



Republic of the Philippines

DEPARTMENT OF HEALTH

DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY



DOH-MARINA JOINT MEMORANDUM CIRCULAR NO.1

Series of 2022

SUBJECT: GUIDELINES ON THE RECOGNITION AND MONITORING OF MEDICAL PRACTITIONERS

Pursuant to Regulation 1/9 on *Medical Standards* of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW Convention, 1978, as amended) Presidential Decree No. 474, Republic Act No. 10635 and its Implementing Rules and Regulations (IRR) which established the Maritime Industry Authority (MARINA) as the Single Maritime Administration of the Republic of the Philippines in the implementation and enforcement of the STCW Convention; Executive Order No. 63 and its Implementing Rules and Regulations (IRR) which further strengthened the authority of MARINA as the single maritime administration for implanting the STCW Convention, the following rules and regulations are hereby promulgated.

ARTICLE I INTRODUCTION

Section 1. Rationale and Background

The following are hereby declared the policies of DOH and MARINA with regard to the recognition of medical practitioners performing pre-employment medical examination (PEME) and the subsequent monitoring of the recognized medical practitioners:

- 1.1 The DOH and MARINA shall jointly establish the policies, rules, regulations and standards for seafarer medical fitness and the requirements for the recognition of medical practitioners who will be responsible in the evaluation and issuance of PEME certificates to Filipino seafarers in accordance with Regulation 1/9 of the STCW Convention, 1978, as amended.

- 1.2 The DOH and MARINA shall ensure that all assessment activities conducted by recognized medical practitioners are subjected to regular monitoring to verify that the same are in accordance with the STCW Convention, as amended.

Section 2. Legal Bases

The following are the legal bases for the joint DOH and MARINA monitoring of recognized medical practitioners.

2.1 STCW Convention, 1978, as amended

- a. Article 1, paragraph 2 of the STCW Convention, 1978, as amended, *which states that Parties undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the Convention full and complete effect, so as to ensure that, from the point of view of safety of life and property at sea and the protection of the marine environment, seafarers on board ships are qualified and fit for their duties.*
- b. Regulation 1/8 on Quality Standards paragraphs 1 and 2 which mandates that each Party, [1] *in accordance with the provisions of section A-1/8 of the STCW Code, all training, assessment of competence, certification, including medical certification endorsement and revalidation activities carried out by non-governmental agencies are continuously monitored through a quality standards system to ensure achievement of the defined objectives, including those concerning the qualifications and experience of instructors and assessors.*
- c. Paragraph 2 of Regulation 1/9 on Medical Standards which also mandated that *each Party shall ensure that those responsible for assessing the medical fitness for seafarers are medical practitioners recognized by the Party for the purpose of seafarer medical examinations, in accordance with the provisions of Section A-1/9 of the STCW Code.*

- 2.2 Section 4, paragraph (c), Item (5) of the Republic Act No. 10635 states that MARINA shall coordinate with the DOH to ensure that the medical standards established to ascertain the medical fitness of seafarers are in accordance with the international conventions/treaties and existing laws. For this purpose, the MARINA shall:

- (i) *Ensure that the medical examinations and issuance of medical*

certificates by the DOH accredited hospitals, medical clinics, and laboratories, including medical practitioners are in accordance with the standards prescribed by the STCW Convention, and

- (ii) Ensure that medical certificates are issued by a duly-qualified medical practitioner recognized by and accredited with the DOH, and for this purpose, a register of recognized medical practitioners shall be maintained and made available to seafarers, shipping companies and State parties to the STCW Convention.*

2.3 Implementing Rules and Regulations (IRR) for R. A. No. 10635.

Rule III, Section 6.10. Department of Health (DOH)

The DOH in coordination with MARINA shall:

- 1. Be the responsible agency in establishing and promulgating health standards and guidelines in the regulation of medical health facilities conducting Pre-employment Medical Examination for Seafarers, through the Bureau of Health Facilities and Services;*
- 2. Set the scope of the standard medical examinations and guidelines on the medical fitness examinations and qualifications of seafarers in accordance with the STCW, prior to deployment. The DOH through the Bureau of Health Facilities and Services (BHFS) shall inspect medical clinics and grant the corresponding accreditation as a Medical Facility for Overseas Workers to a clinic that has complied with all the accreditation standards and guidelines;*
- 3. Ensure that medical facilities have established Quality Standards System (QSS) as part of its continuous quality improvement in the standards of medical service for seafarers;*
- 4. Ensure that its QSS is aligned and consistent with the NQSS of MARINA and shall subject itself to periodic audits conducted by the latter as the STCW Administration; and*
- 5. Maintain an updated list of accredited medical facilities conducting medical fitness for seafarers in accordance with the STCW.*

2.4 The authority of MARINA under Executive Order No. 63 and its Implementing Rules and Regulations (IRR) in "Further Strengthening the Authority of the MARINA as the Single Maritime Administration for the purpose of

implementing the 1978 International Convention of Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended, which mandated under section 7 therein the establishment of standards for medical fitness, accreditation of medical practitioners and issuance of medical certificates.

