

REPUBLIC ACT NO. 9268

AN ACT TO REGULATE THE PRACTICE OF VETERINARY MEDICINE IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 382 AND FOR OTHER PURPOSES.

ARTICLE I TITLE, POLICY AND DEFINITION OF TERMS

Section 1. Title. - This act shall be known as *"The Philippine Veterinary Medicine Act of 2004."*

Sec. 2. Declaration of Policy. - It shall be the policy of the State to upgrade the practice of veterinary medicine for the purpose of protecting the animal population in the country through safe and proper diagnosis, treatment and surgery of these animals. The state recognizes the important role of veterinarians in nation building and promotes the sustained development of veterinarians whose competence has been validated by honest and credible licensure examination and whose standards of professionals practice and service are world-class and internationally recognized and globally competitive.

Sec. 3. Objectives. - This Act provides for and shall govern:

- (a) The administration and conduct of licensure examination, registration and licensing of veterinarians;
- (b); The supervision and regulation of the practice of veterinary medicine
- (c) The integration of veterinarians under an accredited veterinary professional organization; and

Sec. 4. Definition of Terms.

- (a) "Veterinarian" - is a natural person who has been registered and issued a valid Certificate of Registration and Professional Identification Card by the Professional Regulatory Board of Veterinary Medicine in accordance with this Act.
- (b) "Accredited Professional Organization" - refers to the professional organization of veterinarians accredited by the Board and the Commission.

ARTICLE II PROFESSIONAL REGULATORY BOARD OF VETERINARY MEDICINE

Sec. 5. Composition of the Board. - There shall be created a Professional Regulatory Board of Veterinary Medicine, hereafter referred as the Board, under the administrative supervision and control of the PRC, hereinafter refer to as the commission, to be composed of the Chairman and two (2) members, who shall be appointed by the President of the Philippines from among a list of three (3) recommendees for each position submitted by the Commission from a list of five (5) nominees for each position submitted by the accredited professional organization of veterinarians.

Sec. 6. Qualification of Members of the Board. - The members of the Board must at the time of nomination, recommendation, and appointments:

(a) be a Filipino citizen and resident of the Philippines for at least five (5) years immediately preceding nomination, recommendation and appointment;

(b) be a good health, sound mind, good moral character and reputation and have been convicted by final judgment of any crime involving moral turpitude;

(c) be a registered veterinarian and holder of a valid Certificate of Registration and a valid Professional Identification Card;

(d) be a member of good standing of the accredited professional organization;

(e) not be a member of the faculty whether full time, part time or as lecturer, or any school, college or university where a regular course in veterinary medicine is taught, or be a member of a staff or reviewers in a review school or center, and not have any direct or indirect pecuniary interest in any such institution;

(f) have practiced veterinary medicine for ten (10) years; and

(g) not be an officer of the accredited professional organization at the time of nomination.

Sec. 7. Term of Office. - The chairperson and the two (2) members of the Board shall hold office for a term of three (3) years from the date of appointments until their successors shall have been appointed and duly qualified and may be reappointed once. The member serving the last year of his/her term shall automatically become the chairperson of the Board. Vacancies in the Board shall be filled for the unexpired portion of the term only. Each member shall take the proper oath prior to assumption of duty. Upon effectivity of this Act, the incumbents whose term have not yet expired or who are holdover status shall be allowed to served the unexpired portion of their terms.

Sec. 8. Powers, Functions, Duties and responsibilities of the Board. - The Board shall have the following specific powers, functions, duties and responsibilities.

(a) Enforce, Administer, and implement the provisions of this Act;

(b) Determine and evaluate the qualifications of the applicants for examination, registration and for issuance of Certificate of Registration and Professional Identification Cards and/or special permits pursuant to the provision of this Act;

(c) Prepare, adopt, issue and amend the syllabi for the subjects in the licensure examination, in consultation with the Commission on Higher Education (CHED), the academe and the accredited professional organization;

(d) Register successful examinees in the licensure examination and issue the corresponding Certificate of Registration;

(e) Enroll and registry book of veterinarian the names of successful examinees and to issue Certificate of Registration and Professional Identification Card;

(f) Prescribe guidelines providing the continuing professional education (CPE) program of registered and licensed veterinarians upon recommendation of the accredited professional organization of veterinarians;

(g) Revoke Certificate of Registration of or suspend registered and licensed veterinarians from the practice of his/her profession or to cancel special temporary permits after due notice and hearing;

(h) Adopt and administer a Code of Ethics and a Code of Technical Standards for Doctors of Veterinary Medicines;

(i) Hear or investigate on its own or by delegation to a board member and a legal hearing officer of the Commission cases arising from violations of this Act, the Rules and Regulations, Code of Ethics and Code of Technical Standards issued thereafter and, in connection therewith, to issue subpoena ad testificandum and subpoena duces tecum to alleged violators or witnesses to compel their attendance and the production of documents;

(j) Recommend to the CHED, in coordination with accredited professional organization, the prescribing, amending and/or revising of the collegiate course leading to the degree of Doctor of Veterinary Medicine;

(k) Adopt the official seal of the Board;

(l) Promulgate such as rules and regulations or administrative orders and issuances as may be necessary to properly and fully carry out the provisions of this Act; and

(m) Perform such other functions and duties as may be necessary to implement of this Act.

