

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3202



Introduced by **REPRESENTATIVE ERIC L. OLIVAREZ**

EXPLANATORY NOTE

For the past years, our country has been suffering from a massive "Brain Drain" brought about by our very own scholars seeking job opportunities abroad.

Although there is nothing wrong with the act *per se* of seeking out greener pastures, there is, however, an imperative need to somehow regulate our strong sense of individualism in exchange for a small dosage of national progress and development.

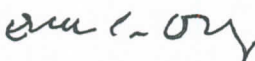
The Philippines is a country full of brilliant minds and undeniable talents. Yet, one is left to wonder how we, as a country, remain as one of the poorest in the world. Even though the Philippines has the ability to produce intelligent and skillful citizens through the funding provided by our very own taxpayers, the well-abled graduates of state universities and other public colleges flock overseas to obtain employment with better pay.

It is about time that we give back to the citizens of our country who continuously and religiously gave up a portion of their measly

salaries in order to send students to state universities and public colleges.

One of the greatest needs of our people is medical attention. A lot of people from remote barrios and far-flung barangays in this country could not receive a decent medical service due to geographical barriers. Considering that medicine is the most expensive post graduate course there is, it is only fair and reasonable that those who completed the said course in public universities or colleges be mandated to practice their profession in the Philippines first for a period of five (5) years before they can work abroad so that our citizens can experience good medical services from our very own doctors; alternatively, they may opt to render their services in the form of free medical missions in the remote areas of our country for the same purpose of reaching out to the people who need their help the most.

This bill recognizes the nobility in the act of paying it forward which will inevitably increase our people's sense of nationalism, lead our country to progress, and give our people better conditions of living. Moreover, this bill seeks to eliminate the sweeping effects of the "Brain Drain" epidemic that has been prevalent for many decades now. It is only for this reason that the approval of this bill is being sought.


ERIC OLIVAREZ

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AN ACT MANDATING ALL NEWLY LICENSED MEDICINE GRADUATES OF STATE UNIVERSITIES AND/OR OTHER PUBLIC COLLEGES TO PRACTICE THEIR PROFESSION IN THE PHILIPPINES FOR FIVE YEARS FROM THE TIME OF THEIR OATH TAKING AS DOCTORS OR TO CONDUCT AT LEAST 20 MEDICAL MISSIONS IN DIFFERENT MISSION/DEPRESSED AREAS AND/OR FAR FLUNG BARANGAYS IN THE COUNTRY BEFORE THEY CAN OBTAIN EMPLOYMENT OR ENGAGE IN PRIVATE PRACTICE OVERSEAS.

SECTION 1. *Short Title.* This Act shall be known as the "Mandatory Local Medical Service Act of 2019."

SECTION 2. *Coverage.* This Act shall only cover doctors or newly licensed graduates of medicine who obtained their degrees in state universities or other public colleges; or in the case that he/she obtained his/her medical degree in a private institution, this Act shall still apply if he/she has completed at least 70% of his/her required units in a state university or a public college.

SECTION 3. *Mandatory Local Practice.* A doctor or a newly licensed medicine graduate of a state university or public college who is covered under this Act must practice his or her profession for at

least five (5) years in the Philippines before he or she can go abroad for employment or private practice thereat.

SECTION 4. *Mandatory Medical Mission.* As an alternative to Section 3 hereof, a doctor or a newly licensed medicine graduate of a State University or public college may opt to hold or conduct instead at least twenty (20) free medical missions in different mission/depressed areas or far-flung barangays of the country. Each medical mission must be conducted for at least eight hours for each mission/depressed area or far-flung barangay. No credit shall be given to a doctor or a newly licensed medicine graduate of a state university or public college if the 20 medical missions were conducted in the same mission/depressed area or barangay or in an affluent residential area or in a subdivision.

SECTION 5. *Proof of Compliance, Mandatory Service.* Proof of employment indicating the number of years of service in the country shall be considered as primary proof of compliance with this Act. However, other competent documents and evidence as verified and approved by the Professional Regulatory Commission (PRC) may be accepted as proof of compliance with this Act.

SECTION 6. *Proof of Compliance, Mandatory Medical Mission.* A certification from the barangay captains of the barangays or mission/depressed areas where the medical missions were conducted as per Section 4 hereof shall be obtained by each doctor as primary proof of compliance with this Act.

SECTION 7. *Proof of Compliance as Part of Clearance Requirements.* The proofs of compliance contemplated in Section 5 and 6 hereof shall be part of the requirements for clearance before doctors who are graduates of state universities and other public colleges can be allowed to leave the country for the purpose of overseas employment or private practice of their profession thereat.

SECTION 8. *Penalty for Violation of this Act.* Any person who commits any violation of this Act shall be meted with imprisonment of five (5) years and be fined in the amount of not less than FIFTY THOUSAND PESOS (P 50,000.00) but not more than ONE HUNDRED THOUSAND PESOS (P 100,000.00). If the violation was committed by a doctor or a newly licensed medicine graduate of a state university or public college, in addition to the foregoing penalties, his medical license shall be revoked by the Professional Regulation Commission (PRC).

SECTION 9. *Rules and Regulations.* Unless otherwise provided in this Act, the PRC shall promulgate rules and regulations for the effective implementation of this Act. Such rules and regulations shall take effect upon their publication in three (3) newspapers of general circulation.

SECTION 10. *Repealing Clause.* All laws, presidential decrees, letters of instructions, executive orders, rules, and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

SECTION 11. *Separability Clause.* In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

SECTION 12. *Effectivity Clause.* This Act shall take effect after its complete publication in at least three (3) newspapers of general circulation.

APPROVED