

Board Resolution No. 2018 - 001

Subject: 2018 REVISED ENFORCEMENT PROCEDURES OF THE OCCUPATIONAL THERAPY CODE OF ETHICS

Pursuant to the Bylaws of the Philippine Academy of Occupational Therapists, Inc. (PAOT, Inc.) and Professional Regulation Commission Resolution No. 1089, the organization shall enforce the Occupational Therapy Code of Ethics and Standards of Practice. As the national professional organization, it is its duty to ensure that its members adhere to the Code of Ethics, responsibilities and highest professional and technical standards and to report violations of the professional regulatory law to the Professional Regulation Commission (PRC) through the Office of Legal Service for possible prosecution or filing of complaint among others.

NOW, THEREFORE, PAOT, Inc. hereby adopts and promulgates the following rules to enforce the Occupational Therapy Code of Ethics and maintain the Standards of Practice:

Sec 1. **Title.** This policy shall be known and cited as the 2018 Revised Enforcement Procedures of the Occupational Therapy Code of Ethics.

Sec 2. **Definition of Terms.** - For the purposes of this policy, the following will be defined as follows:

1. *Advisory* – a public notice containing the statement of the Board in response to ethical issues to inform and educate the members and/or the general public
2. *Authorized Representative* – a person authorized by a firm, partnership, association or corporation as noted in a Board Resolution
3. *Complainant* - any person, firm, partnership, association or corporation through its authorized representative, who filed a complaint regarding an alleged violation of the Occupational Therapy Code of Ethics who has a personal knowledge on the matter
4. *Complaint* – a written statement of alleged misconduct or breach of the Occupational Therapy Code of Ethics and/or relevant laws and policies
5. *Educative Letter* – a personal notice to educate an occupational therapist or a manager, director or administrator of a firm, partnership, association or corporation regarding the Standards of Practice, the Occupational Therapy Code of Ethics and other relevant laws
6. *Jurisdiction* – the scope of power of the Board on a complaint filed over the person or the subject matter
7. *Occupational Therapy Personnel* – a collective term constituting occupational therapists and occupational therapy technicians
8. *Prescriptive Period* – period limited to one (1) year between (1) the day of the commission of the violation, and if the same be not known at the time, from the discovery thereof, and (2) the date of filing of the complaint
9. *Probable Cause* – a reasonable ground of suspicion supported by facts and circumstances which would lead a reasonable, discreet and prudent person to believe that the person complained of is guilty of the offense with which s/he is charged; does not call for the application of rules and standards of proof that a judgment of conviction requires after trial

10. *Public Ethical Issue* – a complaint constituting an alleged violation of the Code of Ethics that compromises the interest/s of the public or any subject matter that may put the organization, its members and/or the profession in peril
11. *Reference Number* – a standard manner of indexing the complaints filed for ease of storage and document retrieval and for confidentiality purposes in reports
12. *Respondent* – any person, firm, partnership, association or corporation alleged to have violated the Occupational Therapy Code of Ethics
13. *Suo Sponte Complaint* – a complaint filed by the organization on its own accord

Sec 3. **Roles and Powers of the Committee on Standards and Ethics.** - For the purposes of the Enforcement of the Occupational Therapy Code of Ethics, the Committee on Standards and Ethics (CSE), hereinafter referred to as Committee, shall:

1. Formulate, publish, and, periodically review and amend the Occupational Therapy Standards of Practice, and/or the Occupational Therapy Code of Ethics upon approval of the Board of Directors of PAOT, Inc. and submit the same to the Professional Regulation Commission for consideration and possible adoption;
2. Formulate, publish, and, periodically review and amend the Enforcement Procedures for the Occupational Therapy Code of Ethics upon approval of the Board of Directors of PAOT, Inc. and provide the same to the Professional Regulation Commission for review and information;
3. Assist the Committees on Programs and Public Relations in developing educational programs and materials on standards and ethics for distribution, respectively;
4. Publish advisory statements or notices to inform and educate the public on certain issues;
5. Formulate and publish procedures that shall be used for the processing of alleged violation of the Code;
6. Look into complaints filed concerning violations of the Occupational Therapy Code of Ethics and determine presence of probable cause;
7. Issue educative letters and/or publish advisories concerning the Occupational Therapy Code of Ethics and/or other relevant laws and rules;
8. Revoke or suspend the membership from the organization of occupational therapists found to violate the Occupational Therapy Code of Ethics after due notice and investigation; and
9. Refer complaints to the appropriate authorities for administrative and/or criminal investigation as deemed proper.

