

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
Third Regular Session
House Bill No. **10059**



Introduced by **Hon. ROSANNA “RIA” V. VERGARA**

EXPLANATORY NOTE

It has been over twenty years since the enactment of Republic Act No. 8423 (RA 8423) or more commonly known as the “Traditional and Alternative Medicine Act (TAMA) of 1997.” Notably, this significant law paved the way for the establishment of the Philippine Institute of Traditional and Alternative Healthcare (PITAHC) that has been noted to have developed policies, standards, and guidelines for the practice of various traditional medicine modalities as well as for clinics and training centers.¹ Reportedly, the PITAHC has also developed the Strategic Map 2017-2021 on traditional and complementary medicine (T&CM).²

Notwithstanding the gains of RA 8423 through the PITAHC, stakeholders have identified critical gaps in government regulation of T&CM, which have seemingly impeded the envisioned benefits of this pivotal law for a populace that remains daunted by issues of accessibility, affordability, and efficacy of healthcare products and systems. In a 2019 National Health Sector Meeting Brief of the Department of Health, foremost among the current issues cited is that “PITAHC currently lacks regulatory and enforcement powers to regulate the practice of T&CM in the country, which is important to ensure the provision of quality, safe, and effective T&CM services.”³

Indeed, proper government regulation is imperative in the Philippines where there is a growing interest in and increasing use of T&CM products and services, particularly in rural areas where T&CM is sometimes the only affordable and available source of health care. Unfortunately, it appears that the apparent rise in the demand for T&CM is not presently met with a simultaneous increase in safeguards.

In view of the foregoing, this proposed measure thus aims to strengthen the country’s traditional and alternative health care system in order to provide the people with a wider range of health services and products that are proven to be safe, effective and at much affordable prices. Moreover, it specifically seeks to further empower the PITAHC and grant such agency with adequate regulatory powers in order to curb dangerous practices and unsafe products related to T&CM.

¹ WHO Global Report on Traditional and Complementary Medicine 2019. Geneva: World Health Organization; 2019. (Last accessed via <https://www.who.int/traditional-complementary-integrative-medicine/WhoGlobalReportOnTraditionalAndComplementaryMedicine2019.pdf> on 23 August 2021). In its 2019 Report, the WHO cited acupuncture, homeopathy, homotoxicology, chiropractic, naturopathy and hilot to comprise these modalities.

² *Ibid.*

³ Menina Barbara Santiago, et.al. “Integrating Traditional and Complementary Medicine in Universal Health Care” (National Health Sector Meeting Brief, 27-28 March 2019, Cagayan De Oro City). (Last accessed via <https://doh.gov.ph/sites/default/files/publications/08%20Integrating%20Traditional%20and%20Complementary%20Medicine%20in%20Universal%20Health%20Care.pdf> on 23 August 2021)

As the Filipino nation perseveres in its continuing fight against the current pandemic, the collective concern for the health and welfare of the Filipino people has been underscored like never before. Numerous legislative measures have been recently pursued to strengthen our health sector in order to combat not only COVID-19 but also to equally manage other illnesses that have remained pressing concerns for many. Given the prevailing circumstances and socio-economic developments in our country in the last two decades, it has truly become all the more crucial for Congress to revisit RA 8423 and consider key amendments thereto as a parallel and complementary reinforcement for the Philippine health system.

In view of the foregoing, the immediate approval of this measure is earnestly sought.



ROSANNA "RIA" V. VERGARA
Representative, 3rd District of Nueva Ecija

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1 **AN ACT STRENGTHENING THE TRADITIONAL AND COMPLEMENTARY**
2 **MEDICINE SYSTEM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO.**
3 **8423, OTHERWISE KNOWN AS THE “TRADITIONAL AND ALTERNATIVE**
4 **MEDICINE ACT OF 1997”**

5
6 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
7 *assembled:*

8
9 **SECTION 1.** Section 2 Republic Act No. 8423, otherwise known as the “Traditional
10 and Alternative Medicine Act (TAMA) of 1997”, is hereby amended to read as follows:

