MEMORANDUM CIRCULAR NO. 2018-__157
16 November 2018

SUBJECT: REVISED GUIDELINES FOR MEDICAL EXAMINATION, ACCREDITATION OF MEDICAL CLINICS AND REGISTRATION OF PHYSICIANS RELATIVE TO THE ISSUANCE OF MEDICAL CERTIFICATES TO STUDENT-DRIVER'S PERMIT AND DRIVER'S/CONDUCTOR'S LICENSE APPLICANTS

WHEREAS, the State is mandated to ensure the protection of life and property and the promotion of the general welfare as essential for the enjoyment of the blessing of democracy;

WHEREAS, it is the policy of the State to ensure road safety through the observance of the citizenry of responsible and ethical driving standards;

WHEREAS, the State shall safeguard its citizenry from the ruinous and extremely injurious effects of vehicular accidents;

WHEREAS, there is a need to pursue a more proactive and preventive approach to secure the safety of motorists, their passengers and pedestrians at all times through an effective and efficient medical screening process for medical applicants to ensure that student-driver's permits and driver's licenses are issued only to those who are physically and mentally fit to operate motor vehicles;

WHEREAS, the State shall establish a system that promotes the ease of access to government services and efficient transportation regulation favorable to the people;

WHEREAS, pursuant to Section 22 of Republic Act No. 4136, as amended by Batas Pambansa Blg. 398, the Land Transportation Office (LTO, for brevity) is mandated to ensure that the applicant's health, sight and hearing are sound and normal, and is physically and mentally fit to operate motor vehicles, and to this end, require a certificate to that effect, signed by a reputable accredited physician;
WHEREFORE, the following Memorandum Circular is hereby prescribed and promulgated to ensure access to safe, quality and affordable medical clinics and medical examination services for the benefit of license applicants.

ARTICLE I
GENERAL PROVISIONS

Section 1. Objectives

This Memorandum Circular shall have the following objectives:

i. To provide and implement an accreditation and registration scheme for medical clinics and physicians that is transparent, competent, efficient, effective and consistent with acceptable standards and practice.

ii. To lay down minimum requirements and standards under which medical clinics may issue medical certificates for student-driver’s permits and driver’s/conductor’s license applicants to the end that quality, reliable, ethical and competent medical examination services conformable with the standards set forth herein are rendered.

iii. To provide standards in the conduct of medical examination for applicants of permits and licenses issued by LTO.

Section 2. Scope and Coverage

The following rules shall apply to accreditation of medical clinics and registration of physicians issuing medical certificates for student-driver’s permits and driver’s/conductor’s license applicants nationwide including the guidelines in the conduct of medical examination.

ARTICLE II
DEFINITION OF TERMS

Section 3. Definition of Terms

For purposes of this Memorandum Circular and as used herein, the following definitions are hereby adopted:

Applicant – any person who desires to apply for a student-driver’s permit, driver’s license, or conductors’ license. It shall also pertain to any person applying for the renewal of his license or for any driver’s license-related transaction requiring medical examination.
Accredited Medical Clinic – a medical facility, whether private or government-owned, accredited by the LTO, where a registered physician conducts medical, physical, optical, psychological and other similar examinations as requirement for the application of student-driver’s permits and drivers’/conductors’ licenses, the renewal thereof and other license-related transactions.

Registered Physician – any practicing doctor of medicine duly licensed to practice medicine in the Philippines and duly registered in the online medical certificate submission system used by the LTO, who examines applicants and issues medical certificates as proof thereof.

Medical Specialist – a physician with formal specialty training and has passed the specialty examination of a component society of the Philippine Medical Society.

Medical Certificate – a written statement in the prescribed form issued by a reputable registered physician who attests to the result of a medical examination done on an applicant.

Certificate of Accreditation (CoA) – the formal authorization issued by the LTO to an individual, partnership, corporation or association to operate a specific medical clinic for the issuance of medical certificate for LTO transactions requiring the same. It refers to compliance with standards set for a particular purpose. These standards cover input/structural, process and outcome/output standards.

Assessment Tool – the checklist utilized during inspection or monitoring visits to evaluate compliance of accredited medical clinics to minimum standards and requirements set forth by the LTO.