Sec 4. **Jurisdiction.** - The Committee shall have jurisdiction over its members and/or over issues involving violation/s of the Occupational Therapy Code of Ethics that may pose public risk only.

Sec 5. **Confidentiality.** - Strict confidentiality shall be maintained by all who are involved in the reporting, monitoring, reviewing, and enforcing of alleged infractions of the Occupational Therapy Code of Ethics. The maintenance of confidentiality, however, shall not interfere with the provision of proper notice to all parties involved in the disciplinary proceedings as determined by the Committee. Likewise, final decisions of the Judicial Council and the Appeal Panel will be publicized as described in the procedures.

Sec 6. **By whom handled.** – Complaint/s and/or public ethical issues shall be acted upon by the Committee, which shall be composed of the following:

1. Chair. – The chair shall be a member of the Board of Director as per the Bylaws.
2. Presidents of Chapters. – The presidents of all chapters shall automatically be members of the Committee. They shall direct all complaints and public ethical issues to the Chair by submitting a formal report on such complaints and issues, and perform any task duly delegated by the Chair in terms of handling complaints or public ethical issues.
3. Committee Members. – The members shall comprise of members of good standing who shall perform any task duly delegated by the Chair in terms of handling complaints or public ethical issues. They may be designated as investigators.

Sec 7. **Who may file.** – A complaint may be filed by any person, or firm, partnership, association or corporation through its authorized representative with personal knowledge on the matter.

Sec 8. **Sua sponte Filing.** – Any officer or member of the Board of Directors may file a *sua sponte* complaint against a member of the PAOT whose actions violate the Occupational Therapy Code of Ethics if s/he has personal knowledge on the matter, or if s/he receives or discovers through public records any of the following actions by the authorities, including but not limited to a felony conviction, findings of malpractice; revocation, suspension, or surrender of a license to practice, censure or monetary fine of an individual licensed to practice; finding of academic misconduct, or actions by a duly authorized tribunal or administrative hearing procedure.

Sec 9. **Contents of Complaint.** – A complaint shall contain all of the following upon filing:

1. Duly Accomplished Complaint Form (Annex A); and
2. Supporting Documents/Evidence.

Sec 10. **Acknowledgement and Indexing of a Complaint.** All complaints shall be acknowledged and indexed for appropriate documentation.

1. Acknowledgement. – Upon receipt of a complaint, the Committee shall notify the complainant using the Template for Acknowledgement of Receipt of Complaint (Annex B) and the Chair of the Committee on Standards and Ethics. Should the complaint contain missing information, the complainant shall likewise be notified and shall be given thirty (30) days to complete the requirements; otherwise, the complaint shall be dismissed automatically without prejudice to its refiling.
2. Assignment of Reference Number. - Upon receipt of a complaint, it shall be indexed with a reference number following the format of XX-YYYY-####, where:

XX - Organization Code (e.g. 01 for PAOT National, 02 for PAOT Mindanao Chapter)
YYYY - Year Received
- Four-Digit Sequence Number

Sec 11. **Rules of Procedure in Handling Complaints.** The following procedures shall be adhered to in handling complaints, except for *suo sponte* complaints:

