

REPUBLIC ACT NO. 7885

AN ACT TO ADVANCE CORNEAL TRANSPLANTATION IN
THE PHILIPPINES, AMENDING FOR THE PURPOSE
REPUBLIC ACT NUMBER SEVEN THOUSAND ONE
HUNDRED AND SEVENTY (R.A. NO. 7170), OTHERWISE
KNOWN AS THE ORGAN DONATION ACT OF 1991

*Be it enacted by the Senate and House of Representatives of
the Philippines in Congress assembled:*

SECTION 1. Section 9 of Republic Act No. 7170 is hereby
amended to read as follows:

"SEC. 9. *Manner of Executing a Donation.* – Any donation
by a person authorized under subsection (a) of Section 4 hereof
shall be sufficient if it complies with the formalities of a donation
of a movable property.

"In the absence of any persons specified under Section 4
hereof and in the absence of any document of organ donation, the
physician in charge of the patient, the head of the hospital or a
designated officer of the hospital who has custody of the body of
the deceased classified as accident, trauma, or other medico-legal
cases, may authorize in a public document the removal from such
body for the purpose of transplantation of the organ to the body of
a living person: *Provided*, That the physician, head of the hospital
or officer designated by the hospital for this purpose has exerted
reasonable efforts, within forty-eight (48) hours, to locate the
nearest relative listed in Section 4 hereof or guardian of the
decedent at the time of death: *Provided, however*, That the said
physician, head or designated officer of the hospital, or the medico-
legal officer of any government agency which has custody of
such body may authorize the removal of the cornea or corneas of
the decedent within twelve (12) hours after death and upon the
request of qualified legatees or donees for the sole purpose of
transplantation: *Provided*, That such removal of the cornea or

corneas will not interfere with any subsequent investigation or alter the post-mortem facial appearance of the decedent by such means as placing eye caps after the said cornea or corneas have been removed.

"In all donations, the death of a person from whose body and organ will be removed after his death for the purpose of transplantation to a living person, shall be diagnosed separately and certified by two (2) qualified physicians neither of whom shall be:

"(a) A member of the team of medical practitioners who will effect the removal of the organ from the body; nor

"(b) The physician attending to recipient of the organ to be removed; nor

"(c) The head of hospital or the designated officer authorizing the removal of the organ."

SEC. 2. Section 10 of Republic Act No. 7170 is also amended to read as follows:

"SEC. 10. *Person(s) Authorized to Remove and Transplant Organs and Tissues.* – Only authorized medical practitioners in a hospital shall remove and/or transplant any organ which is authorized to be removed and/or transplanted pursuant to Section 5 hereof: *Provided, however,* That the removal of corneal tissues shall be performed only by ophthalmic surgeons and ophthalmic technicians trained in the methodology of such procedure and duly certified by the accredited National Association of Ophthalmologists."

SEC. 3. The implementing rules and regulations of Republic Act No. 7170 shall be amended accordingly by the Secretary of Health, in consultation with professional health groups and non-government health organizations, to make it consistent with the provisions of this Act.

SEC. 4. The provisions of this Act are hereby declared separable, and in the event any such provisions is declared unconstitutional, the other provisions not affected thereby shall remain in force and effect.

SEC. 5. All other laws, decrees, executive orders, administrative orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 6. This Act shall take effect upon its approval.

Approved, February 20, 1995.