactions of
8 pathogens to hosts and the environment and the applications of microorganisms
9 for the improvement of health. For purposes of this Act, clinical microbiology is
10 excluded from the definition and scope of medical microbiology.
- 11 g. *Microbiology* - refers to a multi-disciplinary study of the structure, form and
12 function of microorganisms such as bacteria, archaea, fungi, algae, protozoa, and
13 acellular infectious agents. It covers several branches of biology such as
14 physiology, molecular biology, genetics, ecology, evolutionary biology,
15 systematics and other related fields. Such as cell biology, helminthology,
16 immunology, molecular biology and biotechnology, parasitology, and plant
17 pathology.
- 18 h. *Mycology* - refers to the branch of microbiology that studies fungi such as yeasts,
19 molds and mushrooms. It is concerned with the physiology, taxonomy,
20 biochemistry, ecology, and genetic properties of fungi. Mycology also deals with
21 the significance and application of fungal species in medicine and industry, from
22 which antibiotics as well as other valuable secondary metabolites are produced.
- 23 i. *Phycology* - refers to the branch of microbiology that studies algae, which is a
24 large group of chiefly aquatic macroscopic and microscopic unicellular organisms
25 similar to plants in terms of metabolism and structure. Phycology studies the
26 ultrastructure, biochemistry, metabolism and ecology of these algae, such as
27 different species of seaweeds, phytoplankton and a vast number of others.
- 28 j. *Protozoology* -refers to the branch of microbiology that studies protozoa, a
29 diverse group of eukaryotic, heterotrophic microorganisms. It is concerned with
30 the taxonomy, physiology, evolution, biochemistry and metabolism of protozoans.
31 As several protozoans are disease-causing, protozoology is also concerned with
32 studying their modes of infection, transmission, life cycles, as well as their
33 interaction with their host organisms.
- 34 k. *Registered Microbiologist* - refers to a person who has been issued a certificate of
35 registration and professional identification card by the Professional Regulatory
36 Board for Microbiology created under Section 5 of this Act.

- 1 i. *Virology* - refers to the branch of microbiology that specifically deals with viruses
2 sub-microscopic obligate intracellular parasites—and virus-like particles, and
3 subviral particles such as prions and viroids, which usually cause disease in
4 animals, plants, and humans. Virology is the study of the taxonomic classification
5 and ultrastructure of these agents, their genetic make-up, mode of infection, as
6 well as their interactions with their respective hosts.

7 **SEC. 4.Scope of Practice of the Microbiology Profession** - The practice of
8 microbiology refers to the profession requiring the application of fundamental and known
9 principles of microbiology pertinent to the conditions and requirements of food safety and
10 manufacturing standards, disease prevention, environmental protection, conservation
11 and quality management. It includes the following:

- 12 a. Consultation, valuation, investigation and management services on the
13 identification of microbial agents in food, feed, human, plant and animal diseases,
14 and in environmental impact assessments;
- 15 b. Management or supervision and the preparation of designs, plans, specifications,
16 project studies and estimates for microbial-based processes and related
17 manufacturing and waste management facilities;
- 18 c. Conduct of research and development, training and extension work, and
19 consultancy services on the various areas of microbiology, such as general
20 microbiology, food microbiology, agricultural microbiology, industrial microbiology,
21 veterinary microbiology, medical microbiology, aquatic microbiology and
22 environmental microbiology, and on microbiological facilities/services, systems and
23 technologies;
- 24 d. Microbiological testing and inspection of food, pharmaceutical, agricultural, fishery
25 and forest products;
- 26 e. Management, manufacturing and marketing of microbial and microbial-based
27 products. The marketing of the microbial and microbial-based products are not
28 exclusive to the practice of microbiology and can be undertaken by other
29 professions such as those acknowledged in Section 27;
- 30 f. Quality control on microbiological concerns including the manufacture of foods,
31 food additives, flavors, feeds, pharmaceuticals, cosmetics, biofuels,
32 and biofertilizers ;
- 33 g. Teaching microbiology subjects and offering degree programs and training courses
34 in microbiology in higher educational institutions (HEIs) in the Philippines in
35 conjunction with Section 11 of Republic Act No. 8981, otherwise known as the PRC

1 Modernization Act of 2000, and the rules and regulations of the Commission of
2 Higher Education (CHED); and

- 3 h. Employment with the government or with a private institution which requires the
4 knowledge and expertise of a registered microbiologist.