1. **Screening for Timeliness of Filing.** – Within 15 days upon acknowledgement of receipt of complaint, the Committee shall conduct a screening for timeliness of filing and jurisdiction.
 - 1.1. If beyond prescriptive period, the Committee shall notify the complainant using the Template for Beyond Prescriptive Period Case (Annex C).
 - 1.2. If within prescriptive period, the Committee shall proceed to Step 2.
2. **Screening for Jurisdiction over the Matter of the Complaint.** – Within ninety (90) days, the Committee shall review the complaint and determine if the complaint indeed contains alleged violation/s of the Occupational Therapy Code of Ethics based on the complaint filed and the supporting documents/evidence provided (if any).
 - 2.1. If the complaint does not contain issues relating to violation/s of the Occupational Therapy Code of Ethics and/or the laws governing the practice of occupational therapy in the country, the Committee shall notify the complainant using the Template for Case Dismissal (Annex D).
 - 2.2. If the complaint contains issues relating to violation/s of laws governing the practice of occupational therapy in the country but is/are beyond the Occupational Therapy Code of Ethics, the Committee shall follow Sections 16 and/or 17 as necessary.
 - 2.3. If the complaint contains alleged violation/s of the Occupational Therapy Code of Ethics, the Committee shall proceed to Step 3 and shall follow Section 16 if deemed necessary.
3. **Opportunity to Respond.** – The Committee shall notify the respondent using the Template for Opportunity to Respond (Annex E) that a complaint has been received and that s/he has the opportunity to refute all charges through the filing of an answer and submission of contra-evidence within thirty (30) days. Failure of the respondent to cooperate shall not prevent continuation of the enforcement procedures and shall, in itself, constitute a violation of the Occupational Therapy Code of Ethics. After thirty (30) days whether or not respondent files an answer and/or submits contra-evidence, the Committee shall proceed to Step 4. Requests for extension of the thirty-day period shall only be granted in case of sickness, national emergencies or disasters, or immediate family emergencies, upon approval of the Chair of the Committee. No other persons except for the Committee, the complainant and respondent, shall participate in this process.
4. **Committee Review and Decision.** – Within 90 days, the Committee shall render a decision if there is probable cause for an alleged violation of the Occupational Therapy Code of Ethics based on a review of the complaint filed, the answer of the respondent (if any) and the supporting documents/evidence presented by both parties (if any).
 - 4.1. If there is no probable cause, the Committee shall notify the complainant using the Template for Without Probable Cause Case - Complainant (Annex F) and the respondent using the Template for Without Probable Cause Case – Respondent (Annex G).
 - 4.2. If there is probable cause, the Committee shall inform the Board of Directors and proceed to Step 5.

5. **Screening for External Jurisdiction.** – The Committee shall determine which authority/authorities has/have jurisdiction over the person and the subject matter (refer to Annex H) and proceed to Steps 6, 7, 8, 9 and 10.
6. **Instructions to Complainant.** – The Committee shall instruct the complainant on the appropriate procedures on how to act on the complaint using Template for Decision and Appropriate Action in Annex I.
7. **Notification of the Respondent.** – The Committee shall notify the respondent about the decision using Template for Decision (Annex J).
8. **Provision of Educative Letter.** – The Committee shall provide an educative letter to the respondent if s/he is a member. This is to primarily inform the concerned member about the violation/s citing provisions of the Occupational Therapy Code of Ethics and/or other relevant laws and policies and shall serve as a warning. It shall be the discretion of the Committee to provide an educative letter to the respondent if s/he is not a member.
9. **Submission and Implementation of a 90-day Transformative Plan.** – The respondent, if a member, shall be required to submit within fifteen (15) days a 90-day transformative plan to ensure his/her compliance to the Occupational Therapy Code of Ethics thereafter. The implementation of the plan shall be monitored by the Committee through its representative/s.
10. **Reporting to the Professional Regulatory Board for Occupational Therapy of the Professional Regulation Commission.** – The Committee shall notify the Professional Regulatory Board for Occupational Therapy of the Professional Regulation Commission about the case.

