

[REPUBLIC ACT NO. 10862, May 25, 2016]

AN ACT REGULATING THE PRACTICE OF NUTRITION AND DIETETICS IN THE PHILIPPINES, REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1286, KNOWN AS THE "NUTRITION AND DIETETICS DECREE OF 1977", APPROPRIATING FUNDS THEREFORE, AND FOR OTHER PURPOSES

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

ARTICLE I
TITLE

SECTION 1. *Short Title.* - This Act shall be known as the "Nutrition and Dietetics Law of 2016".

ARTICLE II
GENERAL PROVISIONS

SEC. 2. *Declaration of Policy.* - The State recognizes the important role of registered nutritionist-dietitians (RNDs) in nation building and in human development through adequate nutrition. Towards this end, the State shall promote the sustained development of RNDs whose competence has been determined by honest and credible licensure examinations, and whose standards of professional service and practice are internationally recognized and considered world-class, brought about by regulatory measures, programs and activities that foster growth and advancement of the profession.

SEC. 3. *Objectives.* - This Act shall govern:

- (a) The standardization and regulation of nutrition and dietetics education;
- (b) The examination, registration and licensure of nutritionist-dietitians;
- (c) The standardization, supervision, control, and regulation of the practice of nutrition and dietetics;
- (d) The development of professional competence of nutritionist-dietitians through continuing professional development (CPD); and
- (e) The integration of the nutrition-dietetics profession.

SEC. 4. *Definition of Terms.* -

- (a) *AIPO* refers to the one and only accredited integrated professional organization

of nutritionist-dietitians recognized by the Professional Regulatory Board of Nutrition and Dietetics, subject to the approval of the Professional Regulation Commission.

(b) *Dietetics* refers to the science and art of applying the principles of nutrition to the planning and preparation of foods, and the regulation of the diet in relation to both health and disease. It also refers to the promotive, preventive, therapeutic, and administrative aspects of the delivery of nutritional services in hospitals, food service institutions and other health care institutions/facilities.

(c) *Nutrition* refers to the science of dealing with foods, nutrient composition, eating habits, nutritional status, and health and diseases of individuals and populations. Nutrition also covers the social, economic, environmental, cultural, political, and psychological implications of food and eating.

(d) *Nutritionist-Dietitian* refers to a registered and licensed person who holds a valid certificate of registration and a valid professional identification card issued by the Board and the Commission pursuant to this Act.

(e) *Profession* refers to the practice of the science and art or discipline of nutrition and dietetics combined.

ARTICLE III NUTRITION AND DIETETICS EDUCATION

SEC. 5. *Nutrition and Dietetics Education Program.*- The Nutrition and Dietetics Education Program shall provide sound general and professional foundation for the practice of nutrition. The learning experiences shall adhere strictly to specific requirements embodied in the prescribed curriculum as promulgated by the Commission on Higher Education (CHED). These shall guide the policies and standards for Nutrition and Dietetics education.

SEC. 6. *Qualifications of the Faculty.* - A member of the faculty in a college offering a program on nutrition and dietetics must:

- (a) Be an RND in the Philippines;
- (b) Preferably have at least one (1) year of practice in a field of specialization;
- (c) Be a member of good standing of the AIPO; and
- (d) Preferably be a holder of a master's degree in nutrition and dietetics, education, or other allied medical and health sciences conferred by a college or a university duly recognized by the CHED.

In addition to the aforementioned qualifications, the head of the program must have a master's degree in nutrition and dietetics and must have at least five (5) years of experience in nutrition and dietetics: *Provided*, That the Board, as created in Section 7, may impose additional qualifications for the faculty that will further enhance the standards of the profession.

ARTICLE IV PROFESSIONAL REGULATORY BOARD OF NUTRITION

AND DIETETICS

SEC. 7. Creation and Composition of the Professional Regulatory Board of Nutrition and Dietetics. - There is hereby created a Professional Regulatory Board of Nutrition and Dietetics, hereinafter referred to as the Board, a collegial body under the administrative supervision and control of the Professional Regulation Commission, hereinafter referred to as the Commission, to be composed of a Chairperson and two (2) members appointed by the President of the Philippines from a list of two (2) recommendees for each position chosen and submitted by the Commission thereto from a list of three (3) nominees for every position endorsed by the AIPO.

SEC. 8. Qualifications of Chairperson and Members of the Board. - The Chairperson or members shall, at the time of their appointment, possess all the following requirements:

- (a) A citizen and a resident of the Philippines;
- (b) At least thirty-five (35) years of age;
- (c) Of good moral character;
- (d) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude;
- (e) Have at least five (5) years of continuous practice of the profession prior to their appointment;
- (f) A holder of a post-graduate degree in nutrition and dietetics or a related field as determined by the Commission from an institution recognized by the CHED;
- (g) Have at least five (5) years of continuous practice of the profession prior to their appointment;
- (h) A member in good standing of the AIPO;
- (i) Not a member of the faculty of any school, college or university where a course in nutrition and dietetics is offered at the time of appointment;
- (j) Not an owner, shareholder, manager, consultant, staff or in any way connected to a review school or center; and
- (k) Not an officer, board member or trustee of the AIPO.