Solicitation of Client/s – an act initiated by the medical clinic, its personnel or any person acting for its benefit whereby targeted communication is directed to an applicant with an offer to provide, or can be reasonably be understood as offering to provide, medical examination services for the issuance of medical certificate for LTO transactions.

ARTICLE III
GENERAL GUIDELINES

The LTO shall ensure that the activities and operations of all clinics which conduct medical, physical, optical, psychological and other similar examinations, hereinafter referred to as medical examinations, on applicants as a requirement for the issuance of student-driver’s permits and the issuance/renewal of
drivers'/conductors' licenses, and other license-related transactions are compliant to standards and requirements herein set forth. All medical examinations for applicants shall be performed only in LTO accredited medical clinics and health facilities. Pursuant to this, LTO shall ensure that:

a. The scope of medical examination shall be in accordance with the standards set herein and those which may be additionally set by LTO.
b. The fees for the medical examinations shall be regulated, regularly monitored and duly published to ensure that the said fees are reasonable and not exorbitant. The LTO Regional Office may set a minimum amount of fee for the medical examination based on a thorough and periodic review of the cost of medical examinations within the region and after consultation with concerned stakeholders. The fees shall be reasonable enough to cover the cost of services rendered.
c. No group or groups of medical clinics shall have a monopoly of conducting medical examinations on applicants.
d. Every applicant shall have the freedom to choose any accredited medical clinic that will conduct his/her medical examination and his/her rights as a patient should be respected.

Section 4. Personnel

a. The medical clinic shall ensure that an examining physician shall at all times be available during hours of clinic operations.
b. The following are the minimum personnel required:
   i. Examining Physician(s) who shall be duly licensed by the Professional Regulation Commission (PRC).
   ii. Medical clinic staff who shall assist the examining physician and is capable of taking the medical history, weight, height and vital signs of the applicant.

Section 5. Physical Facilities

a. The medical clinic shall be located within a permanent site.
b. The examination room, which shall be separate from the waiting area for customers, shall have an area adequate to meet the space required by the equipment used in the visual and auditory tests to yield accurate results (i.e. at least seven meters in length and three meters in width if the clinic uses ordinary Snellen Chart). If the clinic uses a computer-based examination, a minimum space of four (4) meters in length and three (3) meters in width is recommended. The area shall likewise be sufficient to accommodate the required equipment, examination table, supply storage and basic seating.
c. The medical clinic shall provide a waiting area sufficient to seat at least five (5) persons at any given time but in no case shall it be less than five square meters (5 sq. m.).

d. The physical set-up of the clinic shall take into account the applicant's rights to privacy and confidentiality.

e. The medical clinic shall maintain adequate lighting and ventilation most conducive to examination.

f. The medical clinic shall be purposely used for the issuance of medical certificates and other medical services only;

g. Measures shall be undertaken to ensure good housekeeping in the facility.

h. All clinics shall conform to applicable local and national regulations for the construction, renovation, maintenance and repair of the facility.

Section 6. Equipment/Instruments and Supplies

a. The clinic must have a computer-based system equipped with the following:

(i) Digital camera to capture the photograph of the driver/conductor applicant;

(ii) Biometric fingerprint scanner to ensure the identity and the physical presence of the examining physician for every medical examination conducted; and

(iii) Capability to be connected online to the LTO-IT system through an LTO-approved application program, compliant to the specifications provided in Annex A, for a fast, real-time and efficient electronic transmission of medical examination results.

b. Every clinic shall provide adequate materials, supplies and paraphernalia for examination, such as but not limited to Snellen chart, sphygmomanometer, stethoscope, otoscope, tuning fork, penlight, reflex hammer, tongue depressors, thermometer, weighing scale, height chart and examination gloves, at all times.

c. Blood typing services may be available in the medical clinic. However, availment of such test shall be at the option of the applicant.

d. There shall be a contingency plan in case of equipment breakdown and malfunction. Such plan shall be submitted to the LTO Assessment and Compliance Monitoring Team.

e. The medical clinic may opt to use:

(i) A computer-based standard procedure with the use of Snellen chart, Ishihara plates, tuning fork and other conventional visual and auditory testing equipment;

(ii) A computer-based visual acuity, contrast sensitivity and auditory test medical examination. The equipment and its software used for testing shall be capable of achieving the accuracy required and shall comply with specifications relevant to the test. There shall likewise be a calibration, preventive maintenance and repair
program for the said equipment every six (6) months; or,
(iii) A combination of both.

f. Only registered physicians shall operate the above equipment. Up to date instructions on the use and maintenance of equipment (including any relevant manuals provided by the manufacturer of the equipment) shall be readily available for use by the appropriate personnel.

