

MINUTES OF SECOND STATE WORKING COMMITTEE MEETING
AT "IMA BLOOD BANK OF UTTARAKHAND", 47, BALLUPUR ROAD, DEHRADUN ON 16.09.2018 (SUNDAY)

The **Second State Working Committee meeting** was held at "**IMA Blood Bank of Uttarakhand**", **47, Ballupur Road, Dehradun on 16th September, 2018** (Sunday) for the year 2017-18 from 11 AM onwards under the Chairmanship of Dr. B. C. Pande, State President, IMA UA State Branch.

The following members were present and signed in the attendance file: -

<u>S. No.</u>	<u>Name of Member</u>	<u>Place</u>
1.	Dr. B. C. Pande	Haldwani
2.	Dr. B. S. Judge	Dehradun
3.	Dr. Girish Goyal	Dehradun
4.	Dr. Ajay Khanna	Dehradun
5.	Dr. Sanjay Upreti	Dehradun
6.	Dr. Alok Semwal	Dehradun
7.	Dr. Jayraj Hanspal	Dehraudn
8.	Dr. Sanjay Kumar Goyal	Dehradun
9.	Dr. Neeta Mehra	Haridwar
10.	Dr. C. S. Joshi	Khatima
11.	Dr. Hansa Singh	Bazpur
12.	Dr. Girish Goyal	Dehradun
13.	Dr. S. G. Sethi	Dehradun
14.	Dr. Harish Kohli	Dehradun
15.	Dr. Avinash Zutshi	Dehradun
16.	Dr. Anjul Srimali	Haridwar
17.	Dr. Niraj Kumar	Dehradun
18.	Dr. P. K. Agarwal	Dehradun
19.	Dr. D. K. Agarwal	Kashipur
20.	Dr. S. P. Gupta	Kashipur
21.	Dr. Anuj Singhal	Dehradun
22.	Dr. O. P. Mahajan	Rudrapur
23.	Dr. Ajay Agarwal	Rudrapur
24.	Dr. Ashank Airen	Roorkee
25.	Dr. Sanjay Goel	Roorkee
26.	Dr. Jograj Singh	Roorkee
27.	Dr. Lalit Kumar	Dehradun
28.	Dr. Mohan Tewari	Haldwani
29.	Dr. R. K. Vij	Kotdwar
30.	Dr. Tarun Mittal	Dehradun
31.	Dr. Krishna Avtar	Dehradun
32.	Dr. Manisha Singh	Dehradun
33.	Dr. Amit Singh	Dehradun
34.	Dr. Praveen Mittal	Dehradun
35.	Dr. D. D. Choudhury	Dehradun

Agenda 1 : Meeting was called to order by Dr. B. C. Pande, State President, IMA UA State Branch.

Agenda 2 : Flag Salutation and IMA Prayer were recited by Dr. D. D. Choudhury.

Agenda 3 : Condolence : Dr. D. D. Choudhury informed the house that Dr. (Maj) Nandkishore, Past President, IMA UA State has lost his daughter Dr. Vatika on 8th September, 2018. The following condolence resolution was passed in the house: -

"We the members of IMA UA State Working Committee convey our deep sense of sorrow on the sad and untimely demise of Dr. Vatika. Pray to the Almighty to grant Eternal peace to the departed souls and mental solace to the bereaved family." Two minutes silence was observed in memory of the departed soul. The meeting was adjourned for 2 minutes. The house reassembled again and the Agenda were taken in a chronological order.

State President's Address: Dr. B. C. Pande, President, IMA UA State branch welcomed all the members and he asked Dr. D. D. Choudhury to proceed as per agenda.

Agenda 4 : Minutes of First SWC Meeting : Dr. D. D. Choudhury informed the members that the minutes of the First State Working Committee meeting held at Bazpur on 18th March, 2018 (Sunday) were circulated well in time and there was no feedback. The minutes were passed unanimously by the house.