Sec 12. **Rules of Procedure in Handling *Suo Sponte* Complaints.** The following procedures shall be adhered to in handling *suo sponte* complaints:

1. **Opportunity to Respond.** – The Committee shall notify the respondent using the Template for Opportunity to Respond (Annex E) that a complaint has been filed and that s/he has the opportunity to refute all charges through the filing of an answer and submission of contra-evidence within thirty (30) days. Failure of the respondent to cooperate shall not prevent continuation of the enforcement procedures and shall in itself constitute a violation of the Occupational Therapy Code of Ethics. Extension of the thirty-day period shall only be granted in case of sickness, national emergencies or disasters, or immediate family emergencies, upon approval by the Chair of the Committee. After thirty (30) days, whether or not respondent files an answer and/or submits contra-evidence the Committee shall proceed to Step 4.
2. **Committee Review and Decision.** – Within 90 days, the Committee shall render a decision if there is probable cause for an alleged violation of the Occupational Therapy Code of Ethics based on a review of the complaint filed, the answer of the respondent (if any) and the supporting documents/evidence presented by both parties (if any).
 - 2.1. If there is no probable cause, the Committee shall notify the complainant using the Template for Without Probable Cause Case - Complainant (Annex F) and the respondent using the Template for Without Probable Cause Case – Respondent (Annex G).
 - 2.2. If there is probable cause, the Committee shall inform the Board of Directors and proceed to Steps 3.

3. **Provision of Educative Letter.** - The Committee shall provide an educative letter to primarily inform the concerned member about the violation/s citing provisions of the Occupational Therapy Code of Ethics and/or other relevant laws and policies and shall serve as a warning.
4. **Submission and Implementation of a 90-day Transformative Plan.** - The respondent shall be required to submit within fifteen (15) days a 90-day transformative plan to ensure his/her compliance to the Occupational Therapy Code of Ethics thereafter. The implementation of the plan shall be monitored by the Committee through its representative/s.
5. **Reporting to the Professional Regulatory Board for Occupational Therapy of the Professional Regulation Commission.** - Should the Committee find that the concerned member continues alleged practice/s after the 90-day period, and find evidence of such, the Committee shall notify the Professional Regulatory Board for Occupational Therapy of the Professional Regulation Commission.
6. **Reporting to Other Authorities.** - Should the Committee find that the concerned member continues alleged practice/s after the 90-day period, and find evidence of such, the Committee may also forward the case to other relevant authorities as deemed necessary.

Sec 13. **Disciplinary Actions.** - The following disciplinary actions shall be imposed depending on the specified instances:

1. **Probation of Membership.** - If, after due process, the Committee determines there is probable cause on the case filed against the concerned member, the Committee shall coordinate with the Committee on Membership and Nomination to indicate the probation status of his/her membership until s/he successfully completes the implementation of the 90-day Transformative Plan;
2. **Suspension.** - If, after due process, the Professional Regulation Commission suspends the Certificate of Registration and Professional Identification Card of the member found to violate the Occupational Therapy Code of Ethics, the Committee shall impose a suspension of his/her membership from the organization shall be made public;
3. **Revocation.** - If, after due process, the Professional Regulation Commission revokes the Certificate of Registration and Professional Identification Card of the member found to violate the Occupational Therapy Code of Ethics, the Committee shall impose a revocation of membership from the organization and shall be made public;
4. **Denial of Membership.** - If the occupational therapy personnel concerned is not a member of the organization, the Committee shall coordinate with the Committee on Membership and Nomination to disallow the processing of his/her membership registration:
 - a. unless s/he submits and successfully completes the implementation of a 90-day Transformative Plan; and/or
 - b. if, after due process, the Professional Regulation Commission suspends or revokes his/her Certificate of Registration and Professional Identification Card, unless reinstated.

Sec 14. Reinstatement of Membership to the Organization. – A member whose membership to the organization was suspended or revoked may apply for reinstatement of membership by providing proof of reinstatement from the Professional Regulation Commission pending submission and successful completion of the implementation of a 90-day transformative plan.

Sec 15. Issuance of Educative Letters. – Aside from the instances requiring the provision of educative letters identified in the previous sections, the Committee may issue educative letters to members of PAOT allegedly violating the Occupational Therapy Code of Ethics which were made known to any officer or member of the Board of Directors through informal means. The educative letters shall contain provisions of the Occupational Therapy Code of Ethics and/or of other laws and policies relevant to the alleged act/s.