Section 7. Conduct of Medical Examination

a. The applicant must first personally fill out the Driver's Medical Evaluation form (Annex B) requiring him/her to provide requested personal information, to complete a brief health history, to authorize the processing of his/her medical information, and to certify under penalty of perjury that the information provided is true and complete. The application shall include that the applicant signifies his/her agreement, as data subject, to the collection and processing of personal information about and/or relating to him or her which shall be evidenced by his/her signature, written or electronic.

b. The applicant shall submit the filled-out Driver's Medical Evaluation form to the medical clinic staff who shall take the farmer's vital signs and record his/her findings thereon.

c. The trained medical clinic staff may also perform blood typing if the applicant's blood type and/or Rh factor are unknown to him/her. The conduct of the said test is optional.

d. The completed form shall be reviewed by the registered physician taking utmost consideration to the applicant's diagnosis, treatment, and level of functional impairment, if any. An in-depth examination shall be necessary if the applicant is assessed to have lapses of consciousness, diabetes, dementia, cognitive impairments or any other medical condition upon the physician's determination that may interfere with the driver's ability to control and safely operate a motor vehicle.

e. The registered physician must also individually conduct a physical examination in accordance with accepted medical standards to assess the following:
   i. Completeness, mobility and range of motion of extremities.
   ii. Visual acuity, peripheral vision, glare sensitivity and contrast sensitivity function of the applicant.
   iii. Hearing acuity.

f. The medical examination shall likewise include the determination that the applicant has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his/her ability to control and operate a motor vehicle safely.
g. The physician may require other tests that he/she, in his/her sound judgment, deems necessary to identify medical conditions that may pose a risk while operating a motor vehicle.

Section 8. Issuance of Medical Certificate

a. When the physician determines that the applicant is physically fit and medically qualified to drive a motor vehicle, the registered physician shall henceforth issue a completed medical certificate in the prescribed form reflecting his/her findings therein.

b. If the physician detects a medical condition or physical impairment but the same has already been corrected, controlled and/or adequately compensated, a medical certificate may still be issued by the physician but shall, however, indicate all his/her findings therein and note the condition/s under which the applicant may operate a motor vehicle.

c. If the physician finds that the applicant suffers an uncorrected medical condition/s or physical or mental impairment/s that would affect coordination, strength, vision, hearing or judgment, he/she shall be immediately referred to appropriate medical specialist/s to determine possible measures that may adequately compensate for the loss or impairment. The following medical specialists shall be consulted:
   i. Ophthalmologist for visual impairment;
   ii. Ears, Nose and Throat (ENT) Specialist for hearing impairment;
   iii. Rehabilitation Medicine Specialist for physical impairments and/or injuries involving the musculo-skeletal system; and/or
   iv. Neurologist for neurologic conditions such as but not limited to stroke, seizures, epilepsy and Parkinson’s disease;
   v. Psychiatrist for any symptom or manifestation of mental/psychiatric disorders.

d. Pending the results of the evaluation of medical specialist/s, a provisional medical certificate shall be transmitted to the LTO by the examining physician with a notice that the applicant is referred to a medical specialist for further evaluation.

e. In case of referral to a medical specialist, the applicant must return to the referring examining physician. The examining physician shall assess the findings and/or recommendations of the medical specialist, and henceforth issue and transmit an updated medical certificate to the LTO. The findings of the medical specialist shall be reflected in the updated medical certificate. A copy of the findings shall be attached to the medical certificate.

f. If the examining physician determines in his/her sound judgment that the applicant is physically and/or mentally unfit to drive, he/she shall accordingly issue a medical certificate reflecting the same. Notwithstanding the issuance thereof, the medical examination fee shall still be paid by the applicant.
g. The applicant declared to be unfit, however, may undergo another physical examination after a period of sixty (60) days if he/she so desires. A prior finding of unfitness shall not affect the issuance of a fit-to-drive certification if physical and/or mental state of the applicant or circumstances causing the unfitness has changed. Provided, That such previous determination of being unfit to drive shall be permanently recorded in the system to notify other physicians who may conduct the subsequent medical examination.

h. The examining physician may also issue a not-fit-to-drive certification if he finds that the applicant is not able to read and write or is disqualified to apply for a permit or license by reason of his/her insufficient age.