11
12 “Section 2. Declaration of Policy. – It is hereby declared the policy of the State
13 to improve the quality and delivery of health care services to the Filipino people
14 through the development **AND PROPER REGULATION** of traditional and
15 alternative health care **IN THE COUNTRY** and its integration into the national
16 health care delivery system **THAT WILL PROVIDE THE PEOPLE WITH**
17 **A WIDER RANGE OF HEALTH SERVICES AND PRODUCTS THAT**
18 **ARE PROVEN TO BE HIGH-QUALITY, SAFE, EFFICIENT,**
19 **EFFECTIVE, AND AFFORDABLE.**

20
21 It shall also be the policy of the State to seek a legally workable basis by which
22 indigenous societies would own their knowledge of traditional medicine. When
23 such knowledge is used by outsiders, the indigenous societies can require the
24 permitted users to acknowledge its source and can demand a share of any
25 financial return that may come from its authorized commercial use.”

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27
28 **SECTION 2.** Section 4 of Republic Act No. 8423 is hereby amended to read as
29 follows:

30
31 “Section 4. Definition of Terms. - As used in this Act, the following terms shall
32 mean:

33
34 (a) “Traditional and Alternative Health Care **SYSTEM**” – the sum total of
35 knowledge, skills, and practices on health care other than those embodied
36 in biomedicine, used in the prevention, diagnosis and elimination of
37 physical or mental disorder.

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3 (d) “*Alternative health care modalities*” – other forms of non-allopathic,
4 occasionally non-indigenous or imported healing methods, though not
5 necessarily practiced for centuries nor handed down from one generation
6 to another [.] ~~Some alternative health care modalities include~~,
7 **WHICH SHALL INCLUDE BUT NOT BE LIMITED TO**
8 reflexology, **ACUPUNCTURE**, **MASSAGE**, acupressure,
9 chiropractic[s], nutritional therapy, **HILOT**, **NATUROPATHY**,
10 **HOMEOPATHY/ HOMOTOXICOLOGY**, **TUINA MASSAGE**,
11 **OSTEOPATHY**, **ANTHROPOSOPHIC MEDICINE** and other
12 similar ~~methods~~ **MODALITIES**.

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15 (h) “**PHILIPPINE Traditional healers**” – ~~[the relatively old, highly
16 respected people with a profound knowledge of traditional remedies]~~
17 **PERSONS WITH KNOWLEDGE IN INDIGENOUS AND/OR**
18 **PHILIPPINE BELIEF SYSTEMS, ORAL TRADITIONS AND**
19 **HEALTH PRACTICES, WHO USE THE TRADITIONAL**
20 **MEDICINE OF THE INDIGENOUS CULTURAL**
21 **COMMUNITIES/ INDIGENOUS PEOPLES (ICCS/IPS) AND/OR**
22 **OTHER ETHNO-LINGUISTIC GROUPS IN THE PHILIPPINES.**

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25 (J) “**COMPLEMENTARY MEDICINE**” – **A BROAD SET OF**
26 **HEALTH CARE PRACTICES THAT ARE NOT PART OF THE**
27 **COUNTRY’S OWN TRADITIONAL OR CONVENTIONAL**
28 **MEDICINE AND ARE NOT FULLY INTEGRATED INTO THE**
29 **DOMINANT HEALTH CARE SYSTEM. IT SHALL BE USED**
30 **INTERCHANGEABLY WITH THE TERMS “ALTERNATIVE**
31 **MEDICINE”.**

32 (K) “**TRADITIONAL AND COMPLEMENTARY MEDICINE**
33 **(T&CM)**” – **MERGES THE TERMS TRADITIONAL MEDICINE**
34 **AND COMPLEMENTARY MEDICINE, ENCOMPASSING**
35 **PRACTICES, PRACTITIONERS, AND PRODUCTS.”**

36 41 **SECTION 3.** Section 6 of Republic Act No. 8423, is hereby amended by inserting
37 42 additional powers and functions and the same are hereby renumbered accordingly:
38

39 44 “Section 6. Powers and Functions. – In furtherance of its purposes and
40 45 objectives, the Institute shall have the following powers and functions:

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42

43 49 (i) To formulate, **ESTABLISH, AND PRESCRIBE RULES,**
44 50 **REGULATIONS**, code of ethics, **REQUIREMENTS**, and standards for