Agenda 5 : Action Taken Report:

1. Various branches met MLA/Minister of their respective areas and apprised them about the draconian act CEA- 2010. Majority of the MLAs/ Ministers were of the view that in the state of Uttarakhand there will be lot of problems to implement the same.
2. Majority of branches participated in the Mahapanchayat held at Delhi on 25th March, 2018.
3. First information regarding Uttaracon- 2018 was sent to all branches.
4. All the Chairman / Chairperson of various committees were informed officially about their committees.
5. Members of the Action Committee of the CEA- 2010 were informed about the same.
6. Action Committee members met Health Secretary and briefed about the reservations of IMA regarding CEA- 2010.
7. National Secretary, IMA HBI HQs informed about the anguish of the members regarding non functioning of IMA HBI HQs.
8. Retainer fee of Rs. 10,000/- was given to Mr. K. P. Upadhyaya, Lawyer, Nainital High Court, Uttarakhand.

Agenda 6 : To discuss about CEA- 2010: Dr. D. D. Choudhury informed the house that proposed draft of Uttarakhand Nursing Homes/ Clinics Act, 2018 was prepared and same will be presented by Dr. Ajay Khanna. Dr. Ajay Khanna briefed the house word by word to the members and there were some suggestions which were incorporated.

Dr. Ashank Airen has also presented proposed draft of Uttarakhand Nursing Homes Registration Act, which was also discussed in the house. It was decided that some points of these proposed Acts will be incorporated in the final draft.

Final draft was prepared and was sent to all branches on 16th September, 2018.

-ACT-

THE UTTARAKHAND NURSING HOMES/ CLINICS ACT, 2018

Date.....

An act to provide for the registration and inspection of Nursing homes/ Clinics in the state of Uttarakhand and to enable the Government to prepare a record of Clinical Establishments.

1. Be it enacted as follows:-

- (a) Short title, extent and commencement (1) This Act may be called the Uttarakhand Nursing Homes / Clinics Act, 2018.
- (b) It extends to the whole of the state of Uttarakhand.
- (c) It shall come into force on such date as the Governor of Uttarakhand may by notification in the official Gazette appoint.
- (d) It shall be enforced on Government and Non Government Clinical Establishments with exemption to Clinical Establishments of Armed forces.

2. Definitions : In this act, unless the context otherwise requires.

- (i) 'Governor of Uttarakhand' means the Governor of the state of Uttarakhand.
- (ii) 'Local Authority' means a municipal committee, district board or other authority legally entitled to or entrusted by the Government with the control of management of a municipal or local fund;
- (iii) 'Maternity Home ' means any premises used or intended to be used for the care of patients including obstetric services to pregnant women during and after child birth. This shall cater to the speciality of Gynaecology and Obstetrics.
- (iv) 'Nursing Home/Hospital' means any premises used or intended to be used for the care of persons suffering from any sickness injury or infirmity and providing of treatment and nursing for the same with facilities of overnight stay which may depend on patient to patient considering the diagnosis made. Hospice/ Palliative Centres which deal with terminally ill patients where their practical emotional and medical needs are dealt with. Dental Hospitals/ Ayush Hospitals shall also come in this category of service.
- (v) 'Day Care Centre' means any premises used or intended to be used for the care of persons suffering from any sickness injury or infirmity and the providing of treatment without night stay. This includes Eye Care Centre, Endoscopy Lab, Dialysis Centre, Blood Bank/ Organ and tissue bank, De addiction centres, Dental Care, Physiotherapy and Ayush.
- (vi) 'Clinics' means any premises used or intended to be used for the consultation/ dispensing of drugs to/of persons suffering from any sickness injury or infirmity and the single or more than one doctor give(s) only consultation, minor dressing, immunization, nebulization, ECG, EMG, EEG and other day to day based activities which do not need admissions. Such clinics shall also cater to different systems of medicine.
- (vii) 'Diagnostic Centre' means a Pathological and Radiological clinic where all types of blood / urine/ stool/ other body fluids and specimens (histopathology, invasive procedures, FNAC in case of pathological clinics) are tested and invasive and non invasive radiological methods of investigations are done like X- Rays, ultrasounds, CT Scan and MRI (in case of radiological clinics) and any other radiological equipment which comes into application henceforth.

