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**PROHIBITED ACTS IN THE OPERATIONS
OF CLINICAL LABORATORIES**

Sanctions and penalties will be based on Section IX. B of the Administrative Order

I. The Clinical Laboratory (CL) may be sanctioned or penalized upon commission of the following prohibited acts and violations:

- A. Refusal to allow HFSRB/CHD-RLED authorized personnel to conduct inspection or monitoring visits of the clinical laboratory at any appropriate time;
- B. Refusal or nonparticipation of any CL in an External Quality Assessment Program (EQAP) provided by a designated National Reference Laboratory (NRL) or other local and international EQAP providers recognized by the NRL;
- C. Absence of action to improve the unsatisfactory or failed EQAP administered by a designated NRL or other local and international EQAP approved by the DOH;
- D. Demonstrating incompetence or making consistent errors in the performance of CL examinations and procedures;
- E. Deviation from the standard test procedures including use of expired reagents;
- F. Issuance of a laboratory report without the approval of the head of the laboratory;
- G. Transferring of laboratory results done by another laboratory to the result form of the referring laboratory;
- H. Performing laboratory procedures beyond their authorized service capability; and,
- I. Giving and receiving any commission, bonus, kickback or rebate or engaging in any split-fee arrangement in any form whatsoever with any facility, physician, organization, agency or person, either directly or indirectly, for patients referred to a CL licensed by the DOH.
- J. **Violation of Administrative Order No. 2021-0008 titled “Guidelines in Public Access to Price Information of All Health Services and Goods in Health Facilities in the Philippines” and related DOH issuances.**
- K. Violation of provisions in the following laws:
 - 1. Republic Act No. 10173 or the Data Privacy Act of 2012.
 - 2. **Republic Act No. 11332 or the “Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act” and its revised implementing rules and regulations.**

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II. The DOH-LTO will be revoked immediately after commission of the following prohibited acts and violations:

- A.** Permitting unauthorized or unregistered personnel to perform technical procedures and access to laboratory records/data;
- B.** Lending or using the name of the DOH-licensed CL or the head of the laboratory or medical technologist to an unlicensed CL;
- C.** Unauthorized use of the name and signature of the pathologist and RMT to secure LTO;
- D.** Issuance of fraudulent laboratory results, or tests not actually done or inaccurate results;
- E.** Change in the ownership, location, and head of the laboratory or laboratory personnel without informing the HFSRB/CHD-RLED; and,
- F.** Any material false statement in the application of LTO.

III. Other violations similar or analogous to the above will be sanctioned and penalized accordingly.

