

[Act No. 2468, February 05, 1915]

AN ACT REORGANIZING THE PHILIPPINE HEALTH SERVICE, AND FOR OTHER PURPOSES.

By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. *Philippine Health Service; its establishment.*—All property, material, and belongings of the Bureau of Health are hereby transferred to an organization to be denominated the "Philippine Health Service," and all services and functions heretofore exercised by the Bureau of Health, by virtue of existing laws, orders, and regulations, shall hereafter be exercised under the Department of the Interior by the said Philippine Health Service.

SEC. 2. *Council of Hygiene.*—The Philippine Health Council of Hygiene-Service shall include a board to be known as "Council of Hygiene," which shall have the powers and duties as herein provided.

SEC. 3. *Powers, duties, and jurisdiction of the Council of Hygiene.*—The powers, duties, and jurisdiction of the Council of Hygiene shall be as follows:

(a) To investigate, study, and advise as to any matters of hygiene and public health in the Philippine Islands, particularly those concerning vital statistics, puericulture, nutrition, potable waters, sanitary condition of dwellings, removal and disposal of refuse, public works for drainage purposes, prevention of contagious and epidemic diseases, school hygiene, industrial and professional hygiene, marine and harbor health matters, exploitation or sale of foods, drugs, and medicines, operation of provincial health inspection, health districts and municipal health districts, and the practice of medicine and surgery in all their branches, of odontology, optometry, pharmacy, veterinary medicine, nursing, midwifery, and embalming.

(b) To require in its discretion information concerning any matter related with the public health from the various branches, Bureaus, and Offices of the Insular, provincial, and municipal governments, from professionals or persons in charge of work related with the health service, and from the owners, managers, lessees, and occupants of public places.

(c) To propose, subject to the approval of the Secretary of the Interior and through the Director of Health, drafts for laws, including sanitary rules and ordinances for consideration of the Legislature and regulations for preventing and suppressing contagious or epidemic diseases of man, or of animals if liable to affect human beings; for the general and systematic vaccination of the inhabitants of the Philippine Islands and inoculation with serums and prophylactics, if such measures shall at any time become necessary; for the abatement of nuisances endangering the public health; for the removal of the cause of any special disease or mortality; for the making of such interior quarantine regulations as it shall deem necessary in the city of Manila and all other cities, municipalities, and provinces, and in the places where there are no health officers.

(d) Either through the secretary of the Council or through their own action to prepare literature on matters of health and sanitation for the education of the people of the Philippine Islands; and its advice shall be at all times available to the Director of Health.

(e) To propose regulations for the management of hospitals, dispensaries (except the General Hospital), sanatoria, colonies, insane asylums, orphanages and invalid homes of the Government, and, subject to the approval of the Director of Health, to direct the management of orphanages and invalid homes of the Government and, subject to the like approval, to distribute such charity funds as may be lawfully under control of the Director of Health in such dispensaries or health establishments as may, in its judgment, be qualified to render such public health services and are at present rendering them.

(f) To propose regulations on hygiene or sanitation relative to houses, theaters, cinematographs, hotels, boarding houses, restaurants, barber shops, factories, mills, schools, prisons, dairies, markets, meat shops, bakeries, public water supplies, public bathhouses, wells, cisterns, cemeteries, crematories, undertaking establishments, asylums, jails, barracks, barrooms, railroads, tramways, public vehicles and all public institutions and places of public resort.

(g) The Council of Hygiene, through its medical members, shall assist the Director of Civil Service in the preparation and rating of examinations for appointment and promotion in the Philippine Health Service and nominations therefor under rules and regulations to be established by the Secretary of the Interior.

(h) It may aid in the preparation of estimates for appropriations for the Philippine Health Service.

(i) To recommend to the Director of Health the time and place and regulations for the holding of conferences once each year of all or a certain number of the health inspectors and district health inspectors for the study and consideration of matters in relation with the proper performance of their respective duties and for the discussion, perfection, and unification of health measures in the Philippine Islands, the expenses thereof to be paid out of the funds of the Philippine Health Service.