- (viii) 'IVF Centre' means any premises which deals with artificial procedures of fertility in childless couples.
- (ix) "Prescribed" means prescribed by rules made under this act.
- (x) 'Qualified Medical Practitioner' means a medical practitioner registered in Uttarakhand Medical Council / Ayush/ Dental Councils under a law for the registration of medical practitioners
- (xi) 'Qualified Nurse' means a nurse registered in Uttarakhand Nursing Council under a law for the registration of nurses;
- (xii) 'Trained Nurse' for a hospital/clinic means a person for a particular hospital/clinic who has attained at least six months of training under the doctor of that hospital/clinic. The nurse will automatically be called trained nurse inspite of change of doctor in that hospital/ clinic.
- (xiii) 'Register' means to register under section 5 of this Act and the expression 'registered' and registration ' shall be construed accordingly;
- (xiv) 'Rules' means rules made under this Act;
- (xv) 'District Registering Authority' means the person or authority appointed by the Governor, by notification in the Official Gazette for the purpose of registration of various Clinical Establishments and shall be constituted individually for all Districts of Uttarakhand.
- (xvi) 'State Authority' means a congregation of persons appointed by the Governor through official Gazette for the purpose of appeals against grievances caused by District Registering Authorities.
- (xvii) 'Establishments' means all Clinical Establishments included in categories from (iii) to (vii)
- (xviii) 'Corpus' means a fund created through fees deposited by the Clinical Establishments with the Government.
- (xix) 'Key Person' means the person who shall be responsible and liable for management of Clinical Establishments following all Ethical measures laid down by the State & Central Medical/ Dental/ Ayush Councils. He shall have to stay in Clinical Establishment for minimum four hours and a single person can represent not more than three Clinical Establishments.
- (xx) 'Scope of Services' means the specialty under which the Clinical Establishment opts to register. It may be single or multiple.
- (xxi) 'IMA Hospital Board of India' (IMA HBI) means an organized a wing of Indian Medical Association with fully functioning National, State & District level units to ensure quality control and good operating standards in Clinical Establishments throughout the country.

3. *Prohibition to carry on Clinical Establishments without registration* - No person shall carry on a Clinical Establishment unless he has been duly registered in respect of such Clinical Establishment and the registration in respect has not been cancelled under

section 7. Provided that nothing in this section shall apply in the case of a Clinical Establishment which is in existence at the date of the commencement of this Act, for a period of three months from such date or if an application for registration is made within that period in accordance with the provisions of section 4 until such application is finally disposed of.

4. Application for registration –

- (a) Every person intending to carry on clinics, day care centres, IVF Centre, diagnostic centres, nursing homes and hospitals shall apply for registration with renewal through an official format to the District Registration Authority. Provided, that in the case of a Clinical Establishment which is in existence at the date of the commencement of this Act an application for registration shall be made within three months from such date. The procedure of registration shall also involve clear entitlement of scope of services.
- (b) Every application for registration or the renewal of registration shall be made on such date and in such form and shall be accompanied by such fee, as may be prescribed.
- (c) Every application for registration shall be accompanied with a duly notarized affidavit of the key person regarding his /her qualifications, registration number of Uttarakhand Medical/Dental/Ayush Councils. A recommendation from respective District/ Sub Division IMA shall also accompany the said application.