The policies, resolutions, rules and regulations issued or promulgated by the Board shall be subject to review and approval by the Commission. However, the Board decision's resolution or orders which are not interlocutory, rendered in an administrative case, shall be subject to review only if an appeal with the Commission. The decision of the Board and/or the Commission may be appealed to the Court of Appeals in accordance with the Rules of Court.

Sec. 9. Compensation and Allowances of the Board. - The chairman and members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by existing regulatory boards under the Commission as provided for the General Appropriation Act.

Sec. 10. Removal of the Board Members. - The chairman and members of the Board may be removed from the office of the President of the Philippines, upon recommendation of the Commission on the following grounds:

(a) Neglect of duty;

(b) Incompetence;

(c) Violation of Republic Act No. 6713, otherwise known as "The Code of Conduct and Ethical Standards for Public Officials and Employees," and " The Code of Ethics of the Veterinary Medicine Profession;"

(d) Manipulation or rigging of the veterinary licensure examination results;

(e) Disclosure of the examination questions or similar secret information;

(f) Tampering of the grades therein; and

(g) Final conviction by the court of criminal offense involving moral turpitude.

Sec. 11. Administrative Supervision of the Board, Custodian of its Records, Secretariat and its Support Services. - The Board shall be under the administrative and executive management of the Commission. All records of the Board, including the applications for examination, minutes of deliberations, and administrative and other investigative cases shall be under the custody of the Commission. The Commission shall designate the Secretary of the Board and shall provide the secretariat and support services to implement the provision of this Act.

Sec. 12. Annual Report. - The Board shall, after the close of the fiscal year, submit an annual report to the Commission giving a detailed report of the activities and proceedings of the Board during the year and embodying such recommendations as the Board may be desire to make.

ARTICLE III EXAMINATION AND REGISTRATION OF VETERINARIANS

Sec. 13. Examination Required. - Except as otherwise specially allowed under this Act, all applicant for registration for the practice of veterinary medicine shall be required to pass the licensure examination to be given by the Board and the Commission in such places and dates as the Commission may designate in accordance with Republic Act No. 8981, subject to compliance with the requirements prescribed by the Commission.

Sec. 14. Subjects Covered by the Examination. - The subjects for the licensure examination, shall cover the following:

(1) Veterinary Parasitology;

(2) Veterinary Pharmacology

(3) Veterinary Medicine (including Ethics, Surgery, Animal Welfare and Jurisprudence);

(4) Zootechnics (including Animal Behavior and Environmental Health);

(5) Veterinary Microbiology and Veterinary Public Health;

(6) Veterinary Physiology

(7) Veterinary Anatomy; and

(8) Veterinary Pathology.

The Board may be amend, modify or exclude any of the subjects in any syllabi and new ones as technological need arises subject to the approval of the Commission.

Sec. 15. Qualifications of Applicant for Examination. - In order to qualify for examination, an applicant shall establish to the satisfaction of the Board that:

(a) he/she is a citizen of the Philippines or a foreigner whose country has reciprocity with the Philippines in the practice of veterinary medicine;

(b) he/she is in good health and moral character, and sound mind;

(c) he/she has not been convicted by the final judgment of an offense involving moral turpitude by a competent court; and

(d) he/she is a holder of a Degree in Veterinary Medicine from a recognized accredited College of Veterinary Medicine by the Commission on Higher Education (CHED).

Sec. 16. Report of Ratings. - The Board shall, with ten (10) days or earlier after the date of examination, report the rating obtained by each candidate to the Commission for official release and publication.

Sec. 17. Ratings in Examination. - In order to pass the examination, a candidate must obtain a weighted average of at least seventy-five percent (75%) with no rating below sixty percent (60%) in any subject. A candidate who obtains an average rating of seventy-five percent (75%) or higher but gets a rating below sixty percent (60%) in any subject shall be allowed to take a re-examination in only those subjects in which he/she obtained a rating below sixty percent (60%). Should he/she fails to obtain seventy-five percent (75%) in reported subject or subjects, his/her examination shall be considered as failed, and he/she shall be required to take all the subjects in the next examination.