1 the practice of traditional and alternative health care modalities ~~[for~~
2 ~~approval and adoption by the appropriate professional and~~
3 ~~government agencies]. FOR THIS PURPOSE, THE INSTITUTE~~
4 ~~SHALL BE VESTED WITH QUASI-JUDICIAL POWER;~~

- 5
- 6 (j) **TO INSPECT AND MONITOR ALL T&CM FACILITIES TO**
7 **ENSURE THEIR CONTINUED COMPLIANCE WITH THE**
8 **RULES AND REGULATIONS IN ACCORDANCE WITH THIS**
9 **ACT AND TO MAKE RECOMMENDATIONS FOR THE**
10 **CORRECTION OF DEFICIENCIES FOUND DURING**
11 **INSPECTION AND MONITORING;**
- 12
- 13 (k) **TO PROMULGATE AND IMPLEMENT RULES AND**
14 **REGULATIONS GOVERNING THE LICENSURE OF T&CM**
15 **PRACTICES AND OPERATION OF T&CM FACILITIES AND**
16 **TO PERIODICALLY REVIEW AND AMEND THE SAME,**
17 **SUBJECT TO THE APPROVAL OF THE BOARD OF TRUSTEES**
18 **AND IN CONSULTATION WITH THE SECTORS CONCERNED;**
- 19
- 20 (l) **TO GRANT LICENSES FOR THE PRACTICE OF T&CM**
21 **MODALITIES AND FOR THE OPERATION AND**
22 **MAINTENANCE OF T&CM FACILITIES, AND TO SUSPEND OR**
23 **REVOKE THE SAME IN ACCORDANCE WITH THE**
24 **PROVISIONS OF THIS ACT;**
- 25
- 26 (m) **TO PRESCRIBE THE NECESSARY GUIDELINES, CRITERIA,**
27 **PRODUCT STANDARDS AND REQUIREMENTS TO BE**
28 **COMPLIED WITH IN THE REGISTRATION OF T&CM**
29 **PRODUCTS;**
- 30
- 31 (n) **TO ASSUME PRIMARY AUTHORITY TO INSPECT, COLLECT**
32 **AND ANALYZE SAMPLES OF ALL T&CM PRODUCTS**
33 **COVERED BY THIS ACT;**
- 34
- 35 (o) **TO ISSUE CERTIFICATES OF COMPLIANCE OR GRANTS OF**
36 **AUTHORITY TO MANUFACTURERS, IMPORTERS,**
37 **EXPORTERS, DISTRIBUTORS, WHOLESALERS, AND OTHER**
38 **ESTABLISHMENTS AND FACILITIES OF T&CM PRODUCTS**
39 **AFTER SPOT-CHECK AND/OR AFTER THEIR DUE**
40 **COMPLIANCE WITH TECHNICAL AND REGULATORY**
41 **REQUIREMENTS. THESE CERTIFICATES OR GRANTS**
42 **SHALL SERVE AS LICENSES OF THE COVERED ENTITIES TO**
43 **OPERATE AND/OR TO CONTINUE OPERATING.**
- 44
- 45 [6(j)] (P) To formulate standards and guidelines for the manufacture, marketing
46 and quality control of different traditional and alternative health care
47 materials and products for approval and adoption by the **[Bureau of Food**
48 **and Drugs] FOOD AND DRUG ADMINISTRATION (FDA);**
- 49

- 1 [❷] (Q) To coordinate with other institutions and agencies involved in the
2 research on herbal medicines;
- 3 [❸] (R) To adopt and use a corporate seal;
- 4 [❹] (S) To sue and be sued in its corporate name;
- 5 [❺] (T) To succeed by its corporate name;
- 6 [❻] (U) To adopt its bylaws and promulgate such rules and regulations as may
7 be necessary or proper to implement this Act, and to amend or repeal the
8 same from time to time;
- 9 [❻] (V) To enter into, make and execute contracts and agreements of any kind
10 or nature;
- 11 [❻] (W) To borrow, raise or obtain funds, or to enter into any financial or
12 credit arrangement in order to support or carry out its research programs,
13 finance its capital and operating expenses, subject to pertinent laws
14 governing public debts and expenditure;
- 15 [❻] (X) To invest in, purchase or otherwise acquire, own, hold, use, mortgage,
16 pledge, encumber, sell, assign, convey, exchange, or otherwise deal in real
17 and/or personal properties of whatever kind and nature, or any interest
18 therein, including shares of stock, bonds, notes, securities and other
19 evidence of indebtedness of natural or juridical persons, whether domestic
20 or foreign and whether government or private;
- 21 [❻] (Y) To exercise all the powers of a corporation under the General
22 Corporation Law, insofar as such powers are not in violation of the
23 provisions of this Act; and
- 24 [❻] (Z) To exercise such other powers and functions and perform other acts as
25 may be necessary, proper or incidental to the attainment of its purposes
26 and objectives."