Sec 16. Actions on Public Ethical Issues. - The Committee or officers, together with the Committee on Public Relations, shall prepare advisories regarding public ethical issues which shall be approved by the Board of Directors prior to release to the public and to concerned individuals/organizations/agencies if deemed necessary.

Sec 17. Actions on Alleged Violations of the Law governing OT but beyond the Jurisdiction of PAOT. – The Committee shall inform the person raising the issue which authority/authorities have jurisdiction over his/her concern. Upon obtaining consent from the person raising the issue, the Committee may report the same to the Professional Regulation Commission if warranted and if the narrative contains the alleged violations and the name/s of the person/s and/or center/s involved and its/their address/es if publicly available.

Sec 18. Guidelines on 90-day Transformative Plan. – The Board of Directors, through the Committee, shall set the general guidelines for the transformative plan to ensure fairness among others.

Sec 19. Effectivity. – This shall be used for all complaints filed after the date of promulgation.

Prepared by the Committee on Professional Standards and Ethics for the Board of Directors of the Philippine Academy of Occupational Therapists, Inc.

Promulgated by the Board of Directors of the Philippine Academy of Occupational Therapists, Inc. on the 22nd day of September 2018, in the City of Makati, Philippines.

Annex A Complaint Form

COMPLAINT FORM



Control No. 20__ - ____

Date of Complaint	Click or tap to enter a date.	Date of Incident	Click or tap to enter a date.
COMPLAINANT INFORMATION			
Name	Click here to enter text.	Age	Gender/Sex Click here to enter text.
Mailing Address	Click here to enter text.		
City	Click here to enter text.	Province	Click here to enter text. Postal Code
E- mail Address	Click or tap here to enter text.	Contact no.	Click or tap here to enter text.
RESPONDENT INFORMATION (This pertains to the person of concern)			
Name	Click here to enter text.	Age	Click here to enter text. Gender/Sex Click here to enter text.
Mailing Address	Click here to enter text.		
City	Click here to enter text.	Province	Click here to enter text. Postal Code Click here to enter text.
E- mail Address	Click here to enter text.	Contact No.	Click here to enter text.
Practitioner's License no.	Click here to enter text.		
Name of Institution	Click here to enter text.		
Address of Institution	Click here to enter text.		
Relation to Complainant	Click here to enter text.		
NATURE OF COMPLAINT			
Concern/s about the Practitioner		Concern/s about the Institution	
Alleged Ethical Principle Breached: Choose an item.		Alleged Ethical Principle Breached: Choose an item.	
<p>For more details on Ethical Principles, please refer to the Occupational Therapy Code of Ethics. Please check the link below to view and read the file.</p> <p>http://paot.org.ph/downloads.html</p>			

9055 Banuyo St., San Antonio Village, Makati 1203, Philippines
Hotline +63 917 519 1748 Email paot.org@gmail.com

www.paot.org.ph



COMPLAINT FORM

DETAILS OF COMPLAINT:			
Please describe the details of the complaint. Indicate the <u>date</u> , <u>time</u> , <u>place</u> , and the <u>persons involved</u> in the said complaint. Attach additional papers if ever the space provided below is not enough. <u>You may also attach additional documents that could support your claim regarding the incident.</u> Please add the date and affix your signature on the attached papers/documents.			
Click here to enter text.			
Information about the Submitted Evidence			
<input type="checkbox"/> I, Click here to enter text. , have submitted evidence along with the complaint form.			
Type of Evidence	<input type="checkbox"/> Incident report <input type="checkbox"/> Video recording <input type="checkbox"/> Others (please specify): Click here to enter text.		
WAIVER OF CONFIDENTIALITY:			
I, Click here to enter text. , hereby agree to disclose this complaint form and the attached supporting documents to the respondent, and/or to other regulatory authorities as may be required during the review and investigation process of this complaint only as indicated in the Enforcement Procedures of the Occupational Therapy Code of Ethics. By signing this document, I attest that I will not hold the Committee on Professional Standards and Ethics of the Philippine Academy of Occupational Therapists liable for a breach of confidentiality for this purpose.			
LEGAL CLAUSE:			
I, Click here to enter text. , solemnly swear that all the information/details written here are truthful, complete, and neutral. I am aware that there is a corresponding consequence in falsifying information in written documents.			
Name:	Click here to enter text	Date Signed:	Click here to enter a date.
Signature:			
Please email the complaint form to paot.ethics@gmail.com or mail it to the Chairperson of the Committee on Standards and Ethics at <u>9055 Banuyo St., San Antonio Village, Makati 1203, Philippines.</u>			