Section 9. Validity of Medical Certificate

A medical certificate shall be valid only for sixty (60) days from the date of its issuance. It may be used multiple times by the applicant for LTO transactions during its validity period. Medical certificates duly issued by registered physicians in accredited medical clinics shall be accepted in any LTO licensing office nationwide regardless of the location of the medical clinic where the medical examination is performed.

Section 10. Contents of Medical Certificate

The medical certificate shall contain at least the following information:

a. Complete name, accreditation number, address, contact number and e-mail address of the medical clinic;
b. Name and LTO registration number of the Examining Physician;
c. Current Professional Tax Receipt (PTR) number of the Physician, except if medical examination is performed by a government physician;
d. Professional Regulation Commission (PRC) registration number of the Physician;
e. Tax Identification Number (TIN) of the Physician;
f. Unique identification of the medical certificate (such as the combination of the assigned clinic code, the physician’s User ID and corresponding serial number per applicant);
g. Name, birth date, age, sex, eye color, height, weight and blood type of the applicant;
h. Certification that an applicant is physically and mentally fit to drive and/or any adverse finding of the examining physician and medical specialist, if any, that may affect his ability to operate a motor vehicle including the conditions under which the applicant may drive;
i. Clear digital photograph of the applicant; and,
j. Date of issuance of the medical certificate.

The prescribed medical certificate form is attached as Annex C.

Section 11. Transmission and Submission of Medical Result

a. All clinics shall electronically transmit the results of medical examination immediately to the LTO IT System. Towards this end, the medical clinic shall make use of an LTO-approved application program developed and managed by an accredited Medical IT Service Provider in consonance to the parameters and specifications outlined in Annex A hereof.

b. The transmission of every medical certificate or examination results to LTO shall require the biometric finger scan of the examining physician.

c. The unique identification of the medical certificate shall appear in the LTO IT System for purposes of validation – i.e. serial number or similar identification system.

d. A hard copy of the medical certificate shall be issued to the applicant to be submitted to the LTO for validation.

Section 12. Information Management

a. Every clinic shall maintain a system of electronically uploading, recording and reporting of results of examinations to LTO.

b. The original medical certificate shall bear the name, digital signature and the biometric fingerprint of the registered examining physician who shall be accountable for the reliability of the results.

c. There shall be policies and procedures on access to and confidentiality of applicant’s information. Likewise, the right of the applicant to obtain records of examination and other relevant medical information shall be observed. Pertinent provisions of Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012, shall be observed and faithfully complied with.

d. Retention and disposal of medical records and other relevant information whether paper-based or electronic media of all accredited medical clinics shall be in accordance with the LTO Records Disposition Schedule.

ARTICLE IV
ACCREDITATION OF MEDICAL CLINICS

Section 13. Qualifications for Accreditation

Any Filipino citizen at least twenty-five (25) years old having legitimate business interest in the medical clinic; a domestic partnership or association; or a corporation organized under Philippine laws with at least sixty percent (60%)
Filipino ownership who/which is not otherwise disqualified by any existing law or regulation may apply for an accreditation provided that the requirements herein are complied with.

No LTO personnel, his/her spouse, or his relative by consanguinity or affinity within the third civil degree, shall have ownership of, or financial interest in any medical clinic in the city or municipality where he/she is employed.

Section 14. Documentary Requirements

1. For government clinics or health facilities:
   a. Duly accomplished application form (Annex D), under oath and signed by the Head of Agency;
   b. Health Facility geographic form (location map) (Annex E) and layout of the clinic, including dimensions;
   c. Photographs of the exterior and interior of the medical clinic;
   d. Chart of organizational structure showing its personnel and their positions;
   e. List of personnel involved with the operation including their job descriptions, responsibilities and qualifications, including the certified true copy of their approved appointments or certificates of employment;
   f. List of all equipment, including manuals, reference materials required for its calibration; and
   g. Such other documents that the LTO may require from time to time to protect the interest of the government and the public.