5. Registration

(1) Subject to the provisions of this Act and the rules, the District Registration Authority shall on the receipt of an application for registration, register the applicant in respect of the establishment named in the application and issue to him a certificate of registration in the prescribed format. Provided that the

District Registration authority may refuse to register the applicant if it is satisfied:-

- (a) That the key person of the Clinical Establishment, is not a qualified/ fit person to carry in or to be employed at a Clinical Establishment of such a description as the Clinical Establishment named in the application; or
- (b) That the Clinical Establishment is not under the supervision of a person who is a qualified medical practitioner duly registered with Uttarakhand Medical/ Dental/ Ayush Councils; or
- (c) That for reasons connected with the violations of any rules and regulations of this Act.
- (d) That the District Registration Authority finds the documents submitted for registration as incomplete.

(2) A certificate of registration issued under the section shall, subject to the provisions of section 7, be in force and shall be valid for five years from the date of registration of the respective Clinical Establishment.

(3) The certificate of registration issued in respect of "Clinical Establishments" shall be kept affixed in a conspicuous place in the Clinical Establishment.

6. Publication: Annual publication of Form 'A' depicting the registered Clinical Establishments shall be published by District Registration Authority on 31st March every year.

7. *Penalty for non-registration* - whoever contravenes the provisions of section 3 shall, on conviction, be punished with fine which may extend to rupees five thousand, or in case of, a second or subsequent offence with fine which may extend to rupees twenty five thousand.

8. *Cancellation of registration*-- Subject to the Provision of this Act, the District Registration Authority may at any time give a show cause notice to any Clinical Establishment of one month to justify cancellation of his/ her Establishment's registration on the following grounds:

(a) If the key person of the Clinical Establishment is debarred from practice by Uttarakhand Medical/Dental/ Ayush Councils.

(b) If the rules and regulations of this Act are not followed by the Clinical Establishments.

9. *Notice of refusal or of cancellation of registration:*

(a) Before making an order refusing an application for registration or an order cancelling any registration, the District Registration authority shall give to the applicant or to the person registered, as the case may be, not less than one" calendar months notice of its intention to make such an order; and every such notice shall state the grounds on which the District Registration authority intends to make the order and shall contain an intimation that if within a calendar month after the receipt of the notice the applicant or person registered informs the authority in writing that he desires so to do, the District Registration authority shall, before making the order give him (in person or by a representative) an opportunity of showing cause why the order, should not be made.

(b) If the District Registration authority after giving the applicant or the person registered an opportunity of showing cause as aforesaid, decides to refuse the application for registration or to cancel the registration, as the case may be, it shall make an order to that effect and shall send a copy of the order by registered post to the applicant or the person registered.

(c) Any person aggrieved by an order refusing an application for registration or cancelling any registration may, within a calendar month after the date on which the copy of the order was received by him appeal to the Chief Medical

Officer against such order of refusal. The decision of the Chief Medical Officer on any such appeal shall be final. The aggrieved party henceforth can appeal against the same in the state council and the time within which the appeal has to be made shall be one month.

- (d) No such order shall come into force until after the expiration of a calendar month from the date on which it was made or, where notice of appeal is given against it, until the appeal has been decided or withdrawn.

7. *Inspection of Clinical Establishments* –

- (a) The District Registration authority, subject to such general or special orders as may be made by the Chief Medical Officer, shall inform the key person of the Clinical Establishment one week prior to inspection of the premises which is under question. Inspection can be made for any facilities/ records required to be kept in accordance with the provisions of this Act. No sudden inspections can be conducted by District Registration Authority whatever the case may be.
- (b) If any person refuses to allow the District Registration authority to enter or inspect any such premises as aforesaid or to inspect any such records as aforesaid or obstructs the District Registration authority in the execution of the powers under this section, he shall be guilty of an offence, under this Act.
- (c) The Chief Medical Officer and the President of District/ Sub Division IMA shall have powers to reconstitute the District Registration Authority not by deletion but by addition of a Medical member who has qualification equivalent to or higher than the qualification of the facility to be inspected. The District Registration Authority shall however have Chief Medical Officer as the Chairperson and Nodal Officer and apart from them, four members nominated from Indian Medical Association of that District / sub division. Two members shall be nominated from the NGO National Medicos Organization. The total number of members shall not be more than nine. During the course of inspection this District Registration Authority shall be further expanded by adding one medical member of that very Clinical Establishment nominated by the key person of the Clinical Establishment to be inspected. The term of District Registration Authority shall be for five years. Such District Registration Authority shall be formed for different system of medicine viz Allopathy, Dental, Ayurveda, Homeopathy and so on separately. This District Registration Authority shall be constituted as per rule 4 of this Act.