Annex B
Template for Acknowledgement of Receipt of Complaint

[DATE]

[FULL NAME OF COMPLAINANT]

Complainant

RE: ACKNOWLEDGEMENT OF RECEIPT OF COMPLAINT

Dear Mr./Ms. [surname],

This is to inform you that the complaint that you filed against **[NAME OF RESPONDENT]** last **[DATE OF COMPLAINT]** which was received by the Committee on Standards and Ethics on **[DATE RECEIVED]** will be screened by the Committee for timeliness of filing following the 2018 Revised Enforcement Procedures. Should the complaint be beyond the prescriptive period, kindly expect a notice from the Committee within fifteen (15) days. Otherwise, the Committee shall be conducting a preliminary review of your complaint to determine if the complaint contains an alleged violation of the Occupational Therapy Code of Ethics within ninety (90) days thereafter.

If you require any further information or clarification, please do not hesitate to contact the undersigned at paot.ethics@gmail.com.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics

Annex C
Template for Beyond Prescriptive Period Case

[DATE]

[FULL NAME OF COMPLAINANT]

Complainant

RE: COMPLAINT FILED - BEYOND PRESCRIPTIVE PERIOD

Dear Mr./Ms. [surname],

This is to inform you that the complaint that you filed against **[NAME OF RESPONDENT]** was determined by the Committee to be beyond the prescriptive period under the 2018 Revised Enforcement Procedures. Please know that the Committee cannot act on a complaint with the occurrence of the alleged violation/s dated beyond ten years from date of filing based on the Enforcement Procedures of the Occupational Therapy Code of Ethics. No further action will be taken regarding the said complaint.

If you require any further information or clarification, please do not hesitate to contact the undersigned at paot.ethics@gmail.com.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics

Annex D
Template for Case Dismissal

[DATE]

[FULL NAME OF COMPLAINANT]

Complainant

RE: COMPLAINT FILED - DISMISSAL

Dear Mr./Ms. [surname],

This is to inform you that the complaint that you filed against **[NAME OF RESPONDENT]** was determined by the Committee to be for dismissal. The alleged violations does not involve issues on standards of practice and/or code of ethics that may put the interest of the public at risk. Please know that the Committee cannot act on a complaint beyond its jurisdiction based on the 2018 Revised Enforcement Procedures of the Occupational Therapy Code of Ethics.

If you require any further information or clarification, please do not hesitate to contact me through this e-mail.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics

Annex E
Template for Opportunity to Respond

[DATE]

[FULL NAME OF RESPONDENT]

Respondent

RE: COMPLAINT FILED - OPPORTUNITY TO RESPOND

Dear Mr./Ms. [Surname],

It has come to the attention of the Committee on Standards and Ethics of the Philippine Academy of Occupational Therapists, Inc. that you may have committed acts of misconduct which may be a breach of our Occupational Therapy Code of Ethics. In particular, the following allegations were made:

1.

Attached with this letter is/are [document/s submitted by the complainant] for your reference.

In accordance with the 2018 Revised Enforcement Procedure for Occupational Therapy Code of Ethics, you have the opportunity to provide the Committee with a response to these alleged acts of misconduct by [DATE – one month from date of letter]. Your response will be taken into consideration and will assist the Committee in deciding what, if any, further action is required in respect of these allegations.

If you fail to respond by this date or elect not to provide the Committee with a written response, the Committee will determine what further action is to be taken based on the information available to us, and this in itself shall constitute a violation of the Code of Ethics.