5 **ARTICLE III**

6 **CREATION OF THE PROFESSIONAL REGULATORY BOARD FOR MICROBIOLOGY**

7 **SEC.5. *Creation and Composition of the Professional Regulatory Board for***
8 ***Microbiology*** –There is hereby created a Professional Regulatory Board for Microbiology
9 hereinafter referred to as the Board, under the administrative supervision and control of the
10 Professional Regulation Commission (PRC), which is under the Office of the President (OP).
11 The Board shall be composed of a Chairperson and two (2) Members, 2 of whom must have at
12 least five (5) years of teaching experience in microbiology. They shall be appointed by the
13 President of the Republic of the Philippines upon the recommendation of the PRC which shall
14 select from a list of nominees submitted by the AIPO consisting of three (3) nominees for
15 each position. The Board shall be organized not later than sixty (60) days from the effectivity
16 of this Act.

17 **SEC. 6. *Qualifications of the Chairperson and Members of the Board.*** - The
18 Chairperson and Members of the Board shall, at the time of appointment, possess the
19 following qualifications:

- 20 a. Must be a Filipino citizen;
- 21 b. Must not been convicted by a competent court of any offense involving moral
22 turpitude;
- 23 c. Must be a holder of at least a Master of Science Degree in Microbiology-related fields
24 conferred by a CHED recognized Philippine HEI or foreign university;
- 25 d. Must have at least ten (10) years of practice in microbiology, either in government or
26 in any private institution; and
- 27 e. Must not have any financial interest, directly and indirectly, in any HEI conferring
28 academic degree necessary for admission to the practice of microbiology or where
29 review classes in preparation for the microbiology licensure examination are being
30 offered or conducted, nor shall one be a member of the faculty or the administration
31 thereof.

32 **SEC. 7. *Term of Office for the Chairperson and Members of the Board.*** - The
33 Chairperson and Members of the Board shall hold office for a term of three (3) years from the
34 date of appointment or until their successors shall have been qualified and appointed.
35 They may be reappointed for a second term. They shall take the proper oath of office prior to
36 assumption of office before a duly authorized officer.

1 **SEC.8.Meetings of the Board.** - The Board shall have a regular meeting once a month.
2 Special meetings may also be held upon the call of the Chairperson or at the request of the
3 other two (2) of its Members. Reasonable notice of all meetings shall be given in the manner
4 prescribed by the rules of the Board.

5 **SEC. 9.Compensation and Allowances of the Board.** - The Chairperson and Members
6 of the Board shall receive compensation and allowances equivalent to those being received
7 by the Chairpersons and Members of existing professional regulatory boards under the PRC
8 as provided for in the General Appropriations Act.

9 **SEC.10.Powers and Functions of the Board.** - The Board shall be vested with the
10 following powers and functions:

- 11 a. Promulgate, administer and enforce rules and regulations necessary to carry out the
12 provisions of this Act;
- 13 b. Prescribe the subjects in the licensure examination and their relative weights,
14 determine the syllabi and Table of Specifications (TOS) for the subjects on which the
15 examination questions shall be based on, and to submit the examination results to the
16 PRC;
- 17 c. Evaluate and approve applications for licensure examination;
- 18 d. Administer oaths and, issue certificates of registration and the professional
19 identification card to persons admitted to the practice of the profession of
20 microbiology;
- 21 e. Monitor trends in and conditions affecting the practice of microbiology and adopt such
22 measures as may be deemed necessary for the enhancement of the profession and
23 the maintenance of the highest professional, ethical and technical standards, and for
24 these purposes, inspect and monitor establishments where microbiologists are
25 practicing and HEIs where the microbiology courses are being offered, in
26 coordination with the CHED;
- 27 f. Submit to the PRC an annual report at the close of each fiscal year on the
28 proceedings and accomplishments of the Board during the year as well as
29 recommendations for the purpose of upgrading and improving the conditions
30 affecting the practice of microbiology in the Philippines;
- 31 g. Oversee the conduct of the Continuing Professional Development (CPD) program for
32 microbiologists;
- 33 h. Recommend measures necessary for the upgrading, enhancement, development
34 and growth of microbiology in the Philippines;
- 35 i. Approve registration of microbiologists without examination; and

1 j. Issue special temporary permits to microbiologists of foreign nationalities subject to
2 the requirements and conditions prescribed by the Board.