10. *Credit of fee and fines*- Any fees received or fines paid under this Act shall be credited to the Corpus Fund of the state controlled by Director General of Health Services.

11. *Expenses of District Registration authority* -- All expenses incurred by the District Registration authority under and for the purpose of this act and the rules made there under may be paid out of the Corpus Fund of the State.

12. *Penalty for offences under the Act* - Whoever contravenes any of the provisions of this Act or of any rules shall, if no other penalty, is elsewhere provided in this act or the rules for such contravention, on conviction, be punished with fine which may extend to rupees five thousand and in the case of continuing offence to a further fine of

rupees one hundred in respect of each day on which the offence continues after such conviction.

13. *Offences by Corporations* - If the person contravening any of the provisions of this Act is a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the Company, as well as the company shall, be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly. Provided that nothing contained in this section shall render any such person liable to any punishment provided, in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

14. *Appellate Body:*

(a) The state authority shall be the appellate body and shall be constituted under the chairmanship of Director General of Health Services and having a maximum of seven members out of which three members shall be representatives of Indian Medical Association and one member from Uttarakhand Medical Council. One member shall be from an NGO National Medicos Organization. Same sort of appellate bodies shall be formed by Director General of Health services for Ayush/ Dental councils. Term of such State Authority formed shall be for five years. The State Authority shall be constituted as per rule no. 5 of this Act.

(b) If any person is not satisfied with the decision of the District Registration authority headed by the Chief Medical Officer than within one month of the decision he can appeal against the decision in the state authority.

15. *Court competent to try offences under this Act* - No court inferior to that of a Magistrate of the first class shall try any offence punishable under the Act.

16. *Protection of action taken in good faith* - No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or of any rules made there under.

17. *Power to make rules*

(a) The Governor of Uttarakhand may, by notification in the official Gazette, make rules to carry out all or any of the purposes of this Act.

(b) Without prejudice to the generality of the forgoing power, such rules may provide for all or any of the following matters namely:-

(i) The form of the application to be made under section 4, the date on which such application is to be made and the fees to be paid for such registration or renewal of registration;

(ii) the form of the certificate of registration to be issued under section 5;

(iii) the records to be kept of the patients received into all Clinical Establishments other than Clinics, which shall include inpatient record, birth and death informations, informations regarding National Programs and Death & Birth

registers information for at least five years. The Medico Legal records shall be maintained till the cases are finalized in respective courts. These records shall be maintained in Form 'D'.

- (iv) The power to make rules under this section shall be subject to the condition of previous publication in the official gazette.

18. *Corpus Fund:* This fund shall be created under control of Director General of Health Services of Uttarakhand and all accruals received from registration fees, fine, and renewals by District Registration Authorities. This corpus fund shall be utilized for day to day activities of the office controlling the process of registration and inspection and regular inspections of Clinical Establishments by Hospital Board of India (IMA HBI).

19. *Assurance of Standards:* The minimum standards mentioned in the rules of this Act, shall be diligently adopted by all key persons of Clinical Establishments and the Indian Medical Association Uttaranchal State shall delegate powers to Hospital Board of India (IMA HBI) to monitor the application of above minimum standards in various Clinical Establishments of the state every six months on prior one month notice. The expenses of the same shall be borne by the Corpus created under Director General of Health services of Uttarakhand.

20. *Amendments:* Time to time sections of this Act & its Rules can be amended for betterment of scope of services in various system of medicines. If done so the State associations of the concerned system of medicine should be taken into confidence, say a section in the interest of Allopathy is being amended then the State Indian Medical Association should be taken into confidence before doing so.