If you require any further information or clarification, please do not hesitate contact the undersigned through paot.ethics@gmail.com.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics

Annex F
Template for Without Probable Cause - Complainant

[DATE]

[FULL NAME OF COMPLAINANT]

Complainant

RE: COMPLAINT FILED – WITHOUT PROBABLE CAUSE

Dear Mr./Ms. [surname],

This is to inform you that after a review of the complaint that you filed against **[NAME OF RESPONDENT]**, the Committee on Standards and Ethics finds that there is no probable cause based on the merits of the case. No further action shall be taken by the Committee on this matter.

Should you have any concerns regarding this, please feel free to contact the undersigned at paot.ethics@gmail.com. Thank you very much for your cooperation.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics

Annex G
Template for Without Probable Cause - Respondent

[DATE]

[FULL NAME OF RESPONDENT]

Respondent

RE: COMPLAINT FILED – WITHOUT PROBABLE CAUSE

Dear Mr./Ms. [surname],

This is to inform you that after a review of the complaint filed against you by **[NAME OF COMPLAINANT]**, the Committee on Standards and Ethics finds that there is no probable cause based on the merits of the case. No further action shall be taken by the Committee on this matter.

Should you have any concerns regarding this, please feel free to contact the undersigned at paot.ethics@gmail.com. Thank you very much for your cooperation.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics

Annex H
Jurisdiction of External Authorities

Professional Regulation Commission	
Policy	Provision
<p>Republic Act No. 8981 PRC Modernization Act of 2000</p>	<p>[Powers, functions and responsibilities of the Commissioner]</p> <p>Section 7 (w). To initiate an investigation, upon complaint under oath by an aggrieved party, of any person, whether a private individual or professional, local or foreign, who practices the regulated profession or occupation without being authorized by law, or without being registered with and licensed by the concerned regulatory board and issued the corresponding license/professional identification card or temporary or special permit, or who commits any of the prohibited acts provided in the regulatory laws of the various professions, which acts are criminal in nature, and if the evidence so warrants, to forward the records of the case to the office of the city or provincial prosecutor for the filing of the corresponding information in court by the lawyers of the legal services of the Commission who may prosecute said case/s upon being deputized by the Secretary of Justice</p>
	<p>[Powers, functions and responsibilities of the various professional regulatory boards]</p> <p>Section 9 (c). To hear and investigate cases arising from violations of their respective laws, the rules and regulations promulgated hereunder and their Code of Ethics and for this purpose, may issue summons, <i>subpoena</i> and <i>subpoena duces tecum</i> to alleged violators and/or witnesses to compel their attendance in such investigations or hearings: <i>Provided</i>, That, the decision of the Professional Regulatory Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision</p> <p>Section 9 (d). To delegate the hearing of investigation of administrative cases filed before them except in cases where the issue or question involved strictly concerns the practice of the profession or occupation, in which case, the hearing shall be presided over by at least one (1) member of the Board concerned assisted by a Legal or Hearing Officer of the Commission</p> <p>Section 9 (e). To conduct, through the Legal Officers of the Commission, summary proceedings on minor violations of their respective regulatory laws, violations of the rules and regulations issued by the boards to implement their respective laws, including violations of the general instructions to examinees committed by examinees, and render judgment thereon which shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision</p>
<p>Resolution No. 2013-775, Series of 2013 Revised Rules and Regulations in Administrative Investigations</p>	<p>Article I. Section 2. Scope.</p> <p>The Rules are issued in the exercise of the quasi-judicial function of the Commission or the Board to conduct an investigation of cases against a Chairman, Vice-Chairman or Member of the Board; a registered and licensed professional; a juridical person allowed to practice a profession; a holder of a special temporary permit; an examinee; an applicant for examination; or an applicant for registration without examination</p>
	<p>Article I. Section 4. Nature of Action.</p> <p>The administrative investigations shall be fact-finding and summary, and intended primarily to determine if the Chairman, Vice-Chairman or Member of the Board is fit to continue as such; the registered and licensed professional or juridical person, or holder of Special Temporary Permit is still qualified and competent to continue practicing the profession; or the Applicant or Examinee is qualified to be admitted to the practice of his profession</p>