3 The policies and resolutions, rules and regulations, orders, or decisions issued or
4 promulgated by the Board shall be subject to the review and approval of the PRC: *Provided*,
5 That the decisions, resolutions, and orders rendered by the Board which are interlocutory in
6 nature shall be subject to review on appeal.

7 **SEC. 11. *Removal of Board Members.*** -The Chairperson or any Member of the Board
8 may be suspended or removed from office by the President of the Republic of the Philippines
9 upon the recommendation of thePRC for neglect of duty, incompetence, tolerance of
10 irregularities in any examination given by the Board, unprofessional or unethical conduct. Any
11 such person shall be afforded due process according to the laws of the Republic of the
12 Philippines.

13 **SEC. 12. *Supervision of the Board, Custodian of the Records, Secretariat and***
14 ***Support Services.*** - The Board shall be under the general supervision and administrative
15 control of the PRC. The PRC shall keep all the records of the Board, including applications for
16 examination papers and results, minutes of deliberations, administrative cases and other
17 investigative cases involving microbiologists.

18 **ARTICLE IV**

19 **EXAMINATION AND REGISTRATION**

20 **SEC.13. *Licensure Examination.*** -Unless otherwise provided in the Act, every applicant
21 seeking to be registered and licensed as microbiologist shall take and pass a written
22 licensure examination to be given by the Board at least once a year in such places and dates
23 as the PRC may designate.

24 **SEC. 14. *Qualifications for Examination.*** - Any person applying for admission to the
25 licensure examination for microbiologist must be:

- 26 a. A citizen and resident of the Philippines: *Provided*, That citizen of a foreign country
27 may be allowed to take the examination, subject to the requirement of reciprocity as
28 approved for in Section 31of this Act;
- 29 b. A person with good moral character;
- 30 c. A person who has not been convicted by a competent court of any offense involving
31 moral turpitude; and
- 32 d. A holder of a baccalaureate degree in Microbiology or Biology major in Microbiology,
33 or graduate degree in Microbiology, or any related field with twenty-four (24) units of
34 microbiology, to include the courses covered in the licensure exam.

35 **SEC. 15. *Scope of Examination.*** - The licensure examination for microbiology shall cover
36 six (6) subjects:

- 1 a. General microbiology
- 2 b. Code of Ethics for Microbiology Profession
- 3 c. Microbial Physiology
- 4 d. Microbial Ecology
- 5 e. Medical Microbiology
- 6 f. Applied Microbiology (Food and Industrial)

7 The Board, subject to the approval of the PRC, may revise the scope of examination and
8 any of the subjects and their syllabi to conform with technological advances brought about by
9 trends and developments in the profession.

10 **SEC. 16. Release of the Results of Examination.** - The Board shall release the
11 licensure examinations results within a period of three (3) days from the date the
12 examination, unless extended for a valid reason.

13 **SEC. 17. Rating in Examination.** - To pass the licensure examination for microbiology,
14 an examinee must obtain a general average of at least seventy-five percent (75%) and no
15 rating lower than fifty percent (50%) in any subject. An examinee with a general average of
16 seventy five percent (75%), and with grade lower than fifty percent (50%) in any subject, may
17 retake the examination on the subject(s) the examinee failed at, but not more than twice. If
18 still unsuccessful after the second time, an examinee shall be required to retake the entire
19 examinations in which a person failed, at most twice. If still unsuccessful after the second
20 time, an examinee shall be required to retake the entire examination. There is no limit to the
21 number of times an examinee who has failed the licensure examination can retake it.

22 **SEC. 18. Oath.** – All qualified registrants, whether or not they have taken and passed the
23 licensure examination shall take their oath of profession before the chairperson or any
24 Member of the Board, or any authorized officer of the PRC prior to entering the practice of
25 microbiology.

26 **SEC.19. Issuance of the Certificate of Registration and Professional Identification**
27 **Card.** –The certificate of registration and professional identification card shall be issued to a
28 person who has complied with all the requirements for registration under this Act. The
29 certificate of registration shall serve as evidence that the microbiologist can lawfully practice
30 their profession. It shall remain in full force and effect until withdrawn, revoked, or suspended
31 in accordance with this Act.