Sec. 18. Issuances of Certificate of Registration and Professional Identification Card. - A certificate of Registration as a veterinarian shall be issued to an applicant who passes the examination or who is registered without examination and shall indicate the full name of the registrant, serial number, date of issuance bearing the signature of the Commission of Chairperson and the chairman and members of the Board, with the official seal of the Board and the Commission.

A Professional Identification Card bearing the registration number, date of issuance, expiry date, duly signed by the Commission Chairperson, shall likewise be issued to every registrant who has paid the prescribed fee.

Sec. 19. Fees for Examination, Registration of License. - Applicants for examination and registration and for the issuance of a Professional Identification Card shall pay the fees prescribed by the Commission.

Sec. 20. Oath. - All successful examinees and registrants without examination shall required to take a oath before any member of the Board or any official authorized by the Commission or any government official authorized by law before they start their practice.

Sec. 21. Refusal to Register. - The Board shall refuse to register an applicant as a veterinarian and to issue his/her Certificate of Registration and Professional Identification Card if he/she is convicted of any criminal offense involving moral turpitude, or found guilty of immoral or dishonorable conduct, or he/she is declared by the court to be of unsound mind or have violated the Animal Welfare Act. The Board shall furnish the applicant a written statement settings forth the reasons for its action which shall be incorporated in the records of the Board.

Sec. 22. Revocation of Certificate of Registration and Suspension from the Practice of Veterinary Medicine and Cancellation of Special Permit. - The Board shall have the power to reprimand or suspend any person from the practice of the veterinary medicine, revoke the

Certification of Registration of any registered veterinarian, or cancel special permit issued upon any of the following ground:

- (a) any of the cause mentioned in this Section 21;**
- (b) unprofessional and unethical conduct;**
- (c) gross incompetence, gross negligence, gross ignorance or any other acts of malpractice resulting in the disability, disfigurement or death of an animal;**
- (d) use of fraud, deceit, or false statements in obtaining registration, Certificate of Registration, Professional Identification Card, or special permit;**
- (e) for chronic inebriety or habitual substance abuse;**
- (f) having professional connection with or lending one's name to an illegal practitioner of veterinary medicine;**
- (g) fraud or dishonesty in applying, teaching or report on any laboratory test and research findings.**
- (h) False misleading advertising, having for its purpose or intent deception or fraud;**
- (i) Knowingly and deliberately concealing or failing of report as required by law, or making false reports regarding the spread of contagious or infectious diseases;**
- (j) Violation of rules and regulations, Code of Ethics, Code Technical Standards and other policies of the Board and the Commission issued pursuant to this Act; or**
- (k) Practicing his/her profession during the period of his/her suspension from the practice of his profession.**

Sec. 23. Rights of Respondent. - The respondent registered veterinarian shall entitled to counsel, a speedy public hearing, and to confront and cross-examine witnesses against him.

Sec. 24. Administrative Investigation. - Within five (5) day after filing written charges under oath, respondent registered veterinarian shall be furnished a copy thereof requiring him to answer the same. The administrative investigation shall be conducted by the Board, or any of its members as may be designated by the Commission, on cases involving the practice of the profession: Provided, however, That the decision shall be promulgated by the Board.

Sec. 25. Appeal. - The decision of the denial or refusal to issue Certificate of Registration, the revocation or suspension of Certificate of Registration, and the cancellation of special permit by the Board shall be final unless appealed to the Commission within fifteen (15) day from receipt of the decision. The decision of the Board and/or Commission may be appealed to the Court of Appeals.

Sec. 26. Reinstatement. - Subject to the approval of the Commission, a person may apply to the Board for reinstatement of his/her Certificate of Registration/professional license any time after the expiration of one (1) year from the date of revocation of said certificate. The application shall be writing and shall conform the requirements provided by the Board. No certificate shall be reinstated unless the Board is satisfied that a good cause exists to warrant such reinstatement.

Sec. 27. Indication of the Certificate of Registration and Professional Identification Card and Professional Tax Receipt. - A registered and licensed veterinarian shall indicate his/her Certificate of Registration/Professional Identification Card with date of issue and expiry, and the Professional Tax Receipt number, on the prescription and other documents he/she signs, uses, or issues in connection with the practice of his/her profession.

Sec. 28. Automatic Registration. - All veterinarians whose names appears in the roster of veterinarians shall be automatically or ipso facto registered as veterinarians under this Act.