2. For private medical clinics:
   a. Duly accomplished application form (Annex D), under oath and signed by the owner;
   b. Certified true copy of the following:
      i. For sole proprietorship, Certificate of Business Name Registration;
      ii. For corporation/partnership, Securities and Exchange Commission Certificate of Registration and Articles of Incorporation/Partnership and Board Resolution issued by the Board Secretary, specifying the name of authorized representatives who must be an officer of the corporation/partnership; or
      iii. For cooperative, Cooperative Development Authority Certificate of Registration and Articles of Cooperation and Board Resolution, issued by the Board Secretary, specifying the name of authorized representative, who must be an officer of the cooperative;
   c. Mayor’s Permit;
   d. Bureau of Internal Revenue Registration and Taxpayer’s Identification Number;
   e. Audited Financial Statement for the last two (2) years or a Pre-operating Financial Statement whichever is applicable, showing that the owner-
applicant shall be in such financial condition as to reasonably expect it to operate for at least one (1) year;

f. Health Facility geographic form (location map) (Annex E) and layout of the clinic, including dimensions;

g. Certificate of Registration of personal information processing system as proof of registration with the National Privacy Commission in accordance with Republic Act No. 10173 or the Data Privacy Act;

h. Photographs of the exterior and interior of the medical clinic;

i. Chart of organizational structure showing the relationship between the clinic and other operations of the firm, when applicable, and of the clinic showing its personnel and its functions;

j. List of personnel involved with the operation of the clinic including their job descriptions, responsibilities and qualifications, including the Certificate of Registration duly issued by the Board of Medical Examiners to physician/s employed therein;

k. List of all equipment, including manuals, reference materials required for its calibration;

l. Such other documents that the LTO may require from time to time to protect the interest of the government and the public.

Section 15. Application for Certificate of Accreditation (CoA)

a. The applicant for accreditation shall secure an application form from the LTO or download the prescribed application form for accreditation at the LTO website (www.lto.gov.ph).

b. The duly accomplished form together with the necessary attachments shall be submitted to the LTO Regional Office where the medical clinic is located.

c. The medical clinic shall pay a non-refundable application fee in the amount of Five Thousand Pesos (P5,000.00) upon submission of the accomplished form and other documentary requirements. Government health facilities and clinics are exempted from the payment of the application fee.

d. Upon receipt of the application documents, the LTO Regional Office shall, within three (3) working days, evaluate the completeness of the application.

e. An ocular assessment shall be conducted by the Assessment and Compliance Monitoring Team, upon findings of completion of all the documentary requirements.

f. In the event of findings of deficiency or non-conformity, the applicant shall be informed of those areas in which the medical clinic failed to meet the requirements/standards, and shall be given a specified period but in no case more than thirty (30) days within which the corrective measures shall be performed.
g. Within the prescribed period, the applicant may submit evidence of corrective action and request in writing that the area/s in question be reassessed, when warranted. Otherwise, the application shall be deemed abandoned and the corresponding fee shall be forfeited.

h. Based on the findings from the ocular assessment, the LTO Regional Director shall either disapprove the application or recommend to the Assistant Secretary for the issuance a Certificate of Accreditation.

i. In case of disapproval, the applicant shall be notified in writing stating therein the grounds why the application was disapproved.

j. An applicant aggrieved by the decision of the LTO Regional Director may, within fifteen (15) days from receipt of such decision, file an appeal to the Assistant Secretary. The grounds for appeal are limited to grave abuse of discretion and serious errors in the findings of fact, which may cause grave or irreparable injury to the aggrieved applicant. The decision of the Assistant Secretary shall be final and non-appealable.

k. Every branch office of a medical clinic shall apply for a separate accreditation. It shall be subject to the same requirements and processing procedure for accreditation and charged with the same fees as that of its main medical clinic.

l. A list of all accredited medical clinics shall be posted in LTO offices and website, and shall be regularly updated for the information of the public.

Section 16. Validity of Certificate of Accreditation (CoA)

The Certificate of Accreditation of a medical clinic shall be valid for one (1) year from the date of its issuance. However, the CoA of a medical clinic may be revoked, suspended or modified in full or in part at any time during the period of its validity for any false statement by the management and/or staff of the medical facility, or as shown by record of inspection and/or monitoring activities or for a violation of, or failure to comply with any of the terms, conditions or provisions of this Memorandum Circular, its annexes and related issuances.