(j) Medical officers of the Philippine Health Service shall hold office during good behavior unless otherwise specifically provided by law, and no such officer shall be dismissed from the service without hearing and without consideration of the recommendation of the Council of Hygiene, and the Director of Health shall have the right to ask its recommendation in any disciplinary case of less serious character affecting a medical officer of the service; and for these purposes the Council of Hygiene is hereby empowered to receive and require evidence and to recommend to the Secretary of the Interior acquittal or judgment of penalties or of reprimand, reduction of pay, loss in rank, or dismissal from the service: *Provided*, That such recommendation must receive the assent of not less than four members of the Council: *Provided further*, That nothing herein shall be construed to prevent the discharge from the service of persons

physically unfit for service or who fail to pass satisfactory examinations as herein provided.

(k) It shall have such other powers and duties as are hereinafter prescribed.

SEC. 4. *Members of the Council of Hygiene; their appointment and qualifications.*—The Council of Hygiene shall be composed of a professor of the College of Medicine and Surgery of the University of the Philippines, a professor of the medical faculty of the University of Santo Tomas, a member of the Colegio Medico-Farmaceutico, a member of the Philippine Islands Medical Association, a senior officer of the Philippine Health Service, one attorney at law, and one other person who shall be an owner of real property in the Philippine Islands, all to be appointed by the Governor-General on nomination of the Secretary of the Interior.

SEC. 5. *Compensation.*—The president of the Council of Hygiene shall receive in lieu of per diems an annual salary of two thousand four hundred pesos, and the other appointive members, if not in receipt of any salary from the Government, shall receive per diems at the rate of twenty pesos Philippine currency for each meeting actually attended by them, or for each day spent outside of Manila on official business, not to exceed in the case of any individual the sum of six hundred pesos in any one year, plus reimbursement for all actual subsistence and necessary transportation expenses during travel. Members in receipt of salary or half salary from the Government shall receive only the said reimbursement: *Provided*, That any person possessing the qualifications herein prescribed for membership of the said Council may be appointed thereto without annual compensation notwithstanding the provisions of Act Numbered Fifteen hundred and eighty-two as amended.

SEC. 6. *Term of office.*—The appointive members shall hold office for a term of five years: *Provided, however*, That those first appointed shall hold office for one, two, three, four, and five years, respectively, as fixed in their appointments.

Sec. 7. *Meetings.*—The Council of Hygiene of the Philippine Islands shall hold regular meetings at least once a month on call of the president, and shall hold special sessions at any time when requested by the Director of Health or by a majority of the members.

SEC. 8. *Rules.*—The Council of Hygiene of the Philippine Islands shall draft a set of rules for the exercise of its functions. A majority of its members shall constitute a quorum.

SEC. 9. *President and secretary.*—The president of the Council of Hygiene shall be the chief executive officer thereof. He shall be a physician and shall be appointed by the Governor-General on nomination of the Secretary of the Interior from among the members of the Council other than the officer of the Philippine Health Service detailed thereto, which latter officer in addition to his other functions shall act as secretary of the Council.

SEC. 10. *Administration of funds, reports, and instructions.*—The Director of Health with the advice as herein provided of the Council of Hygiene shall manage the health funds and attend to the maintenance of the Philippine Health Service and shall

present to the Legislature, on or before the opening of its regular session each year, a written report covering the vital statistics, the sanitary condition of the country, a recapitulation of its work by divisions, the names of officers in its employment or the movement of the personnel employed by it, and recommendations regarding such ordinances, regulations, or on any fact or action as may in its judgment be necessary for the improvement and protection of the public health. Said annual report shall likewise contain a detailed statement of all the disbursements and receipts of the service. From time to time, and as frequently as he may deem necessary, or when the appearance of contagious or infectious diseases requires it, he may, with the aid as herein provided of the pubifetruction for the Council of Hygiene publish and distribute to the public any other useful information and instructions on hygiene, for public knowledge and utility and for the purpose of combating and preventing the propagation of such diseases.

SEC. 11. *Duties of the Philippine Health Service.*—All medical, surgical, and sanitary work of a public nature which is supported from the founds of the Philippine Islands shall hereafter be performed by the Philippine Health Service: *Provided*, That nothing in this section shall be construed as in any way curtailing or infringing upon the activities of the University of the Philippines in its educational work, the activities of the Bureau of Science, or those of the medical division of the Philippine Constabulary, or of the maritime quarantine service, as now provided for by law or regulations.