32 A professional identification card bearing the registration number and date of issuance, its
33 expiry date, and the signature of the Chairperson of the PRC shall likewise be issued to every
34 qualified registrant. It shall be reissued after every three (3) years upon compliance with all the
35 requirements as may be prescribed by the Board and the PRC.

1 **SEC. 20. Automatic Exemption from Examination for Microbiologists.** - Holders of a
2 Master's or Doctoral Degree in Microbiology or related fields from an HEI duly recognized by
3 the CHED, may apply for exemption as microbiologists without examination from the Board.
4 They must submit a copy of undergraduate and graduate diplomas, transcripts and cover
5 pages of MS Thesis or Doctoral Dissertation: *Provided*, That such individual must show proof
6 of having actively practiced the microbiology profession for at least five (5) years.

7 **SEC.21. Registration Without Examination.** –The Board shall register without
8 examination any person who can present evidence or proof satisfactory to the Board that:

- 9 a. The person is a Filipino citizen;
- 10 b. The person is of good moral character;
- 11 c. The person has obtained at least twenty-four (24) academic units in microbiology
12 related courses from an HEI duly recognized by the CHED, passed certification
13 examination conducted by reputable, well established and long-standing professional
14 organization in microbiology *or* its equivalencies in the practice of Microbiology as
15 assessed by the Board and has been actively practicing microbiology for at least five
16 (5) years. For this purpose, *equivalencies* shall refer to activities which may include
17 participation or attendance in trainings, scientific conferences and symposia on
18 microbiology in the last five (5) years, research publications as prescribed by the
19 Board or national research awards in microbiology, recognized innovations or
20 solutions to microbiological problems in industry.

21 All qualified applicants must apply for registration within two (2) years from the effectivity
22 of the rules and regulations issued to implement this Act. Thereafter, anyone who wants to be
23 registered will have to take the examination, and those who are exempted under Section 27
24 of this Act.

25 **SEC.22. Refusal to Register.** - The Board may deny the application for registration of
26 any applicant who has been:

- 27 a. Convicted of any offense involving moral turpitude by a court of competent
28 jurisprudence;
- 29 b. Found guilty of immoral or dishonorable conduct after due investigation by the Board;
- 30 c. Summarily adjudged guilty for violation of the general instructions to examinees by the
31 Board;and
- 32 d. Declared to be of unsound mind by a court of competent jurisprudence.

33 In refusing to register an applicant, the Board shall issue a written notice setting forth the
34 reasons for its action, duly keeping a copy of such notification in its records.

35 **SEC.23. Revocation or Suspension of the Certificate of Registration.** - The Board
36 shall have the power, after giving proper notice and hearing to the party concerned, to

1 suspend or revoke the practitioner's certificate of registration, or to cancel the special
2 temporary permit granted to a foreigner microbiologist, for any of the grounds or causes cited
3 in Section 22 of this Act, on any of the following grounds:

- 4 a. Violation of any provision of this Act, and the rules and regulations issued to
5 implement it, The Code of Ethics for the practice of microbiology profession, Code
6 of Good Governance, Code of Technical Standards for the Practice of
7 Microbiology, or other policy measure of the Board or the PRC;
- 8 b. Perpetration or use of fraud in obtaining one's certificate of registration,
9 professional identification card, or special temporary permit;
- 10 c. Gross incompetence, negligence or ignorance resulting to death, injury or damage;
- 11 d. Aiding or abetting the illegal practice of a non-registered and non-licensed person
12 by allowing another to use one's certificate of registration or professional
13 identification card, or both, or special temporary permit;
- 14 e. Practicing the profession during suspension from the practice; or
- 15 f. Proven addiction to drug or alcohol, impairing one's ability to practice the
16 profession, or declared with unsound mind by a court of competent jurisdiction. In
17 case of drug or alcohol addiction, a finding to this effect of a medical or drug testing
18 facility shall be sufficient.