Section 17. Renewal of Accreditation

The renewal of CoA of a clinic shall be filed to LTO Regional Office having jurisdiction of the area where the medical clinic is located within ninety (90) days before its expiration. The LTO Regional Director shall approve or disapprove the application for renewal after an inspection is conducted by the Assessment and Compliance Monitoring Team.

Upon application for renewal, a fee of Three Thousand Pesos (P3,000.00) shall be paid. The CoA of a clinic shall be temporarily suspended upon its failure to apply for a renewal after its expiration. The clinic shall immediately cease its operations. A penalty of One Thousand Pesos (P1,000.00) shall be imposed in addition to the renewal fee.
Section 18. Assessment and Compliance Monitoring Team

An Assessment and Compliance Monitoring Team shall be constituted in every LTO Regional Office to be composed of at least three (3) duly designated technical personnel.

Section 19. Ocular Inspection

Following grant of accreditation, the medical clinic shall abide by the following commitments:

a. The Assessment and Compliance Monitoring Team shall conduct a regular inspection after the initial Certificate of Accreditation has been granted or whenever circumstances warrant. In this regard, the Assessment and Compliance Monitoring Team shall be afforded reasonable access during business hours to the medical clinic’s premises to allow them to inspect the equipment, facilities and documents pertaining to their operation and to verify compliance by its personnel with the standards set herein.

b. The accredited medical clinic shall maintain and make available for inspection and reproduction on request of the Assessment and Compliance Monitoring Team records of medical clinic’s transactions for a period of not less than five (5) years, except items (iii) and (iv) which shall be kept for at least ten (10) years, after completion of any transaction. Records required to be maintained shall include copies of the following:
   i. Government permits and related documents;
   ii. Proof of tax payments;
   iii. Copies of medical certificates issued;
   iv. Results of all medical tests and/or screenings performed including the findings of the medical specialist/s to whom applicants were referred to;
   v. Records of relevant qualifications, training, skills and experience of the medical/technical personnel;
   vi. Records of all equipment, including number of units, date acquired, location, condition and preventive maintenance.

Section 20. Reportorial Requirement

The authorized representative of the accredited medical clinic shall report in writing to the LTO Regional Office having jurisdiction over the location where the medical clinic may be found, and copy furnished to the LTO – Central Office the following documents:

a. Any change of information related to the medical clinic such as authorized representatives, personnel, physical facility, equipment and provision of other relevant services that would affect the status of the clinic’s CoA.
within five (5) days before such change is effected. All the clinics shall attach in the notice the necessary credentials and contract of service of new personnel.

b. Change of name or address of the medical clinic must be made known within thirty days (30) days before such change is effected, subject to the approval of the Regional Director or his/her authorized representative upon submission of the proper application.

Section 21. Mandatory Display

All accredited medical clinics shall display the following in a place and manner conspicuous to their customers:

a. Official Signboard. Specifications such as dimensions, content, font/print and color shall be in accordance with the standards to be set by the LTO. The Assessment and Compliance Monitoring Team may require replacement of any sign, which fails to meet the outlined specifications, or which is no longer visible.

b. Certificate of Accreditation and Registration. The Certificate of Accreditation of the medical clinic and the Certificate/s of Registration from the Land Transportation Office of the examining physician/s employed by the medical clinic shall be posted prominently in an area frequented by the customers.

c. Physician's Credentials. Certificate of Registration duly issued by the Board of Medical Examiners and valid license Professional Regulation Commission shall likewise be posted in a conspicuous area of the medical clinic.

d. Fees. Fees on health examinations shall be posted at conspicuous areas in all clinics. The cost of medical examination and other related services shall be displayed at the reception area using, at a minimum, a tarpaulin not less than two (2) feet by three (3) feet in dimension and legible enough at a distance of twenty (20) feet.

e. Warning Sign. A poster of not less than one (1) foot by two (2) feet dimension with print legible enough at a distance of at least twenty (20) feet shall be posted at the reception area and examination area of the clinic. The poster shall contain a warning that states: "Willful misrepresentation with respect to material information in driver's/conductor's license application including health condition/s is punishable by a fine of P20,000.00 (Section 23-B of R.A. 4136, as amended by R.A. 10930)." A translation of the warning in Filipino and in a dialect predominantly used in the region of the clinic shall likewise be displayed.

f. Work Flow and Procedures on the conduct of medical examination
Section 22. Complaints

The clinic shall have a policy and procedure for the resolution of complaints received from clients or other parties. Records of all complaints, investigations and corrective actions undertaken shall be maintained by the clinic.

