

[Act No. 3079, March 16, 1923]

AN ACT TO AMEND SECTION NINE HUNDRED AND SIXTY-SEVEN OF THE ADMINISTRATIVE CODE RELATIVE TO THE PHILIPPINE HEALTH SERVICE, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section nine hundred and sixty-seven of the Administrative Code is hereby amended to read as follows: "Sec. 967. Grade of original appointments.— Except as provided in this section, no original appointment in the commissioned service shall be made above the grade of surgeon.

"The Department Head may however recommend the original appointment or promotion to any grade in the commissioned service of competent and well-trained physicians legally entitled to practice medicine in the Philippine Islands, and the Governor-General may, with the consent of the Senate, appoint or promote them to such grade. Persons so appointed or promoted may, in the discretion of the Department Head, be exempted from the required civil service examination ordinarily pertaining to the grade to which originally appointed, if they present documentary or other evidence demonstrating to the satisfaction of the Department Head that such persons possess special ability and fitness in medicine, surgery, and hygiene and are fully qualified to perform all the duties of the grades to which they are appointed: *Provided*, That the number of persons so appointed or promoted in any one grade above that of surgeon shall never exceed one-fourth of the total number of officers authorized for such grade.

"If the Director of Health finds that a necessity exists for special expert services in the commissioned service, and, with the approval of the Department Head, certifies that no physician or surgeon then in the service possesses the requisite special qualifications, an original limited appointment may be given by the Governor-General, with the consent of the Senate, for a period of four years or less, to any physician or surgeon possessing the necessary expert qualifications.

"The Governor-General may, upon recommendation of the Secretary of Public Instruction and with the consent of the person concerned, transfer to or appoint in the commissioned service any physician serving or who has honorably served as a commissioned officer in the Medical Department of the Philippine Constabulary or as a regular or as acting assistant surgeon in the United States Public Health Service. Active service as commissioned medical officer in the Constabulary or Philippine National Guard or as a commissioned officer of the Army, Navy, or Public Health Service of the United States shall, for the purposes of rank, pay and promotion, be credited to such physician on said transfer or appointment.