SEC. 12. *Organization.*—The Philippine Health Service shall consist of one Director of Health, one Assistant Director under whose charges shall be a division, three chiefs of divisions, twelve deputy chiefs of divisions, nineteen medical inspectors, and a total of forty senior surgeons and junior surgeons. There shall also be attached to the Philippine Health Service such number of assistant surgeons as may, on recommendation of the Director of Health and Council of Hygiene, and in the opinion of the Secretary of the Interior, be required, and for whom salaries shall have been provided in current appropriations: *Provided*, That for Purposes of organization under this Act, thirteen deputy chiefs of divisions are temporarily authorized, but the first vacancy subsequently occurring in the grade of deputy chief of division shall not be filled and thereafter the number in that grade shall be fixed at twelve.

Officers of the Philippine Health Service and assistant surgeons shall perform such duties and be subject to such assignments as may be required in the interests of the service.

SEC. 13. *Director of Health; appointment, qualifications, and duties.*—The Director of Health shall be Chief of the Philippine Health Service, shall exercise general supervision and control over all the departments of the service, and shall be appointed by the Governor-General, with the approval of the Commission. He shall be a physician of good repute, with special knowledge regarding hygiene and tropical medicine, shall be a graduate from a university of recognized reputation, and shall receive the compensation now authorized for the Director of Health. The term of service as Director of Health shall be four years, or until his successor has been thereafter appointed and qualified. If not re-appointed, an officer who has so served shall be returned to, and serve in, such position in the Philippine Health Service as he would have occupied had he not received appointment as Director of Health. He shall perform all the duties and functions, and exercise all the powers,

not in conflict with this Act, which are now reposed in the Director of Health, or which may hereafter be conferred upon him by law.

SEC. 14. *Main divisions.*—The organization of the Philippine Health Service shall include the following main divisions : Sanitation of Manila; sanitation in the provinces; hospitals, sanitarium, and dispensaries; general inspections.

SEC. 15. *Sanitary divisions in provinces.*—Upon the recommendation of a health officer regularly assigned to the provinces charge of a province, provincial boards, unless exempted by the Governor-General, are hereby required, for the purposes of health administration, to divide their provinces into sanitary divisions which may be composed of one or more municipalities but not more than four, and these divisions shall become effective in a province whenever their organization has been agreed to by at least a majority of the municipal councils concerned: *Provided*, That to dissolve such a sanitary division, the vote of a majority of the municipal councils concerned, approved by the provincial board and by the Secretary of the Interior, shall be necessary. Any group of municipalities joined to constitute a sanitary division may have a divisional board of health organized in accordance with the provisions of Act Numbered Three hundred and eight, relative to the organization of municipal boards of health.

There shall be for each division a president who shall be proposed by the district health officer and appointed by the Director of Health. The powers, duties, and remuneration of such president shall be fixed as by law provided. The president of a sanitary division shall be a duly qualified physician and shall fulfill his duties under the immediate supervision of the district health officer: *Provided*, That in emergency conditions, of the existence of which the Director of Health shall judge, persons with qualifications satisfying the Director of Health may be appointed to act temporarily as presidents of municipal sanitary divisions: *Provided, further*, That before making such appointment, the said Director shall submit it to the Council of Hygiene and receive their opinion upon it: *And provided, finally*, That nothing in this section shall be construed to amend or modify the existing sanitary organization for the city of Manila.

SEC. 16. *Health fund; how created; purposes for which it may be used.*—Each municipality shall set aside each year an amount not less than five per centum nor more than ten per centum from its general funds and each provincial board shall set aside a like amount from its general funds, which amount, added to that appropriated by the municipalities under its jurisdiction, shall constitute a special fund to be known as "health fund:" *Provided*, That the Governor-General may authorize the amounts hereinbefore specified to be set aside by a municipality or province to be increased or decreased, and a contribution to be made from Insular funds if an appropriation has been made for that purpose, which in no case shall exceed one-half the amount contributed by the municipalities and the province: *Provided, further*, That municipalities whose general funds do not exceed three thousand pesos a year shall, upon application to the Director of Health, be exempted from the requirements of this section.

The health fund thus created shall be deposited with the provincial treasurer and shall be used only for the purpose of paying the salaries and traveling expenses of presidents, subordinate officers, and employees of the sanitary divisions, and the traveling expenses necessarily incurred by them from their place of residence, upon