ARTICLE V
REGISTRATION OF PHYSICIANS

Section 23. Mandatory Registration of Physicians

The LTO shall make use of biometrics authentication (fingerprint scan) as a form of identification and access control in the electronic transmittal of the medical examination results. To this end, examining physicians of accredited medical clinics are required to complete a one-time registration per accredited clinic to be allowed access to the LTO IT System. The LTO Regional Office shall oversee the registration process of physicians.

Section 24. Documentary Requirements

a. Duly accomplished application form (Annex F), endorsed by the owner of the medical clinic or his/her authorized representative;
b. Two pieces 2x2 photo with name tag (taken within the last three months from the date of application for registration);
c. Certified true copy of Certificate of Registration duly issued by the Board of Medical Examiners;
d. Certificate of Membership and good standing from the Philippine Medical Association or its component society namely; (a) Affiliate Society of Land Transport & Road Safety, and (b) Society of Medical Clinics for Drivers
e. Photocopy of the valid Professional Regulation Commission license card (original copy to be presented during registration);
f. Copy of valid government issued identification card (other than PRC) with photo and signature (original copy to be presented during registration);
g. Current Professional Tax Receipt (PTR) number except for government physician;
h. Taxpayer’s Identification Number (TIN);
i. For government physicians, certified true copy of approved appointment or Certificate of Employment issued by the agency;
j. For government physicians who desire to engage in private practice, Authority to Engage in the Private Practice of Profession approved by the Head of Agency where he/she is employed.
Section 25. Registration Process

a. The application for registration in a prescribed form shall be filed at the LTO Regional Office where the accredited medical clinic is located.

b. Upon receipt, the application and its attachments shall be evaluated by the LTO Regional Office for its completeness and authenticity;

c. The LTO Regional Office, upon finding the application and other evidence to be satisfactory, shall schedule the interview and enrolment of the physician.

d. The LTO Regional Director or his/her authorized representative shall interview the physician-applicant in order to ascertain and verify the correctness and truth of the information contained in the application. The professional license may be verified through the PRC website. He/she shall likewise ensure that the person appearing for registration is one and the same with that whose credentials had been submitted.

e. If the identity of the person is indubitably established, the LTO Regional Office personnel shall proceed to the registration by taking the digital photograph and biometric finger scan of the physician-applicant.

f. A fee amounting to Three Thousand Pesos (P3,000.00) shall be collected from the applicant-physician for the one-time registration. An annual fee amounting to One Thousand Pesos (P1,000.00) shall be collected every year thereafter. Government physicians are exempted from the payment of the registration and annual fees. Provided, that government physicians who shall privately practice his/her profession shall be required to pay the prescribed fees.

g. A frontal photo of the face and a clear impression of the fingerprints of all the digits of the physician-applicant shall be taken immediately after the registration for records and monitoring purposes. The photo and fingerprint impressions shall be placed in the space provided in the approved application form.

h. The authority of the physician to transact and issue medical certificate shall commence upon approval of his/her application and enrollment. The registered physician shall examine applicants only in the medical clinic where he is enrolled.

i. A physician is required to register for every medical clinic where he/she will conduct medical examinations. It shall be subject to the same requirements and processing procedure for registration and charged with the same fees as that of his/her first registration.

j. The authority granted to a registered physician to access and use the facility shall automatically cease upon the expiration of the physician’s PRC license unless proof of renewal of his/her license is submitted to the LTO Regional Office prior to its expiration. It may also be suspended or revoked by the Assistant Secretary at any time for any false statement or as shown by record of inspection and/or monitoring activities or for a violation of, or failure to comply with any of the terms, conditions or
provisions of this Memorandum Circular, its annexes and related issuances.