Provided, That any person who is appointed as Chairperson or member of the Board shall automatically resign from any teaching position in any school, college or university, and/or review program for the local nutrition-dietetics board examinations. They shall not have any pecuniary interest in, or administrative supervision over, any institution offering nutrition and dietetics programs, including review classes.

SEC. 9. *Term of Office.* - The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have qualified and been appointed. They may be reappointed to the same office for another term of three (3) years immediately after the expiry of their term: *Provided,* That the holding of such position or office shall not be more than two (2) terms or not more than six (6) years. Any vacancy in the position of the Chairperson shall be occupied in an acting capacity or as an officer-in-charge by the most senior member of the Board until the Chairperson shall have been appointed. The Chairperson and the members shall duly take their oath of office.

SEC. 10. *Compensation, Allowances and Other Benefits.* - The Chairperson and members of the Board shall receive compensation, allowances and other benefits as provided for in the General Appropriations Act, subject to existing rules and regulations issued by the Department of Budget and Management (DBM).

SEC. 11. *Powers, Functions, Duties and Responsibilities of the Board.* - The Board shall exercise executive, administrative, rule-making, and quasi-judicial powers in carrying out the provisions of this Act. It shall be vested with the following specific powers, functions, duties and responsibilities:

Regulatory Functions:

(a) Issue and promulgate the rules and regulations implementing the provisions of this Act;

(b) Adopt and promulgate a Code of Ethics, Code of Good Governance, and Code of Technical Standards for the Practice of Nutrition and Dietetics;

(c) Adopt an official seal of the Board;

(d) Conduct regular consultation with members and other concerned organizations on enhancing the professional development of nutritionist-dietitians;

(e) Together with the Commission, enter into a Memorandum of Agreement with the CHED in ensuring that all higher educational instructions and offerings of degree, course or program comply with the policies, standards, and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library, and facilities;

Licensure Functions:

(f) Prescribe and promulgate the tables of specifications and syllabi for the subjects in the licensure examination/s in consultation with the academe and the CHED

(g) Prepare questions for the subjects in the licensure examinations, give and correct the said examinations and release their results;

(h) Evaluate and approve applications for licensure examination/s;

(i) Issue, suspend, revoke or reinstate the certificates of registration and special/temporary permits for the practice of nutrition and dietetics;

(j) Administer oaths in the performance of its functions;

(k) Monitor the conditions affecting the practice of nutrition and dietetics as may be deemed proper for the maintenance of professional, ethical and technical standards;

(l) Reissue or reinstate revoked/suspended certificates of registration and unexpired professional identification cards: *Provided*, That the revoked certificate of registration shall only be reissued after the lapse of the period provided in this Act: *Provided, further*, That the Board shall issue a resolution thereon, subject to approval by the Commission, after the suspended RND has established fitness to practice anew nutrition and dietetics;

Administrative Functions:

(m) Hear and investigate cases on violations of this Act, its implementing rules and regulations, the Code of Ethics, the Code of Good Governance, the Code of Technical Standards for the practice of profession, and other policies; and for this purpose, Issue summons, subpoena *ad testificandum* and subpoena *duces tecum* to secure the attendance of parties or witnesses or the production of documents in such hearings or investigations;

(n) Delegate the hearing or investigation of cases against alleged violators: *Provided*, That the hearing or investigation of cases wherein the issue or question involved strictly concerns the technical practice of nutrition and dietetics shall be presided over by at least one (1) member of the Board assisted by a Legal or Hearing Officer of the Commission;

(o) Endorse cases involving criminal violations of this Act and other laws, its rules and regulations, and other policies to the Prosecution Office for investigation and, at the discretion of the Board, file a complaint with the same;

(p) Decide administrative cases against examinees or RNDs: *Provided*, That if found guilty, the Board shall cancel their examination papers and/or ban them from taking another licensure examination, or revoke/suspend their certificate of registration: *Provided, further*, That the effectivity of the penalty shall only commence from the date of surrender of the said certificates together with the professional identification cards: *Provided, furthermore*, That the decision of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

(q) Conduct, through the Legal or Hearing Officer, summary proceedings on minor violations of this Act, its implementing rules and regulations (IRR), any of the Codes aforementioned, the General Instructions to Examinees committed by examinees, and to render summary judgment thereon which shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

(r) Prepare an annual report of accomplishment, programs, projects and activities of the Board during the year of submission to the Commission after the close of each calendar year and make appropriate recommendations on issues or problems affecting the profession to the Commission; and