Filing in Court through a Provincial / City Prosecutor

Policy	Provision
Republic Act No. 5680 Philippine Physical and Occupational Therapy Law	<p>Section 27. Prohibition in the Practice of Physical Therapy or Occupational Therapy; Penalty</p> <p>Any person who shall practice Physical Therapy or Occupational Therapy in the Philippines within the meaning of this Act, without a valid certificate of registration issued by the Board of Examiners for Physical Therapists and Occupational Therapists, or any person presenting as his or her own the certificate of another, or any person giving any false or forged evidence to the Board in order to obtain a certificate of registration or admission to an examination, or any person assuming or advertising himself or herself as a registered physical therapist or registered occupational therapist, or any person violating any provision of conduct shall be guilty of a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not less than one thousand pesos nor more than five thousand pesos or to suffer imprisonment for a period of not less than one year nor more than five years, or both such fine and imprisonment at the discretion of the Court.</p>

Office of the Ombudsman

Policy	Provision
Republic Act No. 6770 The Ombudsman Act of 1989	<p>Section 13. Mandate</p> <p>The Ombudsman and his Deputies, as protectors of the people, shall act promptly on complaints filed in any form or manner against officers or employees of the Government, or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations, and enforce their administrative, civil and criminal liability in every case where the evidence warrants in order to promote efficient service by the Government to the people.</p> <p>Section 15. Powers, Functions and Duties</p> <p>(1) Investigate and prosecute on its own or on complaint by any person, any act or omission of any public officer or employee, office or agency, when such act or omission appears to be illegal, unjust, improper or inefficient. It has primary jurisdiction over cases cognizable by the Sandiganbayan and, in the exercise of his primary jurisdiction, it may take over, at any stage, from any investigatory agency of Government, the investigation of such cases</p> <p>(2) Direct, upon complaint or at its own instance, any officer or employee of the Government, or of any subdivision, agency or instrumentality thereof, as well as any government-owned or controlled corporations with original charter, to perform and expedite any act or duty required by law, or to stop, prevent, and correct any abuse or impropriety in the performance of duties</p> <p>(3) Direct the officer concerned to take appropriate action against a public officer or employee at fault or who neglect to perform an act or discharge a duty required by law, and recommend his removal, suspension, demotion, fine, censure, or prosecution, and ensure compliance therewith; or enforce its disciplinary authority as provided in Section 21 of this Act: Provided, That the refusal by any officer without just cause to comply with an order of the Ombudsman to remove, suspend, demote, fine, censure, or prosecute an officer or employee who is at fault or who neglects to perform an act or discharge a duty required by law shall be a ground for disciplinary action against said officer</p>

Annex I
Template for Decision and Appropriate Action

[DATE]

[FULL NAME OF COMPLAINANT]

Complainant

RE: COMPLAINT FILED – DECISION AND APPROPRIATE ACTION/S

Dear Mr./Ms. [surname],

This is to inform you that after a review of the complaint that you filed against **[NAME OF RESPONDENT]**, the Committee on Standards and Ethics finds that there is probable cause based on the merits of the case. You may file a formal complaint to: [appropriate authority]. To do so, you need to prepare and submit the following: [requirements].

Should you have any concerns regarding this, please feel free to contact the undersigned at paot.ethics@gmail.com. Thank you very much for your cooperation.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics

Annex J
Template for Decision

[DATE]

[FULL NAME OF RESPONDENT]

Respondent

RE: DECISION LETTER

Dear Mr./Ms. [surname],

I refer to the complaint filed against you last [DATE OF COMPLAINT]. Based on the review of the Committee on Standards and Ethics of the case of [RESPONDENT], the Committee finds that there is probable cause that you violated the following:

In accordance with the 2018 Revised Enforcement Procedure for Occupational Therapy Code of Ethics, the complainant has also been notified and instructed with the appropriate action/s that s/he may opt to do.

As a member of the organization, we have enclosed an educative letter to _____.

If you require any further information or clarification, please do not hesitate to contact me through this e-mail.

Respectfully yours,

[NAME OF CHAIR]

Chair, Committee on Standards and Ethics