- 2.5 Section 5. of Executive Order No. 63 which states that the MARINA, in consultation with the Department of Health (DOH), shall establish the standards of medical fitness and the procedures for the issuance of medical certificates to Filipino seafarers, and ensure that those responsible for assessing the medical fitness of such seafarers are medical practitioners duly recognized by the DOH.

ARTICLE II COVERAGE

Section 3. This Joint Memorandum Circular shall cover and apply to all DOH-recognized medical practitioners (RMP) performing pre-employment medical examinations.

ARTICLE III DEFINITION OF TERMS

Section 4. For purposes of this DOH-MARINA Joint Memorandum Circular, the following terms shall be construed as follows:

- 4.1 **Health Facilities and Services Regulatory Bureau (HFSRB) formerly Bureau of Health Facilities and Services (BHFS)** refers to the regulatory body of the Department of Health (DOH) in charge of recognizing medical practitioners.
- 4.2 **MARINA** refers to the Maritime Industry Authority, which is the "Maritime Administration" or "Single Maritime Administration", in accordance with Sec. 2(e) of R.A. 10635 mandated to ensure complete and effective implementation of the STCW Convention.
- 4.3 **MARINA Representative** refers to personnel from the MARINA STCW Office Monitoring Division duly authorized to participate in the conduct of periodic monitoring of DOH-recognized RMPs.
- 4.4 **Monitoring** refers to the unannounced visit to a DOH-Recognized Medical Practitioner to verify continuous compliance with the standard minimum requirements.

- 4.5 **Pre-Employment Medical Examination (PEME)** refers to the DOH standard medical examination that is conducted prior to the deployment of a seafarer to determine whether he/she is physically and mentally fit to work.
- 4.6 **Recognized Medical Practitioner (RMP)** refers to the examining physician authorized by DOH to conduct PEME of seafarers.
- 4.7 **STCW Convention** refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.
- 4.8 **STCW Office (STCWO)** refers to the office in MARINA, specifically tasked to give full and complete effect to the requirements of STCW.
- 4.9 **SAM-IS or Surveillance, Accreditation and Monitoring-Information System** refers to the information system developed by the MARINA for uploading, downloading and sharing of data of Recognized Medical Practitioners.

ARTICLE IV GENERAL PROVISIONS

Section 5. Pursuant to Section 2 of EO 63 and its IRR and the provisions of Regulation 1/9 of the STCW Convention:

- 5.1 The DOH and MARINA shall ensure that those responsible for assessing the medical fitness of seafarers are DOH-recognized medical practitioners who have valid recognition for seafarer medical examinations.
- 5.2 RMPs shall only be allowed to conduct PEME for seafarers in a DOH-accredited medical facility for overseas workers and seafarers (MFOWS).
- 5.3 DOH and MARINA shall maintain a registry of RMPs that shall be available to seafarers, shipping companies and State parties to the STCW Convention.
- 5.4 The MARINA shall coordinate with DOH in the formulation of all policies and standards in relation to the implementation of Regulation 1/9 of the STCW Convention.
- 5.5 The DOH shall be subjected to periodic audit by the MARINA regarding the implementation of its Quality Standards System in relation to Regulation 1/9 of the STCW Convention. Further, the DOH shall comply and address any finding of MARINA in relation to the verification of compliance.

ARTICLE V

RECOGNITION OF MEDICAL PRACTITIONERS (RMP)

Section 6. Recognition of medical practitioner

In accordance with Paragraph 2 of Regulation I/9, each Party shall ensure that those responsible for assessing the medical fitness of seafarers are medical practitioners recognized by the Party for the purpose of seafarer medical examinations, in accordance with the provisions of Section A-I/9 of the STCW Code.

6.1 Requirements for the Recognition of Medical Practitioner (RMP)

- 6.1.1 Certificate/ Letter of endorsement from MFOWS
- 6.1.2 Notarized Contract of Employment or Appointment
- 6.1.3 Copy of updated Professional Regulation Commission Identification Card (PRC ID)
- 6.1.4 Certificate of Attendance of one (1) day Maritime Occupational Safety and Health (MOSH) under Department of Labor and Employment (DOLE) Accredited Training Organization.
- 6.1.5 Proof showing that the applicant has at least 2 years in active practice in general medicine.

