

ADVISORY NO. 20
Series of 2025

Measures to protect Seafarers from exorbitant fees and other illegal/unethical practices related with Pre-Employment Medical Examinations (PEME)

1. Rationale

The Department of Migrant Workers (DMW) reaffirms its commitment to protect the rights of Overseas Filipino Workers (OFWs). It has come to the attention of the Department that some unscrupulous PEME clinics are requiring applicants to undergo unnecessary and repetitive medical examinations, tests, or consultations on applicant seafarers in the guise of confirming fitness to work abroad. The Department also notes reports that Licensed Manning Agencies (LMAs) collect rebates and commissions from PEME clinics.

Such practices constitute grave exploitation of seafarers, violate existing laws and regulations, and undermine the integrity of the overseas employment program. This Advisory is issued to curb these illegal and/or unethical practices and prevent further exploitation of workers and reiterates the disciplinary sanctions imposable upon the LMAs and/or employers/principals.

2. Reiteration of existing Laws and Rules

The Department reiterates the following:

- a. Rule V on Fees and Contributions and other costs of the 2016 Revised POEA Rules and Regulations governing the Recruitment and Employment of Seafarers provides that *“Processing Fees which include (a)ll processing fees required for deployment such as pre-employment medical examination in the principal’s/employer’s designated clinic ...”* are chargeable to Principal and Employer.
- b. Section 52 (Prohibition on Charging and Collection of Other Fees) of the same Rules provides that *“(n)o other charges in whatever form, manner, or purpose, shall be imposed on and paid by the seafarer, unless provided by law.”*
- c. Section 16 of Republic Act 10022 amending RA 8042 states that the DOH shall regulate the activities and operations of all clinics which conduct health examinations on Filipino migrant workers as requirements for their overseas employment and ensure that:
 - i. (C.1.) The fees for the health examination are regulated, regularly monitored and duly published to ensure that said fees are reasonable and not exorbitant;
 - ii. (C.2) The Filipino migrant worker shall only be required to undergo health examinations when there is reasonable certainty that he or she will be hired and deployed to the jobsite and only those health examinations which are absolutely necessary for the type of job applied for or those specifically required by the foreign employer shall be conducted;



- iii. (C.4) Every Filipino migrant worker shall have the freedom to choose any of the DOH-accredited or DOH-operated clinics that will conduct his/her health examinations and that his or her rights as a patient are respected. The decking practice, which requires an overseas Filipino worker to go first to an office for registration and then farmed out to a medical clinic located elsewhere, shall not be allowed.

3. Adoption of Remedial Measures

The Department directs LMAs to implement the following measures:

- a. **Due Diligence:** LMAs shall ensure that PEME clinics conducting examinations for their applicants are compliant with DOH regulations, particularly in ensuring that seafarers are not subjected to unnecessary medical examinations and that they follow strictly the schedule of fees as prescribed by the DOH for the charges for PEME of seafarers. The Department enjoins LMAs to desist from transacting with or referring applicants to PEME clinics that conduct unnecessary and repetitive medical examinations to unjustly profit from seafarers and other OFWs;
- b. **Transparency and Mandatory Disclosure:** LMAs shall ensure that PEME clinics publicly post their itemized rates in the premises of the clinics. Also, LMAs shall show to the worker the breakdown of PEME coverage and costs and shall give the applicant the opportunity to review and question any fee imposed on them.
- c. **Non-collusion.** LMAs are reminded to desist from receiving any commission, rebate, or any other form of financial consideration arising from the PEME and other medical examinations conducted by DOH-accredited PEME clinics on applicants.
- d. **Reporting:** The Department encourages LMAs to report illegal and/or unethical practices of PEME clinics.

The Department shall pursue periodic inspections and investigations into these alleged exploitative practices and schemes. LMAs that fail to comply shall be subject to the proper administrative sanctions leading to either cancellation or suspension of license and disqualification of employers.

4. Reporting

OFWs may report illegal and/or unethical practices, including unnecessary and repetitive medical examinations and exorbitant fees, to the Department.

5. Effectivity

This Advisory shall take effect immediately after issuance and shall remain in force unless otherwise amended or repealed.

For the information and strict compliance of all concerned.


HANS LEO J. CACDAC
Secretary

CONTROLLED AND DISSEMINATED

By: DMW General Services Division on July 09, 2025

