

[REPUBLIC ACT NO. 9484, June 02, 2007]

AN ACT TO REGULATE THE PRACTICE OF DENTISTRY, DENTAL HYGIENE AND DENTAL TECHNOLOGY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 4419, OTHERWISE KNOWN AS "AN ACT TO REGULATE THE PRACTICE OF DENTISTRY IN THE PHILIPPINES, AND FOR OTHER PURPOSES", AND REPUBLIC ACT NO. 768, OTHERWISE KNOWN AS "AN ACT TO REGULATE THE PRACTICE OF DENTAL HYGIENISTS IN THE PHILIPPINES, AND FOR OTHER PURPOSES", AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I

TITLE, STATEMENT OF POLICY, OBJECTIVES, AND SCOPE OF PRACTICE

Section 1. *Title.* - This Act shall be known as "The Philippine Dental Act of 2007".

SEC. 2. *Statement of Policy.* - The State recognizes the importance of dentists, dental hygienists and dental technologists in nation-building. Hence, it shall develop and nurture competent, productive, morally-upright, and well rounded dentists, dental hygienists and dental technologists whose standards of professional practice and service shall be excellent, qualitative, world-class and internationally recognized, globally competitive through regulatory measures, programs and activities that foster their continuing professional development.

SEC. 3. *Objectives.* - This Act provides for:

- a. The regulation, control, and supervision of the practice of dentistry, dental hygiene and dental technology in the Philippines;
- b. The giving of licensure examination to graduates of recognized dental schools of dentistry, dental hygiene and dental technology for the purpose of registration;
- c. The accreditation of the various specialties of dentistry;
- d. The promotion and development of continuing dental education and research in the country;
- e. The enforcement of the Code of Ethics and Code of Dental Practice in the Philippines; and

- f. The stipulation of penalties for infractions or violations of this Act or any other laws, rules and regulations authorized under the provisions of this Act.

SEC. 4. Definition and Scope of Practice. -

- a. Dentist - refers to a person who is a holder of a valid certificate of registration and professional identification card in Dentistry who renders dental service within the meaning and intent of this Law and who, for a fee, salary, compensation or reward, paid to him/her or through another, or even without such compensation or reward, performs any operation or part of an operation, upon the human oral cavity, jaws, teeth and surrounding tissues; prescribes drugs or medicines for the treatment of oral diseases or lesions, or prevents and or corrects malpositions of the teeth or implantation of artificial substitutes for lost teeth; and teaches subjects in the licensure examination; or engages in dental research: *Provided, however,* That this provision shall not apply to dental technologists engaged in the mechanical construction of artificial dentures or fixtures or other oral devices, as long as none of such procedures is done inside the mouth of the patient; nor shall this provision apply to students of dentistry undergoing practical training in a legally constituted dental school or college under the direction or supervision of a member of the faculty who is duly licensed to practice dentistry in the Philippines; or to registered dental hygienists who may be allowed to perform preventive oral hygiene procedures and other procedures or to dentistry graduates working as dental assistants to licensed and registered dentist authorized to practice dentistry in the Philippines who are engaged :in private practice: *Provided, further,* That these dentistry graduates work under their direct supervision.
- b. Dental Hygienist - refers to a person who is a holder of a valid certificate of registration and professional identification card and has undergone a two year course in dental hygiene from a government recognized school under a college of dentistry and passing the prescribed board examination for dental hygienist, renders oral health promotion and preventive measures, performs scaling and polishing, oral examination, taking brief clinical history, taking radiograph, and giving oral health education to patients under the supervision of a licensed dentist.
- c. Dental Technologist - refers to a person who is a holder of a valid certificate of registration and professional identification card and who renders technical services such as mechanical construction of artificial denture and other oral devices under the supervision of a licensed dentist, and has finished a two year certificate course in dental technology from any government recognized school.

ARTICLE II

THE PROFESSIONAL REGULATORY BOARD OF DENTISTRY

SEC. 5. *Composition of the Board.* - There is hereby created a Professional Regulatory Board of Dentistry, hereinafter referred to as the Board, under the administrative control and supervision of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission, composed of a chairman and four members who shall be appointed by the President of the Philippines from the recommendees chosen and ranked by the Commission from a list of nominees

submitted by the accredited and integrated professional organization.

