



Philippine Medical Association

PMA: CHANGING MINDSET IN CHARTING THE FUTURE

Member : World Medical Association (WMA)
Co-Founder : Confederation of Medical Association in Asia and Oceania (CMAAO)
Medical Association of Southeast Asian Nations (MASEAN)

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MEMORANDUM CIRCULAR NO: 2018-05-22-053

**TO : ALL PRESIDENTS OF:
COMPONENT SOCIETIES
SPECIALTY DIVISIONS
SPECIALTY SOCIETIES
AFFILIATE SOCIETIES**

DATE : MAY 22, 2018

SUBJECT : POSITION STATEMENT ON DATA PRIVACY ACT

Please see below the position statement of PMA regarding the individual registration of physicians and societies under the Data Privacy Act, as approved by the board of governors.

POSITION PAPER OF THE PHILIPPINE MEDICAL ASSOCIATION ON REGISTRATION OF PHYSICIANS AND MEDICAL SOCIETIES UNDER THE DATA PRIVACY ACT

The National Privacy Commission has issued the Implementing Rules and Regulations for the Data Privacy Act and Section 47 thereof mandates that the Personal Information Controller and Personal Information Processor shall register their processing operations and data processing systems when the processing of personal data involves the processing of one thousand or more individuals.

The National Privacy Commission has informed the Philippine Medical Association that the data processing systems of physicians with patients numbering more than one thousand need to be registered.

The Philippine Medical Association respectfully requests that the National Privacy Commission to exempt individual members of the medical profession from registering their Personal Data Processing Systems with the Commission.

Section 24 of the Data Privacy Act provides:

Applicability to Government Contractors. – In entering into any contract that may involve accessing or requiring sensitive personal information from one thousand (1,000) or more individuals, an agency shall require a contractor and its employees to register their personal information processing system with the Commission in accordance with this Act and to comply with the other provisions of this Act including the immediately preceding section, in the same manner as agencies and government employees comply with such requirements.

It is immediately apparent that the law only requires the registration of personal information processing system for government contractors and not for private persons such as physicians.

Moreover, physicians are usually connected with hospitals either as Consultants, Medical Residents or employees, or with corporations either as retainers or as employees and these hospitals and corporations have already registered their personal information processing systems with the Commission.

In as much as our association, which is composed of physicians duly licensed to practice medicine in the Philippines is registering pursuant to the IRR, it is the contention of our association that all physicians are exempted from registering with the Commission and we humbly request for such an exemption.

The association is likewise composed of 89 specialty societies, 119 component societies and 38 affiliate societies.

We likewise request that being under the umbrella of our association, the said societies be exempted from the registration requirement.

This has been submitted to the National Privacy Commission's office. For your information and guidance. Thank you!

Very truly yours,


BENITO P. ATIENZA, MD
PMA Secretary-General