27 **SECTION 4.** Section 8(d) of Republic Act No. 8423 is hereby deleted and the
28 succeeding portions of Section 8 are hereby renumbered accordingly.

29 **SECTION 5.** Section 9 of Republic Act No. 8423 is hereby amended to read as follows:

30 "Section 9. Director General and Other Officers - The Institute shall be
31 headed by a Director General who shall be appointed by the President of the
32 Philippines upon recommendation of the Secretary of Health. The Director
33 General shall have a term of six (6) years **AND SHALL ENJOY THE
34 BENEFITS, PRIVILEGES, AND EMOLUMENTS EQUIVALENT TO
35 THE RANK OF UNDERSECRETARY.**

36 **AS CHIEF EXECUTIVE OFFICER OF THE INSTITUTE, THE
37 DIRECTOR GENERAL SHALL EXERCISE GENERAL**

SUPERVISION AND CONTROL OVER THE OPERATIONS OF THE INSTITUTE SAVE THOSE AFFAIRS THAT ARE EXCLUSIVELY WITHIN THE FUNCTIONS OF THE BOARD.

The Director General shall be assisted by such Deputy Director General(s) [and program managers/ coordinators as the Board may determine to carry out the purposes and objectives of this Act.] WHOSE TERM SHALL BE DETERMINED BY THE BOARD. THE DEPUTY DIRECTOR GENERAL(S) SHALL BE CAREER OFFICIAL(S) AND SHALL ENJOY THE BENEFITS, PRIVILEGES, AND EMOLUMENTS EQUIVALENT TO THE RANK OF AN ASSISTANT SECRETARY.

THE DIRECTOR GENERAL SHALL LIKEWISE BE ASSISTED BY DEPARTMENT MANAGERS/ COORDINATORS AND SUCH OTHER OFFICERS AS THE BOARD MAY DETERMINE TO CARRY OUT THE PURPOSES AND OBJECTIVES OF THIS ACT.”

SECTION 6. A new subsection under Section 10 of Republic Act No. 8423 is hereby added and such section shall thus be amended to read as follows:

“Section 10. Powers, Functions and Duties of the Director General. – The Director General shall have the following powers, functions and duties:

(G) TO APPOINT, TRANSFER, PROMOTE, SUSPEND, REMOVE OR OTHERWISE DISCIPLINE ANY SUBORDINATE OFFICER OR EMPLOYEE OF THE INSTITUTE.”

SECTION 7. New provisions are hereby introduced to be inserted after Section 15 of Republic Act No. 8423 and these new provisions shall be read as follows:

“SECTION 16. SPECIAL RULES AND EXEMPTIONS - RECOGNIZING THE UNIQUE MANNER OF OBTAINING THE KNOWLEDGE AND SKILLS OF TRADITIONAL MEDICINE, IT BEING HANDED DOWN FROM ONE GENERATION TO ANOTHER WITHOUT THE INFLUENCE OF FORMAL EDUCATION OR TRAINING, PHILIPPINE TRADITIONAL HEALERS BELONGING TO THIS CATEGORY SHALL BE EXEMPT FROM THE STANDARD EXAMINATION REQUIRED BY THIS ACT. NONETHELESS, THEY ARE STILL MANDATED TO ACQUIRE THE NECESSARY GRANT OF AUTHORITY IN ACCORDANCE WITH THE GUIDELINES TO BE PRESCRIBED BY THE INSTITUTE. IT SHALL BE NECESSARY FOR PHILIPPINE TRADITIONAL HEALERS TO ESTABLISH THE LENGTH OF TIME FOR WHICH THEY HAVE BEEN KNOWN TO HAVE PRACTICED TRADITIONAL MEDICINE AND PROVE THAT, IN THE COURSE OF THEIR PRACTICE, NO RELATED