RULES

I. GENERAL

1. Short title :- These Rules may be called the Uttarakhand Nursing Homes/ Clinic Rules, 2018.
2. Definitions :- In these Rules, unless there is anything repugnant in the subject or context.
 - a) Act means the Uttarakhand Nursing Homes/ Clinics Act, 2018.
 - b) Form means a form appended to these rules.
 - c) Infectious Diseases means a disease, which a registered medical practitioner is required to notify to the medical officer of health of his area under the law for the time being in force.
 - d) Key person of Clinical Establishment means a person who has been duly registered by the District Registration authority in respect of a Clinical Establishment under Section 5 of the Act and whose registration has not been cancelled under section 7 of the Act.
 - e) 'Section' means a section of the Act.
3. Register:- The District Registration authority shall maintain a register in form 'A' showing the name or persons registered under section 5 of the Act.
4. Constitution, procedure, quorum, minutes and duties of District Registration Authority: The District Registration Authority shall be constituted by the Chairperson and Nodal Officer of the same in consultation with the President of District IMA. This body shall have nine members. Apart from the CMO and District/ Sub Division IMA President, four members shall be represented from Indian Medical Association of that District/ Sub Division. Two members shall be represented from the NGO National Medicos Organization. One member shall be nominated by CMO who shall be a medical specialist.
 - (A) Every notice calling the meeting of the District Registration Authority shall :
 - (a) Specify the place, date and hour of the meeting
 - (b) Be served upon every member of the District Registration Authority not less than seven clear days before the day appointed for the meeting.
 - (B) The Chairperson shall prepare and circulate to the members along with the notice of the meeting, and agenda for such meeting showing the business to be transacted.
 - (C) The quorum of the meeting shall be not less than five members.
 - (D) Such meetings shall be held quarterly throughout the year.

(E) In addition to duties and responsibilities specified in the Act the District Registration Authority shall perform the following duties.

- (i) Scrutinize applications received by it.
- (ii) Inspect Clinical Establishment under the direction of Chairperson.
- (iii) Examine complaints from any quarters against any Clinical Establishment.
- (iv) Any other duties as directed by the State Authority from time to time.

(F) The minutes of the meeting shall be communicated to the Government within one week of concluding the meeting.

5. *Constitution and Powers of the State Authority:* The State Authority shall be constituted under the Chairpersonship of Director General of Health Services of Uttarakhand and shall have seven members. Three members shall be representatives of IMA UA State and one member from Uttarakhand Medical Council. One member shall be from NGO National Medicos Organization suggested by IMA UA State branch. All the respective District Registration Authorities shall be answerable to the State Authority. Clinical Establishments aggrieved with decisions of their respective District Registration Authorities shall appeal in the State Authority. Hence, it shall be referred to as an Appellate Body also. The seventh member of this authority shall be the Health Advisor of Hon'ble Chief Minister of Uttarakhand.

6. *Application for registration:-* Any person intending to carry on a Clinical Establishment shall make an application to the Nodal Officer of District Registration authority who shall be Chief Medical Officer of the District in Form 'B' at least three months before the date on which he intends to carry on such Clinical Establishment. Such applications shall be accompanied by a fees prescribed under sub rule (1) of rule 7.

7. *Grant of certificate of registration:* - The District Registration authority shall, if satisfied that there is no objection to registration, register the applicant and issue to him, a certificate of registration in form 'C' within fifteen days from the date of receiving the application. If not done so the Clinical Establishment shall be deemed to be registered.

8. *Renewal of registration:* -

(a) An application for the renewal of registration shall be made every five years, within three months in advance in form 'B' and shall be accompanied by the fee prescribed. The intimation of same shall be given by District Registration Authority well in time.

