

[REPUBLIC ACT NO. 10024, March 09, 2010]

**AN ACT REGULATING THE PRACTICE OF RESPIRATORY THERAPY,
CREATING A PROFESSIONAL REGULATORY BOARD OF
RESPIRATORY THERAPY, APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES**

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

**ARTICLE I
TITLE, STATEMENT OF POLICY, DEFINITION OF TERMS**

SECTION 1. *Title.* — This Act shall be known and cited as the "Philippine Respiratory Therapy Act of 2009".

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

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

- a. *Respiratory Therapy* is an allied health specialty employed with medical direction in the treatment, management, control, diagnostic evaluation and care of patients with deficiencies and abnormalities in the cardiopulmonary system.
- b. *Respiratory Therapist* is a person who is a holder of a valid certificate of registration and a professional identification card issued by the Professional Regulatory Board of Respiratory Therapy and the Professional Regulation Commission and who is legally qualified to practice respiratory therapy in the Philippines pursuant to this Act.
- c. *Respiratory Therapy Technician* is a person who has been registered and issued a valid certificate of registration and professional identification card and who has undergone a two(2)-year associate or certificate program in respiratory therapy procedures and whose specific assignments are supervised by a registered respiratory therapist. Such assignments are within the limits of a hospital or an institution of employment.
- d. *Accredited Respiratory Training Center* is a respiratory therapy unit or pulmonary laboratory, office, center, agency, clinic, hospital or sanitarium duly approved by the Department of Health or its authorized agency.

- e. *Recognized School of Respiratory Therapy* is any school, college, or university that offers a course in Respiratory Therapy as approved by the Commission on Higher Education in accordance with the requirements under this Act, upon recommendation of the Board of Respiratory Therapy.

ARTICLE II

THE PROFESSIONAL REGULATORY BOARD OF RESPIRATORY THERAPY

SEC. 4. *Creation and Composition of the Board.* — There is hereby created a Professional Regulatory Board of Respiratory Therapy hereinafter called the Board, 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 who shall be appointed by the President of the Philippines from three (3) recommendees submitted by the Commission from among a list of five (5) nominees for each position submitted by the integrated professional organization of respiratory therapists. The Board shall be organized not later than six (6) months from the effectivity of this Act.

SEC. 5. *Qualifications of the Members of the Board.* — The Chairperson and members of the Board shall, at the time of their appointment, possess the following qualifications:

- a. Must be a natural born citizen and resident of the Philippines;
- b. Must be at least thirty-five (35) years of age if he/she is the chairperson or at least thirty (30) years old if he/she is a member;
- c. Must be a duly registered respiratory therapist in the Philippines with a valid certificate of registration and professional identification card: *Provided*, That in case of the first members of the Board of Respiratory Therapy, they shall be issued certificates of registration and professional identification cards as respiratory therapists without prior examination: *Provided, further*, That in case a masteral degree course for respiratory therapy is developed, future members of the Board must henceforth be holders of a Masteral Degree in Respiratory Therapy;
- d. Must be a holder of a baccalaureate degree in respiratory therapy with at least fifteen (15) years of professional experience and with at least five (5) years of professional experience as director, supervisor or head of said laboratory or unit of a Department of Health recognized hospital prior to his/her appointment;
- e. Must not be an elected officer of the integrated and accredited national organization of respiratory therapists;
- f. Must not have been convicted by any competent court of an offense involving moral turpitude; and
- g. Must not have any pecuniary interest, directly or indirectly, in any school, college, university or institution conferring an academic degree necessary for admission to the practice of respiratory therapy or where review classes in preparation for the licensure examination are being offered or conducted, nor shall he/she be a member of the faculty or of the administration thereof at the time of his/her appointment to the Board.

SEC. 6. *Term of Office of Board Members.* — The Chairperson and the members of the Board shall hold office for a term of three (3) years or until their successors shall 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: chairperson for three (3) years, one (1) member for two (2) years, and the other member for one (1) year: *Provided, further,* That the chairperson or any member may be re appointed for another term of three (3) years but in no case shall the whole term exceed six (6) years. Interim vacancies in the Board shall be filled for the unexpired term only. Each member of the first Board shall automatically be registered as respiratory therapist and issued a certificate of registration and professional identification card and shall take the proper oath of office prior to assumption of duty.