1 COMPLAINT, WHETHER REPORTED OR NOT, WAS MADE
2 AGAINST THEM.
3
4

5 FURTHER, SHOULD SUCH PHILIPPINE TRADITIONAL HEALERS
6 OFFER, WHETHER FOR A FEE OR NOT, OR USE AS A MODALITY
7 HEALTH PRODUCTS, THEY MUST SEEK FOR THE APPROVAL OF
8 THE SAME.
9

10 **SECTION 17. PROHIBITED ACTS – THE FOLLOWING ACTS
11 ARE HEREBY PROHIBITED :**

12 **A. WITH RESPECT TO T&CM MODALITIES:**

- 13 (1) THE PRACTICE OF ANY OF THE APPROVED
14 T&CM MODALITIES BY ANY PERSON OR T&CM
15 FACILITIES WITHOUT THE APPROPRIATE
16 LICENSE OR GRANT OF AUTHORITY TO
17 PRACTICE;
18
19 (2) THE CONTINUOUS PRACTICE OF ANY OF THE
20 APPROVED T&CM MODALITIES BY ANY
21 PRACTITIONER OR T&CM FACILITIES WHOSE
22 ACCREDITATION OR GRANT OF AUTHORITY
23 HAS ALREADY EXPIRED OR HAS BEEN
24 CANCELLED OR REVOKED;
25
26 (3) THE PRACTICE OF ANY UNAPPROVED T&CM
27 MODALITIES BY ANY PERSON, WHETHER
28 CERTIFIED OR NOT TO PRACTICE IN THE
29 PHILIPPINES;
30
31 (4) THE MERE ACT OF INTRODUCING TO THE
32 PUBLIC BY ANY PERSON, CERTIFIED OR NOT,
33 OF A T&CM MODALITY THAT IS NOT VALIDLY
34 APPROVED BY THE INSTITUTE;
35
36 (5) THE ACT OF A CERTIFIED PRACTITIONER OF
37 ALLOWING A PERSON TO COMMIT AN
38 UNAUTHORIZED PRACTICE OF T&CM
39 WHETHER IT BE UNDER THE DIRECT OR
40 INDIRECT SUPERVISION OF THE CERTIFIED
41 PRACTITIONER;
42
43 (6) THE ACT OF ASSISTING OR PERFORMING IN
44 AN UNAUTHORIZED PRACTICE OF T&CM,
45 WHETHER FOR PROFIT OR NOT;
46
47

- (7) THE ACT OF USING T&CM SERVICES TO CAUSE INJURY, ILLNESS OR DEATH TO A CONSUMER/CUSTOMER;
 - (8) OFFERING T&CM PROGRAMS AND TRAININGS OR RENDERING T&CM SERVICES BY SCHOOLS OR TRAINING CENTERS WITHOUT THE APPROPRIATE LICENSE OR AUTHORITY FROM THE INSTITUTE;
 - (9) RENDERING T&CM SERVICES BY ACCREDITED SCHOOLS OR TRAINING CENTERS THAT ARE BEYOND THE SCOPE OF THEIR APPROVED PROGRAMS AND TRAININGS;
 - (10) THE ACT OF INTENTIONALLY COMMITTING FRAUD AND MISREPRESENTATION OR USE OF FALSIFIED OR FORGED DOCUMENTS IN OBTAINING THE NECESSARY APPROVAL OR CERTIFICATE OR GRANT OF AUTHORITY FROM THE INSTITUTE;

