

[REPUBLIC ACT NO. 11241, March 11, 2019]

AN ACT REGULATING THE REGISTRATION, LICENSURE, AND PRACTICE OF OCCUPATIONAL THERAPY, PROVIDING FUNDS THEREFOR AND FOR OTHER RELATED PURPOSES

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

SECTION 1. *Short Title of Act.* - This Act shall be known as "The Philippine Occupational Therapy Law of 2018".

SEC. 2. *Statement of Policy.* - The State recognizes the importance of occupational therapists in nation building. Hence, it shall develop and nurture competent, virtuous, productive and well-rounded occupational therapists whose standards of practice and service shall be excellent, world-class and globally competitive through inviolable, honest, effective and credible licensure examinations and through regulatory measures, programs and activities that foster their continuing professional growth.

SEC. 3. *Definition of Terms.* - As used in this Act, the following terms shall mean:

(a) *Occupational Therapy* - is a client-centered health and well-being through occupation. The primary goal of occupational therapy is to enable people to participate in activities of everyday life. Occupational therapists achieve this outcome by working with people and communities they want to, need to, or are expected to do, or by modifying the occupation or the environment to better support their occupational engagement.

(b) *The Scope and Nature of the Practice of Occupational Therapy.* - shall embrace, but is not limited to, the analysis and application of purposeful and meaningful activities need to, or are expected to do, or by modifying the occupation or the environment to better support their occupational engagement.

(c) *The Scope and Nature of the Practice of Occupational Therapy.* - shall embrace, but is not limited to, the analysis and application of purposeful and meaningful activities specifically directed to occupational performance in the areas of self-care, work, play, and leisure. Reference to occupation is in the context of the individual's goal-directed use of time, energy, interest, and attention. Upon referral, occupational therapists interpret and intervene or address problems impeding functional or adaptive performance. The purpose is to prevent limitations in participation, and to promote, maintain, or restore occupational performance, health, and psychosocial well-being. Occupational therapy may be part of the health and/or social services in hospitals, community settings such as residential, vocational, and leisure centers, schools, day programs, private agencies, the academe, clinics, the workplace and other organizations which provide preventive or health promotive services.

(d) *Occupational Therapist* . - refers to a person who is a holder of a valid registration and professional license issued by the Board of Occupational Therapy and the Professional Regulation Commission, and who is legally qualified to practice occupational therapy in the Philippines pursuant to this Act.

ARTICLE II

CREATION OF THE PROFESSIONAL REGULATORY BOARD OF OCCUPATIONAL THERAPY

SEC. 4. *Creation and Composition of the Board.* - There is hereby created a Board of Occupational Therapy, hereafter referred to as the Board, under the administrative supervision of the Professional Regulation Commission, hereinafter referred to as the Commission, composed of a chairperson and two (2) members appointed by the President of the Philippines within six (6) months from the enactment of this Act upon the recommendation of the Commission from among occupational therapists of recognized standing nominated by the accredited and integrated professional organization of occupational therapists.

SEC. 5. *Powers and Functions of the Board.* - The Board shall have the following powers and functions:

(a) Promulgate, administer, and enforce rules and regulations necessary for carrying out the provisions of this Act;

(b) Supervise and regulate the registration, licensure and practice of occupational therapy in the Philippines;

(c) Administer oaths in connection with the administration of this Act;

(d) Adopt an official seal of the Board;

(e) Maintain a roster of occupational therapists indicating therein the basic information about the registered professionals;

(f) Issue, reinstate, suspend, cancel or revoke the registration and license, or special permits for the practice of occupational therapy;

(g) Study and monitor conditions affecting the practice of occupational therapy and adopt such measures as may be deemed necessary for the enhancement of the profession and maintenance of high professional and ethical standards;

(h) Ensure, in collaboration with the Commission on Higher Education (CHED) or its equivalent, that all educational institutions offering occupational therapy education comply with the prescribed policies, standards, and guidelines;

(i) Prescribe the Code of Ethics and Standards of Practice for occupational therapists endorsed by the accredited and integrated professional organization of occupational therapists;

(j) Hear or investigate any violations of this Act, its implementing rules and regulations and the Code of Ethics, and for this purpose, issue *subpoena duces tecum* and/or *ad testificandum* to secure the appearance of the witnesses and the production of documents in connection therewith: *Provided*, That the decision of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of judgment or decision;

- (k) Prescribe guidelines and criteria in the Continuing Professional Development (CPD) program for occupational therapists;
- (l) Prescribe the subjects in the licensure examination and table of specifications, determine the syllabi of the subjects and their relative weights, score and the rate examination papers, and submit the results to the Commission within the period provided for in the rules of the Commission;
- (m) Administer the examinations to applicants for the practice of occupational therapy in accordance with the provisions of this Act;
- (n) Adopt a program for the full computerization of the licensure examination;
- (o) Grant registration without examination subject to approval by the Commission;
- (p) Issue special permits to persons admitted to the practice of occupational therapy for a specific duration of time, and certificates of recognition for advanced studies, researches and accomplishments that contribute to the enrichment of the profession; and
- (o) Perform such other powers and functions as deemed necessary to carry out the objectives of this Act.

The policies, resolutions, rules and regulations, orders or decisions issued or promulgated by the Board shall be subject to review and approval of the Commission.