(b) On receipt of an application made under sub-rule(1) the District Registration authority shall if satisfied that the application is in order, issued a fresh certificate of registration in Form 'C' within fifteen days of expiry of the registration and if not done so the Clinical Establishment shall be deemed to be registered. If the Clinical Establishment has applied for renewal and due to certain reasons the registration expires then the Clinical Establishment shall be considered as registered till form 'C' is issued to him.

7. (1) Fees for registration and renewal of registration:- The fees to be paid for registration and renewal of registration shall be charged as under:

(a) Clinics – Rs. 2500/-

(b) Day Care Centres - Rs. 5000/-

(c) Diagnostic Centres - Rs. 5000/-

(d) IVF Centres – Rs. 25000/-

(e) Nursing Homes/ Hospitals less than 50 beds minimum fees Rs. 5000/- and otherwise if more than 10 beds Rs. 500/- per bed.

(f) Nursing Homes/ Hospitals more than 50 beds minimum fees Rs. 25,000/- and otherwise if more than 50 beds Rs. 500/- per bed.

This fee shall be revised after every ten years by State Authority.

(3) This fee has to be deposited at the time of depositing Form 'B' as required under rule 6 of Uttarakhand Nursing Homes / Clinics Rule, 2018.

8. Transfer of ownership etc. of Clinical Establishments : - Immediately after the transfer of the ownership, proprietorship or rearrangement of a Clinical Establishment, the transfer and transferee shall jointly communicate the transfer affected to the District Registration Authority and the transferee shall make the application for registration in accordance with the previous Rule.

9. Change of address:- A key person of the Clinical Establishment, shall communicate to the District Registration authority and change in his /her address or in the situation of the Clinical Establishment in respect of which he/she is registered not later than seven days after such change.

10. Loss of Certificate : In the event of the certificate of registration being lost or destroyed, the holder may apply to the District Registration authority for a fresh certificate and the District Registration authority, if it thinks fit, issue such certificate upon payment of a fee of Rs.500/-. A certificate issued under this rule shall be marked duplicate.

11. Record of patients admitted or child born, in the Clinical Establishments -(I) The key person of a Clinical Establishment shall keep as mentioned in Section 16 (2) (c) of the Act which mentions the record keeping in Form 'D'.

Form – A

This is official register in office of the Chief Medical Officer of the respective District who shall keep this record as Nodal Officer under provisions of Uttarakhand Nursing Homes/ Clinics Act, 2018

FORM – B

APPLICATION FORM FOR REGISTRATION OF CLINICAL ESTABLISHMENT

1. Name of the Establishment _____

2. **Address** _____

Village/Town _____ Tehsil _____

District _____ State _____ Pin code _____

Tel. No. (With STD code) _____ Mobile: _____ Fax: _____

Email ID _____ Website (if any): _____

3. **Year of starting** _____

4. **Location:** Rural _____ Urban _____
Metropolitan _____

5. **Ownership:**

Public sector

Central Government State Government Local Government Public Sector Undertaking
Railways Employee State Insurance Corporation (ESIC) Autonomous organization
Any other (Please specify)

Private Sector

Individual Proprietorship Registered Partnership Registered
Company
Co-operative Society Trust/Charitable registered under a Central, provincial or State
Act (Please specify) _____

Any other (Please specify)

6. **Name of the Key person:**

Educational Qualification: _____ State Council No. _____

Address: _____

Village/Town _____ Tehsil _____

District: _____ State _____ Pin code _____

Tel. No. (With STD code) _____ Mobile: _____ Fax: _____

Email ID _____ Website (if any):

Details of attached affidavit (notarized):

7. Name of the owner of the Clinical Establishment:

Educational Qualification:

Address:

Village/Town _____ Tehsil

District: _____ State _____ Pin code

Tel. No. (With STD code) _____ Mobile: _____ Fax:

Email ID _____ Website (if any):

8. System of medicine offered: (please tick whichever is applicable)

Allopathy Dental Ayurveda Unani Siddha Homeopathy Physiotherapy
Yoga & Naturopathy