B. WITH RESPECT TO T&CM PRODUCTS:

- (1) THE MANUFACTURE, IMPORTATION, EXPORTATION, SALE, OFFERING FOR SALE, DISTRIBUTION, TRANSFER, USE, PROMOTION, ADVERTISING, OR SPONSORSHIP OF ANY T&CM PRODUCT THAT IS ADULTERATED, UNAPPROVED, UNREGISTERED OR MISBRANDED;
 - (2) THE ADULTERATION OR MISBRANDING OF ANY T&CM PRODUCT;
 - (3) FORGING, COUNTERFEITING, SIMULATING, OR FALSELY REPRESENTING OR, WITHOUT PROPER AUTHORITY, USING ANY MARK, STAMP, TAG, LABEL, OR OTHER IDENTIFICATION DEVICE AUTHORIZED OR REQUIRED BY REGULATIONS PROMULGATED UNDER THE PROVISIONS OF THIS ACT;
 - (4) THE USE, ON THE LABELING OF ANY T&CM PRODUCT OR IN ANY ADVERTISEMENT RELATING TO THE SAME, OF ANY FALSE OR MISLEADING REPRESENTATION OR

SUGGESTION WITH RESPECT TO THE REGISTRATION OF SUCH PRODUCT;

- (5) THE SALE, OFFERING FOR SALE, IMPORTATION, EXPORTATION, DISTRIBUTION OR TRANSFER OF ANY T&CM PRODUCT BEYOND ITS EXPIRATION OR EXPIRY DATE, IF APPLICABLE;
 - (6) THE ACT OF INTENTIONALLY COMMITTING FRAUD AND MISREPRESENTATION OR USE OF FALSIFIED OR FORGED DOCUMENTS IN OBTAINING THE NECESSARY APPROVAL OR CERTIFICATE OR GRANT OF AUTHORITY FROM THE INSTITUTE AND THIS IS WITHOUT PREJUDICE TO THE EXERCISE OF THE INSTITUTE OF ITS POWER TO REVOKE OR CANCEL CERTIFICATES, GRANTS OR APPROVAL IT HAS ISSUED;

C. ANY OTHER ACT WHICH VIOLATES OR UNDERMINES ANY OF THE EXPLICIT POWERS OF OR WHICH TENDS TO IMPEDE THE INSTITUTE FROM EXERCISING ANY OF ITS FUNCTIONS PROVIDED FOR IN THIS ACT.

SECTION 18. *PENALTIES* – ANY NATURAL OR JURIDICAL PERSON FOUND IN VIOLATION OF THE FOLLOWING PROHIBITED ACTS SHALL HAVE THE FOLLOWING PENALTIES:

A. PROHIBITED ACTS UNDER SECTION 17 (A) AND (C) – ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF PARAGRAPHS (A) AND (C) OF SECTION 17 HEREOF SHALL, UPON CONVICTION, SUFFER THE PENALTY OF IMPRISONMENT RANGING FROM ONE (1) YEAR BUT NOT MORE THAN TEN (10) YEARS OR A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00), OR BOTH, AT THE DISCRETION OF THE COURT.

THE IMPOSITION OF PENALTIES UNDER THIS SECTION SHALL BE WITHOUT PREJUDICE TO THE ISSUANCE OF CEASE AND DESIST ORDERS OR TO THE EXERCISE OF THE INSTITUTE OF ITS POWER TO REVOKE OR CANCEL CERTIFICATES, APPROVALS

**OR GRANTS IT HAS ISSUED AND/OR TO THE FILING
OF APPROPRIATE CIVIL OR CRIMINAL ACTION,
WHENEVER NECESSARY.**

IN CASE, HOWEVER, OF ILLNESS, INJURY OR DEATH AS PROVIDED FOR UNDER PARAGRAPH (A)(7) OF SECTION 17, THE INTENTIONAL USE OF T&CM SERVICES SHALL NOT CONSTITUTE A SEPARATE CRIME. RATHER, THE USE OR EMPLOYMENT OF SUCH SERVICE SHALL SERVE AS AN AGGRAVATING CIRCUMSTANCE TO QUALIFY THE APPLICABLE CRIME/S AS PROVIDED FOR BY THE REVISED PENAL CODE.

SHOULD THE OFFENSE BE COMMITTED BY A JURIDICAL PERSON, THE CHAIRMAN OF THE BOARD OF DIRECTORS, THE PRESIDENT, GENERAL MANAGER, OR THE PARTNERS AND/OR THE PERSONS DIRECTLY RESPONSIBLE THEREFORE SHALL BE PENALIZED.