SEC. 6. *Qualifications of Board Members.* - The members of the Board shall, at all time of their appointment, possess the following qualifications:

- (a) A resident of the Philippines for at least (5) years;
- (b) A duly registered occupational therapist under this Act, with a valid certificate of registration and professional license;
- (c) Has engaged in rendering occupational therapy services for at least five (5) continuous years immediately preceding appointment;
- (d) A member of good standing of the accredited and integrated professional organization of occupational therapists, and not an officer thereof;
- (e) Has no prior conviction by any competent court, of an offense involving moral turpitude; and
- (f) Has no pecuniary interest, directly or indirectly, in any school, college or university or institution conferring an academic degree necessary for admission to the practice of occupational therapy; or where review classes in preparation for licensure examination are offered or conducted; nor be a member of faculty or administration thereof.

SEC. 7. *Term of Office.* - The members of the Board shall hold office for a term of three (3) years or until their successors have been appointed and duly qualified: *Provided*, That members of the first Board to be appointed after the approval of this Act shall hold office for the following terms: the chairperson for three (3) years, one (1) member for two (2) years, and the other member for One (1) year: *Provided, further*, That a chairperson or member may be reappointed for a second term, but

may not serve more than two (2) consecutive three (3)-year terms or six (6) consecutive years. Interim vacancies shall be filled for the unexpired term only.

SEC. 8. *Removal of Board Members.* - Any member of the Board may, upon the recommendation of the Commission after due process of law and investigation conducted by the Commission, be suspended or removed by the President from office for cause such as gross neglect of duty, incompetence, malpractice, unprofessionalism, immorality, unethical or dishonorable conduct, final judgment of crimes involving moral turpitude, and manipulating or rigging of the licensure examination results, disclosure of secret and confidential information in the examination questions prior to the conduct of the said examination, or tampering of grades.

SEC. 9. *Compensation and Allowances of the Board.* - The chairperson and members of the Board shall receive compensation and allowances comparable to that being received by the chairpersons and members of existing regulatory boards under the Commission as provided for in the General Appropriations Act.

SEC. 10. *Supervision of the Board, Custodian of Records, Secretariat and Support Services.* - The Board shall be under the administrative supervision of the Commission. All records of the Board, including applications for examination, examination papers and results, minutes of deliberation, administrative cases, and other investigations involving occupational therapists, shall be kept by the Commission.

The Commission shall designate the Secretary of the Board and shall provide the secretariat and other support services to implement the provisions of this Act.

SEC. 11. *Annual Report.* - The Board shall, at the close of each calendar year, submit an annual report to the Commission, giving a detailed account of its proceedings and accomplishments during the year and recommending measures to be adopted, with the end in view of upgrading and improving the conditions affecting the practice of occupational therapy in the Philippines.

ARTICLE III

LICENSURE EXAMINATION AND REGISTRATION

SEC. 12. *Examination Required.* - All applicants for registration for the practice of occupational therapy shall be required to undergo a licensure examination to be given by the Board in such places and dates as the Commission may designate subject to compliance with the requirements prescribed by the Commission.

SEC. 13. *Qualifications for Examination.* - An applicant for the licensure examination for occupational therapists shall establish, to the satisfaction of the Board, that the following qualifications are met:

(a) A citizen of the Philippines or a foreigner whose country has reciprocity agreement with the Philippines;

(b) Has not been convicted of an offense involving moral turpitude; and

(c) A graduate of a Bachelor of Science in Occupational Therapy degree or its equivalent as determined by the Board from a school, college or university in the

Philippines or abroad whose occupational therapy program is recognized by the CHED.

SEC. 14. *Scope of Examination.* - The licensure examination for occupational therapists shall cover the basic science and health science foundations integrated into the following domains:

(a) Occupational Therapy Applications 1

(1) Occupational Therapy Theories and Frames of Reference

(2) Growth and Human Development

(3) Occupational Performance and Behavior Across the Lifespan

(4) Occupational-based practice

(b) Occupational Therapy Application 2

(1) Adult Physical Dysfunction

(2) Occupational Therapy in Pediatrics

(3) Occupational therapy in Geriatrics

(4) Psychosocial Dysfunction

(5) Community-based practice

(c) Occupational Therapy Application 3

(1) Professional Reasoning and Behavior

(2) Professional Competence and Ethics

(3) Organization, Administration and Management

(4) Research Process

The Board, subject to the approval by the Commission, may revise or exclude any of the subjects or add new ones as the need arises, and may adjust or modify the percentage weight of the subjects in order to keep the examination abreast and in conformity with the latest development in the profession here and abroad.

SEC. 15. *Ratings in the Examination.* - To be qualified as having passed the licensure examination for occupational therapists, a candidate must have obtained a general average of seventy-five percent (75%), with no grade lower than sixty percent (60%) in any given subject.

SEC. 16. *Report of Ratings.* - The Board shall submit to the Commission the ratings obtained by each candidate within ten (10) calendar days after examination, unless extended for just cause.

SEC. 17. *Issuance of the Certificate of Registration, Professional License, and Professional Identification Card.* - Registration and a professional license shall be issued to examinees who pass the licensure examination for occupational therapist subject to payment of fees prescribed by the Commission. The registration and professional license shall bear the signature of the chairperson of the Commission