ARTICLE VI
ADMINISTRATIVE SANCTIONS AND GROUNDS

Section 26. Prohibited Acts

a.) Violation of condition/s of accreditation and/or registration:
b.) Misrepresentation for purposes of securing an accreditation or registration or renewal thereof, such as giving a material false statement in the application or submitting falsified documents;
c.) Obstructing or attempting to obstruct inspection or visits by the authorized representatives of LTO;
d.) Engaging in activities outside the scope of the accreditation such as but not limited to selling of insurance policy, notarization of documents and photocopying services within the premises of the medical clinic;
e.) Tampering of medical examination result by deliberately entering any false information about the applicant's health or physical condition;
f.) Direct or indirect solicitation of clients; or
g.) Any act similar or analogous to the foregoing.

Section 27. Investigation of Charges/Complaints

Upon filing of charges or complaints by the LTO or any individual, corporation, association or organization against any clinic or any of its personnel who has violated or is violating the provisions of laws and/or rules and regulations for the regulation of medical clinics, the Assessment and Compliance Monitoring Team shall investigate and verify whether the clinic concerned or any of its personnel is guilty of charges or complaints.

If, upon investigation and hearing, the clinic concerned or any of its personnel is found violating the provisions of existing laws and/or rules and regulations for the regulation of medical clinics and their ancillary facilities/services, the LTO Regional Director impose the corresponding sanctions. Provided, That if any of the personnel of the LTO is involved, they shall be subject to appropriate disciplinary/administrative action in accordance with Civil Service rules. Provided further, That if any of the involved personnel of clinics are subject to the regulation of the Professional Regulation Commission, then the report finding that said personnel are guilty shall be considered as a formal complaint against them and shall be immediately filed with their respective Professional Regulatory Board. These actions are without prejudice to taking the case to judicial authorities for other appropriate actions.
Section 28. Administrative Penalties and Sanctions

After due notice and hearing, the administrative penalties of suspension not exceeding six (6) months or revocation of the accreditation of clinic or registration of physician, or both upon the discretion of the LTO Regional Director, may be imposed for any violation committed under these circular and other related issuances.

A medical clinic which engages in the medical clinic business or makes it appear that it is authorized to perform medical examination on applicants without proper accreditation and/or registration shall be penalized with perpetual disqualification from accreditation and/or registration.

A pending administrative case shall not bar the filing of appropriate civil and/or criminal case against the grantee.

Notwithstanding any action filed against the medical clinic, the applicant to whom the medical certificate was unduly issued to, shall remain liable under existing laws, rules and regulations.

Any or all of the prohibited acts herein shall be punished whether or not a license was granted by reason of the fraudulent issuance of medical certificate.

Section 29. Preventive Suspension

If upon inspection or monitoring visits, the medical clinic is found to be violating the standards or existing rules and regulations or committed prohibited acts stipulated in this Memorandum Circular, the LTO Regional Director may immediately impose preventive suspension to the said clinic for not more than sixty (60) days pending the outcome of the investigation.

A medical clinic shall cease its operation and shall not accept any client for medical examination during the period of preventive suspension. A medical clinic under preventive suspension shall be automatically denied access to the LTO IT System.

ARTICLE VII
FINAL PROVISIONS

Section 30. Transitory Provision

All medical clinics issuing medical certificates to LTO applicants at the time of issuance of this Memorandum Circular shall be given only up to January 4, 2019 to attain full compliance with the rules and regulations set forth herein.
Beginning on January 7, 2019, only the medical certificates issued by registered physicians of accredited medical clinics shall be accepted as a documentary requirement by the LTO.

Section 31. Repealing Clause

All Memorandum Circulars, issuances, rules and regulations pertaining to the issuance of medical certificates to applicants and the accreditation of medical clinics, which are inconsistent herewith, are hereby repealed and modified accordingly.

Section 32. Separability Clause

If any provision or part hereof is held invalid or unconstitutional, the remainder of the Memorandum Circular or provisions not otherwise affected shall remain valid and subsisting.

Section 33. Effectivity

This Memorandum Circular shall take effect upon its publication in the Official Gazette or in a newspaper of general circulation, and upon registration with the Office of the National Administrative Register at the University of the Philippines Law Center, U.P. Diliman, Quezon City.

Approved this 16th day of November 2018.

EDGAR C. GALVANTE
Assistant Secretary
Land Transportation Office