**SHOULD THE OFFENSE BE COMMITTED BY A
FOREIGN NATIONAL, HE/SHE SHALL, IN ADDITION
TO THE PENALTIES PRESCRIBED, BE DEPORTED
WITHOUT FURTHER PROCEEDINGS AFTER SERVICE
OF SENTENCE.**

B. PROHIBITED ACTS UNDER SECTION 17 (B) - ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF PARAGRAPH (B) OF SECTION 17 HEREOF SHALL, UPON CONVICTION, SUFFER THE PENALTY OF IMPRISONMENT RANGING FROM ONE (1) YEAR BUT NOT MORE THAN TEN (10) YEARS OR A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00), OR BOTH, AT THE DISCRETION OF THE COURT: PROVIDED, THAT IF THE OFFENDER IS A MANUFACTURER, IMPORTER OR DISTRIBUTOR OF ANY T&CM PRODUCT, THE PENALTY OF AT LEAST FIVE (5) YEARS IMPRISONMENT BUT NOT MORE THAN TEN (10) YEARS AND A FINE OF AT LEAST FIVE HUNDRED THOUSAND PESOS (P500,000.00) BUT NOT MORE THAN FIVE MILLION PESOS (P5,000,000.00) SHALL BE IMPOSED: PROVIDED, FURTHER, THAT AN ADDITIONAL FINE OF ONE PERCENT (1%) OF THE ECONOMIC VALUE/COST OF THE VIOLATIVE PRODUCT OR VIOLATION, OR ONE THOUSAND PESOS

(P1,000.00), WHICHEVER IS HIGHER, SHALL BE IMPOSED FOR EACH DAY OF CONTINUING VIOLATION.

SECTION 19. *HUMAN RESOURCE* - THE INSTITUTE SHALL REVIEW ITS EXISTING ORGANIZATIONAL STRUCTURE WITH ITS STAFFING PATTERN, POSITIONS, AND TITLES. NEW OR ADDITIONAL POSITIONS, TITLES, OR RANKS, SHALL BE CREATED IF THERE SHALL BE A NEED FOR ADDITIONAL MANPOWER AS IDENTIFIED AND DETERMINED BY THE DIRECTOR GENERAL AND APPROVED BY THE BOARD.

SECTION 20. RETENTION OF INCOME – THE INSTITUTE SHALL HAVE THE RIGHT TO RETAIN ALL OF ITS INCOME DERIVED FROM THE OPERATIONS OF ITS HERBAL PROCESSING PLANTS AND ITS OTHER INCOME GENERATING SERVICES/ACTIVITIES. SUCH INCOME SHALL BE UTILIZED TO AUGMENT THE NEEDED MAINTENANCE AND OPERATING EXPENSES, CAPITAL OUTLAYS, UPGRADING AND MODERNIZATION OF THE INSTITUTE.”

SECTION 8. The succeeding sections of Republic Act No. 8423 are hereby renumbered accordingly.

SECTION 9. *Appropriations* – The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the Philippine Institute of Traditional and Alternative Health Care (PITAHC). Thereafter, the amount needed for the operations and maintenance of the PITAHC shall be included in the General Appropriations Act.

SECTION 10. *Implementing Rules and Regulations* – Within ninety (90) calendar days from the effectivity of this Act, the PITAHC in collaboration with the concerned agencies and stakeholders, shall promulgate the rules and regulations to effectively implement the provisions of this Act.

SECTION 11. *Transitory Provision* – Within three (3) years from the effectivity of this Act, during the transformation of PITAHC into a regulatory body, the FDA shall implement, in a hold-over capacity, the registration of T&CM products until PITAHC is reconstituted and capacitated.

SECTION 12. *Separability Clause* – If any portion or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provision not affected thereby, shall remain in force and effect.

SECTION 13. *Repealing Clause* – Chapter XIII of Presidential Decree No. 856, otherwise known as the “Code of Sanitation of the Philippines,” is hereby repealed. Any law, decree, issuance, order, letter of instruction, ordinances, rule and regulation or parts thereof, which are inconsistent with or contrary to the provisions of this Act, are hereby repealed, amended or modified accordingly.

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2 **SECTION 14. *Effectivity*** - This Act shall take effect fifteen (15) days following its
3 complete publication in the Official Gazette or in any newspaper of general circulation.
4
5 *Approved,*