SEC. 7. *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. 8. *Powers and Functions of the Board.* — The Board shall have the following powers and duties:

- a. Promulgate, administer and enforce rules and regulations necessary for carrying out the provisions of this Act;
- b. Administer oaths in connection with the administration of this Act;
- c. Study the conditions affecting the practice of respiratory therapy in the Philippines and adopt measures for the enhancement of the profession, and the maintenance of high professional ethical standards. The Board may conduct ocular inspection at places where registered respiratory therapists are employed or are working, such as hospitals and clinics, to determine and enforce compliance with the professional regulatory laws and the rules and regulations promulgated pursuant thereto, to aid the Board in formulating or revising policies relating to the practice of respiratory therapy;
- d. Ensure, in coordination with the Commission on Higher Education (CHED), that all educational institutions offering respiratory therapy education comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;
- e. Supervise and regulate the registration, licensure and practice of respiratory therapy in the Philippines;
- f. Adopt an official seal of the Board;
- g. Maintain a roster of respiratory therapists indicating therein the basic information about the registered professionals;
- h. Issue, reinstate, suspend or revoke the certificate of registration and professional identification card or cancel special permits for the practice of respiratory therapy;
- i. Prescribe and/or adopt a Code of Ethics and Standards for the practice of respiratory therapy;
- j. Hear or investigate any violations of this Act, its implementing rules and regulations and the Code of Ethics for Respiratory Therapists, and for this purpose, to issue *subpoena daces tecum* 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. Determine and evaluate the qualifications of applicants for registration with or without licensure examination and applicants for special permits;
- l. Prescribe the subjects in the licensure examination, determine the syllabi of the subjects and their relative weights, construct test questions in the licensure examination, score and rate the examination papers and submit the examination results to the Commission;
- m. Grant registration without examination subject to approval by the Commission;
- n. Issue special permits to persons admitted to the practice of respiratory 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;
- o. Adopt a program for the full computerization of the licensure examination;
- p. Prescribe guidelines and criteria in the continuing professional education (CPE) program for respiratory therapists; and
- q. Perform such other powers and functions as it may deem 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 the review and approval of the Commission.

SEC. 9. Suspension and/or Removed 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, manipulation 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, and tampering of grades.

SEC. 10. Supervision of the Board, Custodian of its Records, Secretariat and Support Services. — The Board shall be under the administrative supervision of the Commission. All records of the Board, including applications, examination papers and results, minutes of deliberation, administrative cases, and other investigations involving respiratory 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 respiratory therapy in the Philippines.

ARTICLE III

LICENSURE EXAMINATION AND REGISTRATION

SEC. 12. *Examination Required.* — All applicants for registration for the practice of respiratory 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. *Qualification of Applicants.* — An applicant for the licensure examination for respiratory therapists shall establish to the satisfaction of the Board, that:

- a. He/She is a citizen of the Philippines, or if he/she is a foreigner, must prove that the country of which he/she is a subject or citizen thereof permits Filipino respiratory therapists to practice within its territorial jurisdiction on the same basis as the subjects or citizens of such country;
- b. He/She has completed at least ten (10) months of internship equivalent to a minimum of one thousand five hundred (1,500) hours of respiratory therapy clinical internship under the supervision of a competent, duly qualified and registered respiratory therapist;
- c. He/She is a graduate of a Bachelor of Science in Respiratory Therapy degree from a school, college or university in the Philippines or abroad recognized and accredited by the CHED;
- d. He/She is of good moral character; and
- e. He/She must not have been convicted of an offense involving moral turpitude by a competent court.

SEC. 14. *Scope of Examination.* — The licensure examination for respiratory therapists shall cover the following subjects:

- a. Patient Assessment and Electrocardiography;
- b. Cardiopulmonary Pathophysiology;
- c. Neonatal and Pediatric Respiratory Therapy;
- d. Mechanical Ventilation;
- e. Acid-Base Physiology and Blood Gas Interpretation;
- f. Airway Care and Management;
- g. Pulmonary Function Testing;
- h. Pulmonary Rehabilitation; and
- i. Oxygen Therapy.

The Board, subject to the approval of the Commission, may revise or exclude any of the subjects or add new ones as the need arises.

SEC. 15. *Ratings in the Examination.* — To be qualified as having passed the licensure examination for respiratory 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. *Registration Without Examination as Respiratory Therapists.* — A person who possesses the pertinent qualifications required for admission in the examination for registration as a respiratory therapist pursuant to the provisions of this Act may