6.2 Requirements for renewal of recognition

- 6.2.1 Certificate/ Letter of endorsement from MFOWS
- 6.2.2 Notarized Contract of Employment or Appointment
- 6.2.3 Copy of updated PRC ID

6.3 Process and procedure for recognition and renewal of medical practitioners

- 6.3.1 Applicant shall prepare and submit the documents enumerated under 6.1 or 6.2 to HFSRB thru the following channel:
 - 6.3.1.1 walk-in submission
 - 6.3.1.2 via mail or courier
 - 6.3.1.3 via email
- 6.3.2 Assigned personnel shall check for the completeness and evaluate for technical correctness of the documentary requirements submitted. If incomplete/incorrect, request the applicant to submit the required documents.
- 6.3.3 If the documents are complete and correct, the assigned personnel shall endorse the application to the Division Chief for approval.

- 6.3.4 Once approved, the assigned personnel shall encode in the SAM-IS the pertinent details of the recognized medical practitioners and notify the applicant.

6.4 Process and procedure for removal of recognized medical practitioners

- 6.4.1 For the removal of medical practitioners in the list, the requesting MFOWS shall prepare and submit the following documents to HFSRB:

6.4.1.1 Cover Letter to HFSRB informing the changes on their medical practitioners.

6.4.1.2 Filled out DOH-prescribed request form for delisting of medical practitioners.

6.5 Validity of recognition. The validity of the recognition granted to a medical practitioner shall be within the validity of his/her PRC ID. Moreover, the recognition as a medical practitioner is an integral part of the accreditation of MFOWS and is non-transferrable. As such, the recognition shall be declared invalid and the medical practitioner shall be delisted once the RMP is no longer connected with the MFOWS which originally endorsed him/her for recognition.

6.6 Action on violations. Violations of RMPs in relation to the performance of their duties shall be sanctioned against the MFOWS where they are currently employed and any appropriate action shall be done in accordance with the existing rules of the DOH.

6.7 Reportorial obligations to MARINA

- 6.7.1 The DOH shall encode in MARINA's SAM-IS the following information within three (3) working days from the approval of the recognition of the RMPs.

- a. Name of the recognized medical practitioner and validity of recognition;
- b. Name and address of the DOH-accredited Medical Facility for Overseas Workers and Seafarers (MFOWS); and
- c. The validity period of the MFOWS' DOH-Certification of Accreditation with its accreditation number

- 6.7.2 In case of delisting of RMPs, the DOH shall officially inform MARINA of the name/s of the concerned medical practitioner/s and update the SAM-IS.

ARTICLE VI

MONITORING OF RECOGNIZED MEDICAL PRACTITIONERS (RMP)

Section 7. The RMPs shall be monitored by the DOH at least once every three (3) years. The DOH shall inform the MARINA of the scheduled monitoring activity at least (five) 5 days prior to the conduct of monitoring and MARINA shall respond to this notification on or before the scheduled day of the activity as MARINA representative/s may participate in it.

Section 8. The monitoring activity shall be done in accordance with existing rules of the DOH.

ARTICLE VII

RESPONSIBILITIES OF RMPs

Section 9. All RMPs shall adhere to the guidelines set by the DOH and MARINA, and shall conduct PEME of seafarers within the premises of the MFOWS accredited by the DOH.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 10. Repealing Clause

Joint DOH-MARINA Memorandum Circular No. 1 Series of 2019, is hereby repealed. Any orders, issuances, rules and regulations inconsistent with or contrary to this Joint Memorandum Circular shall be repealed, amended or modified accordingly.

Section 11. Separability Clause

If any clause, sentence or provision of this Joint Memorandum Circular shall be declared invalid or unconstitutional, the other provisions not affected shall remain valid and effective.

Section 12. Transitory Provisions

Within 6 months from effectivity of this Joint Memorandum Circular, all DOH-accredited MFOWS shall submit to the DOH their medical practitioners for the process of recognition pursuant to the rules contained herein. After the transitory period, all PEME certificates issued by non-recognized medical practitioners pursuant to the requirements of this Joint Memorandum Circular shall not be accepted by MARINA for the purpose of determining the medical fitness of seafarers.

Section 13. Effectivity Clause

This Joint Memorandum Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation and upon filing three (3) copies to the *Office of the National Administrative Register (ONAR)* of the University of the Philippines Law Center.

City of Manila, Philippines on 16 DEC 2022.

Approved.

For the Department of Health


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