19 Any person, firm or association may file charges in accordance with the provision of this
20 section against any registrant, or the Board may, on its own, investigate any of the
21 above-mentioned violations. An affidavit-complaint shall be filed together with the affidavits of
22 witnesses and other documentary evidence with the Board, through the Legal Service Office.
23 The Board may conduct an investigation, *motu proprio*, on a matter relating to the commission
24 of a violation: *Provided*, That such decision to investigate shall be embodied in a formal charge
25 to be signed by at least majority of its members. The rules on administrative investigation
26 issued by the PRC shall govern the hearing or investigation subject to applicable provisions of
27 this Act, Republic Act No. 8981 and the Rules of Court.

28 **SEC. 24. Reinstatement ,Reissuance of Revoked Certificate of Registration,**
29 **Replacement of Lost or Damaged Certificate of Registration, Professional**
30 **Identification Card or Special Temporary Permit.** –The Board may, upon application and
31 for reasons deemed proper and sufficient, reinstate any suspended or revoked certificate of
32 registration and professional identification card of a registered microbiologist two (2) years
33 after the date of revocation, and in so doing, may, in its discretion, exempt the applicant from
34 taking another examination: *Provided*, That the suspended microbiologist has established
35 fitness to practice anew. The Board shall issue a resolution to effect such reinstatement
36 subject to the approval by the PRC.

1 In the case of a lost or damaged certificate of registration, professional identification card
2 or special temporary permit, the replacement may be issued upon application of the valid
3 license holder in accordance with the prescribed procedure and subject to the payment of the
4 prescribed fees.

5 **SEC. 25. Renewal of Professional Identification Card.** -A professional identification
6 card shall be renewed every three (3) years upon compliance of the license microbiologist
7 with the requirements imposed by the Board, such as the CPD and payment of the
8 corresponding fees.

9 **SEC. 26. Roster of Microbiologists.** - The Professional Registry Division of the PRC
10 shall keep a roster of duly registered and licensed microbiologists, indicating their names,
11 registration numbers, and other pertinent information. The Board shall regularly update such
12 roster and make it available to all interested parties subject to the provisions of Republic Act
13 No. 10173, otherwise known as the Data Privacy Act of 2012.

14 **SEC. 27. Practice of Microbiology in other Professions Registered with the**
15 **Professional Regulation Commission.** - In synergy and convergence with other
16 professions regulated by the PRC where microbiology is an essential component of their
17 practice, Doctors of Medicine, Doctors of Veterinary Medicine, Medical Technologists,
18 Agriculturists, Pharmacists, and Food Technologists, among others, shall continue to practice
19 microbiology without need of registering under this Act.

20 **SEC. 28. Practice through issuance of Special Temporary Permits.** - Without
21 prejudice to the existing laws on the practice of professions by foreigners in the
22 Philippines, and subject to the approval of the PRC and payment of fees, the Board may issue
23 a special temporary permit to practice microbiology in the Philippines to the following:

- 24 a. Foreign registered or licensed microbiologists, or a recognized expert in
25 microbiology called in by the Philippine government or private institutions for
26 consultation or for any specific activity; and
27 b. Foreign registered or licensed microbiologists who have distinguished themselves
28 in their respective fields of specialization, and who are either directly hired or
29 employed as professors, lecturers or instructors in Microbiology by Philippine
30 schools, colleges, universities or research institutions: *Provided*, That their practice
31 of the profession shall be limited to the particular work for which they have been
32 commissioned: *Provided* further, that the special temporary permit shall be valid
33 for a maximum period of one (1) year, subject to renewal at the discretion of the
34 Board and the PRC.

1 **ARTICLE V**

2 **PRACTICE OF MICROBIOLOGY**

3 **SEC. 29. Prohibitions and Limitations in the Practice of Microbiology.** - No person
4 shall represent one's self in the Philippines as a microbiologist without a valid certificate of
5 registration and valid professional identification card, or a valid special temporary permit; or
6 make use of any word, letter, figure or sign whatsoever, tending to convey the impression that
7 one is a microbiologist, or advertise as qualified to perform the work as such, without holding
8 a valid certificate of registration in accordance with the provisions of this Act, except as
9 provided under Section 27 hereof. However, persons currently employed as microbiologists
10 or holding positions that require them to perform the functions of a microbiologist shall be
11 allowed to practice for two (2) years after the promulgation of this Act, after which, they shall
12 take the licensure examinations required by existing law, before they can continue to practice
13 the microbiology profession.