SEC. 6. *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. Administer oaths in connection with the administration of this Act;
- c. Study the conditions affecting the practice of dentistry, dental hygiene and dental technology in the Philippines;
- d. Adopt or recommend such measures or discharge such duties, as may be deemed proper for the advancement of the profession and the vigorous enforcement of this Act;
- e. Ensure, in coordination with the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), the Accredited Professional Organization, and the Association of Dental Colleges, that all educational institutions offering dentistry, dental hygiene, and dental technology comply with the policies, standards and requirements of the course prescribed by the CHED or TESDA in the areas of curriculum, faculty, library, and facilities;
- f. Supervise and regulate the registration, licensure and practice of dentistry, dental hygiene and dental technology in the Philippines;
- g. Adopt an official seal of the Board;
- h. Issue, reinstate, suspend or revoke the certificate of registration and professional identification card or cancel special permits for the practice of dentistry, dental hygiene and dental technology;
- i. Prescribe and/or adopt a Code of Ethics and a Code of Dental Practice for the practice of dentistry, dental hygiene and dental technology;
- j. Prescribe guidelines and criteria in the Continuing Professional Education (CPE) program for dentistry, dental hygiene and dental technology;
- k. Hear or investigate any violation of this Act, its implementing rules and regulations, and the Code of Ethics for dentists as shall come to the knowledge of the Board and for this purpose, issue a *subpoena duces tecum* to secure the appearance of witnesses and the production of documents in connection therewith;
- l. Accredite various specialties, dental societies! organizations; and
- m. Perform such other powers and functions as it may deem necessary to carry out the objectives of this Act.

SEC. 7. *Qualification of the Chairman and Members of the Board.* - The chairman and members of the Board shall, at the time of his/her appointment, possess the following qualifications:

- a. Be a natural-born citizen of the Philippines and a resident thereof;
- b. Be a duly registered dentist in the Philippines with a valid certificate of registration and professional identification card;
- c. Be a member of good standing of the accredited professional organization for the last five years: *Provided*, That a member of the Board may not qualify in any position, whether elective or appointive or serve as an officer of the accredited and integrated professional organization of dentists, dental hygienists, and dental technologists during his/her incumbency as such;
- d. Have at least ten (10) years of continuous experience as a dentist and preferably with three (3) years of teaching experience;
- e. Not be a member of the faculty of any school, college, or university where undergraduate and graduate courses in dentistry are taught and where dental hygiene and dental technology courses and review courses are offered, nor shall have, directly or indirectly, any pecuniary interest in such institution; and
- f. Not be connected in any capacity with any business enterprise, firm or company in the buying, selling or manufacture of dental goods, equipment, materials or supplies.

SEC. 8. *Term of Office.* - The chairman and the members of the Board shall serve for a term of three years from the date of their appointments and may be reappointed for another term. The member serving the last year of his term shall automatically become the chairman of the Board and shall not be able to succeed himself immediately after the expiration of his/her term of office so that the term of one member shall be due to expire every year: *Provided, however*, That all appointments as chairman shall be approved by the President: *Provided further*, That an appointment for any existing vacancy or vacancies shall be made within one month from the time the vacancy occurred and shall be for the unexpired portion of the term only.

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

SEC. 10. *Suspension and Removal from Office.* - 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 neglect of duty, abuse of power, oppression, incompetence, unprofessional, unethical, immoral or dishonorable conduct, commission or toleration of irregularities in the conduct of examination or tampering of the grades therein, or for any final judgment or conviction of any criminal offense involving moral turpitude by the court after having been given the opportunity to defend himself in a proper administrative investigation.

SEC. 11. *Supervision of the Board.* - The secretary of the Board shall be appointed by the Commission subject to the provisions of existing laws and all records and minutes of the deliberation of proceedings of the Board and other confidential documents shall be kept under the direct custody of the Commission. The Commission shall provide the secretariat and other support services to implement the provisions of this Act.

SEC. 12. *Annual Report.* - The Board shall, within sixty (60) days after the close of each fiscal year, prepare and submit an annual report to the Commission, giving a detailed account of the proceedings of the Board during the year, recommending measures to be adopted, with the end in view of upgrading and improving the conditions affecting the practice of Dentistry in the Philippines.

ARTICLE III

LICENSURE EXAMINATION AND REGISTRATION

SEC. 13. *Examination Required.* - All applicants for registration for the practice of Dentistry, Dental Hygiene and Dental Technology 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 the compliance with the requirements prescribed by the Commission in accordance with Republic Act No. 8981.

SEC. 14. *Qualification for Admission to the Licensure Examination.* -

a. For Dentistry - An applicant for the licensure examination for dentists shall establish to the satisfaction of the Board, that:

1. he/she is a citizen of the Philippines, or if a foreigner, must prove that the country of which he/she is a subject or citizen permits Filipino dentists to practice within its territorial jurisdiction on the same basis as the subjects or citizens of such country;
2. he/she has not been convicted of an offense involving moral turpitude;
3. he/she is a graduate of a recognized and legally constituted university, college, school or institute with a degree of doctor of dental medicine or its equivalent; and
4. he/she has completed the refresher course required after failing three consecutive licensure examinations.

b. For Dental Hygiene - In order to be admitted to the licensure examination for dental hygienists, an applicant must at the time of filing his application thereof, establish to the satisfaction of the Board, that:

1. he/she is a citizen of the Philippines;
2. he/she possesses good moral character;