ARTICLE IV PRACTICE OF VETERINARY MEDICINE

Sec. 29. Acts of Constituting Practice of Veterinary Medicine. - A person who is authorized to practice veterinary medicine under this Act shall append or cause to be appended to his name the letters D.V.M. (Doctor of Veterinary Medicine), V..M. D. (Veterinary Medical Doctor), D.V.S.(Doctor of Veterinary of Science), the words "Veterinarian, " Veterinary Surgeon, " Veterinary Dentist," or "Veterinary" any other initial or title implying qualification to practice, offer or render, for a fee or otherwise, services such as:

(a) the examination and/or diagnosis, treatment, operation of, or the prescribing and dispensing of any remedy for, any injury to or diseases, ailment or deformity of animals;

(b) attesting for official or commercial purpose to the health of any terrestrial, aquatic, domestic or non-domestic animals;

(c) rendering veterinary technical services which indirectly affect the health and welfare of human beings and animals;

(d) attesting to the fitness for human consumption of animal products and by-products;chan robes virtual law library

(e) holding of any job or position in a public or private entity which requires knowledge of or skill in veterinary medicine; or

(f) teaching or lecturing of veterinary clinical subjects in the curriculum of the degree in veterinary medicine.

Provided, That the enumeration of the above practices or services in this Section shall not be construed as excluding any other work requiring knowledge and application of professional veterinary medicine which the Board may specify, upon the recommendation of accredited professional organization in Veterinary Medicine.

Sec. 30. Unlawful Practice of Veterinary Medicine. - It shall be unlawful for any person to practice veterinary medicine and any of its allied branches, including veterinary dentistry, without a valid and existing Certificate of Registration and Professional Identification Card issued by the Board of Veterinary Medicine and the Commission.

Sec. 31. Foreign Reciprocity. - No foreigner shall be admitted to the examination or be registered as veterinarian under this Act unless he/she proves that the country of which he/she is a citizen of, either permits Filipino citizens to practice veterinary medicine without need for registration, without restriction, or allows them to practice after an examination on term of strict and absolute quality with nationals of said country.

Sec. 32. Roster of Veterinarian. - The Board shall keep a roster of the names, residence and office address of all registered and licensed veterinarians. The said roster shall be made available to the public upon request and payment of prescribed fees thereof.

Sec. 33. Penal Provision. - The following persons shall be punished:

(a) Any person who shall practice veterinary medicine within the meaning of this Act without a valid Certificate of Registration and a Professional Identification Card or a valid special permit issued in accordance herewith;

(b) Any person presenting or using as his or her own Certificate of Registration or Professional Identification Card of another

(c) Any person who shall give any false or forged evidence of any kind to the Board or the Commission in obtaining any of the foregoing documents;

(d) Any person who shall falsely impersonate any registrant with like or different name; (e) Any registered and licensed veterinarian who shall abet or assist illegal practice of a person who is not lawfully qualified to practice veterinary medicine;

(f) Any person who shall attempt to use a revoked or suspended Certificate of Registration or any invalid or expired Professional Identification Card or a cancelled special permit;

(g) Any person assuming, using or advertising any title, description tending to convey the impression that he or she is a registered and licensed veterinarian;

(h) Any person who violates any provision of this Act and its rules and regulations shall, upon conviction be punished by a fine of not less than Fifty Thousand Pesos (50,000.00) nor more than One Hundred Thousand Pesos (100,000.00) or by imprisonment of not less than one (1) year nor more than five (5) years or both fine and imprisonment for each and every offense at the discretion of the court.

Sec. 34. Enforcement. - The Commission shall implement the provision of this Act, enforce its implementing rules and regulations as adopted by the Board and assist the Board in the investigation of complaint against violators of this Act, its rules and regulations and other policies of the Board.

The Commission shall call upon or request any department, instrumentality, office, bureau, or agency of the government including local government units to render such assistance as it may require to coordinate or cooperate in order to carry out, enforce or implement the provision of this Act.

Sec. 35. Funding Provision. - The Chairperson of the PRC shall immediately include in the Commission's programs the implementation of this Act, the funding of which shall be included in the annual General Appropriation Act.

Sec. 36. Implementing Rules and Regulations. - Within sixty (60) days after the effectivity of this Act, subject to the approval of the Commission, the Board in coordination with the accredited professional organization, shall promulgate the necessary rules and regulations to implement the provisions of this Act, which shall be effective after fifteen (15) days following its publication in the Official Gazette or newspaper of general circulation.

Sec. 37. Separability Clause. - If any part of this Act is declared unconstitutional, the remaining parts not affected thereby shall continue to be valid and operational.

Sec. 38. Repealing Clause. - Republic Act No. 382 and all other laws, decrees, orders, circulars, rules and regulations, and other issuances, and part thereof which are inconsistent with this Act are hereby superseded, repealed, amended, or modified accordingly.

Sec. 39. Effectivity. - This Act shall take effect thirty (30) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved: March 19, 2004