14 **SEC.30. Code of Ethics.** - The Board, in consultation with the AIPO, shall formulate the
15 Code of Ethics for the practice of the microbiology profession.

16 **SEC. 31. Foreign Reciprocity.** -No foreigner who is a licensed microbiologist shall be
17 allowed to practice the profession in the Philippines unless the country of such licensed
18 microbiologists grants the reciprocal authority to Filipino microbiologists to practice the
19 profession in that country, and to enjoy the same employment status and privileges of its own
20 citizens.

21 **ARTICLE VI**

22 **PENAL AND GENERAL PROVISIONS**

23 **SEC. 32. Penal Clause.** - Any person who shall violate any of the provisions of this Act
24 shall, upon conviction, be imposed with a fine of not less than Fifty thousand pesos (Php
25 50,000) but not more than One hundred thousand pesos (Php100,000), or with imprisonment
26 of not less than six (6) months nor more than five (5) years, or both, at the discretion of the
27 Court.

28 **SEC. 33. Funding Provisions.** - The Chairperson of the PRC shall immediately include
29 the agency's program the implementation of this Act, the initial funding of which shall be
30 charged against the current year's appropriations of the PRC and thereafter shall be included
31 in the annual General Appropriations Act.

32 **SEC. 34. Implementing Rules and Regulations.** -Within ninety (90) days from the
33 effectivity of this Act, the Board shall, subject to the approval of the PRC formulate the
34 necessary rules and regulations for its effective implementation.

35 **SEC. 35. Separability Clause.**-If any provision, section, or part of this Act shall be
36 declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any

1 other provision, section, or part hereof, but shall be merely confined to the provision, section,
2 or part there of that is directly involved in the issue upon which judgment has been rendered.

3 **SEC. 36. Repealing Clause.** - All laws, decrees, executive orders, rules and regulations
4 or parts thereof which are in conflict with the provisions of this Act are hereby repealed or
5 modified accordingly: *Provided*, however, That nothing in this Act shall be construed as
6 repealing or amending any portion of the laws of other professions regulated by the PRC.

7 **SEC. 37. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the
8 Official Gazette or in a newspaper of general circulation.

9 Approved,

FACT SHEET

House Bill No. 8835

In Substitution of House Bill Numbered 1485
(As approved by the Committee on February 19, 2020)

MICROBIOLOGY PROFESSIONS ACT

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Committee Referral: **COMMITTEE ON CIVIL SERVICE AND PROFESSIONAL REGULATION (Primary)**

Committee Chairperson: **HON. FREDERICK W. SIAO**

Committee Referral: **COMMITTEE ON APPROPRIATIONS (Secondary)**

Committee Chairperson: **HON. ERIC GO YAP**

OBJECTIVES:

- To upgrade and update the competence, knowledge, skills and attitudes of the Microbiology Practitioners; and

- To recognize Filipino microbiology practitioners as licensed professionals and make their services competitive and accessible not only in the Philippines but also globally.

KEY PROVISIONS:

- Creates the Professional Board of Microbiology to provide for a more effective supervision, control and regulation of the practice of microbiology in the country;
- Institutes a regulatory system that guarantees the delivery of technical services that ensures food safety, quality manufactured goods and responsive health and environmental care;
- Allows other professionals registered with the PRC such as Doctors of Medicine and Veterinary Medicine and Medical technologist to continue to practice the microbiology profession without registering under this Act;
- Requires the adoption of a Code of Ethics and a Code of Technical Standards for microbiologists which shall be promulgated by the Board, in consultation with the AIPO; Philippine Academy of Microbiology, Philippine Society for Microbiology, Inc.;
- Integrates all microbiology profession organizations in the country into one (1) accredited and integrated professional organization (AIPO), duly registered with the Securities and Exchange Commission (SEC) and recognized by the Professional Regulatory Board of Microbiology and the Professional Regulation Commission (PRC);
- Allows a foreigner to practice microbiology in the Philippines without having to undergo the microbiology licensure examination, if and when, the country of which the foreigner is a citizen, allows Filipino citizens to practice microbiology under the same conditions; and
- Penalizes violation of this Act.

RELATED LAWS:

- R.A. No. 8981, otherwise known as the *PRC Modernization Act of 2000, as amended*
- R. A. No. 10173 otherwise known as the Data Privacy Act of 2012