9. Type of Establishment: (please tick whichever is applicable)

A) Providing Out Patient Care

Single practitioner Polyclinic Sub-Centre Physiotherapy Clinic Dispensary
Occupational Therapy Infertility Clinic Dental Clinic
Integrated Counseling and Testing Centre (ICTC) Wellness/Fitness Centre

Any other (Please specify): _____

B) Providing In Patient Care

Hospital / Nursing Home Maternity Home Primary Health Centre
Community Health Center De addiction Centre

Any other (Please specify): _____

C) Providing Diagnostic Services:

a) Laboratory

Pathology Hematology Biochemistry Microbiology Genetics Collection
Centre

Any other (Please specify) _____

b) Diagnostic and Imaging Centre

X-Ray Centre Mammography Bone Densitometry Sonography Color
Doppler CT Scan Magnetic Resonance Imaging (MRI)
Electro Myo Graphy (EMG) Dexa scan EEG
Any other (Please specify) _____

D) Day Care Centre:

- a) Kidney Unit
- b) Endoscopy
- c) Eye Care Centre
- d) Blood Banks
- e) Dental
- f) Physiotherapy

E) IVF Centres

10. Scope of Service: (Please tick whichever is applicable)

For all Systems of Medicine

- a) General
- b) Single Specialty (please specify)

- c) Multi Specialty (please specify)

—

- d) Super Specialty (please specify)

- e) Mobile Health Care

a) Allopathy

Clinics : Single / Poly Clinic

Maternity homes/ Nursing Homes/ Hospitals : a) Bed Strength

- b) HDU/ ICU/ ICCU : Yes/ No
- c) Casualty : Yes/ No
- d) Neonatal Unit : Yes/ No
- e) Any other Scope of Service being provided (Please mention) _____

Day Care Centre : Type of service (please specify) _____

Diagnostic Centres : Laboratory/ Radiology

f) **Dental**

g) **Ayurveda**

Ausadh Chikitsa Shalya Chikitsa Shodhan Chikitsa Rasayana Pathya
Vyasvastha Any other (Please specify)

h) **Unani**

Matab Jarahat Ilaj-bit-tadbeer Hifzan-e-sehat
Any other (Please specify)

i) **Siddha**

Maruthuvam Sirappu Maruthuvam Vaarman Thokknam & Yoga
Any other (Please specify)

j) **Homoepathy**

General Homoepathy
Any other (Please specify)

k) **Naturopathy**

External Therapies with natural modalities Internal Teeth Therapies
Any other (Please specify)

l) **Yoga** (Please specify) _____

Infrastructure Details

11. Out Patient Department:

a) - Total No. of OPD

Clinic _____

b)- Specialty wise distribution OPD Clinic

S. No.	Specialty	No. of Rooms

12. In Patient Department:

a) Total number of beds: _____

b) Specialty wise distribution of beds please specify

S. No.	Specialty	No. of beds

13. Whether Clinical Waste Disposal License obtained from Panchayat/ Municipality/ Municipal Corporation etc? Applicable/ Non Applicable.

Yes

No

Applied for

14. Whether clearance from Pollution Control Board/ Authority obtained?

Yes

No

Applied for

HUMAN RESOURCES

15. Total number of staff (as in date of application):

No. of permanent staff _____ No. of temporary staff _____

Please furnish the following details:

Category of staff	Name	Qualification	Registration No. (where applicable)	Nature of service Temporary/ permanent
Doctors				
Nursing Staff				

Para-medical staff				
Support staff				
Others, please specify				

Separate annexure may be attached

17. Payment options for Registration Fees:

Online payment

Demand Draft

Postal Order

Any other (Please specify): _____

Amount (in Rs.): _____

Details : _____

Receipt No. _____

I, _____ on behalf of myself and the company society/ association/ body hereby declare that the statements above are correct and true to the best of my knowledge and I shall abide by all the rules and declarations under the Uttarakhand Nursing Homes/ Clinics Act, 2018.

I undertake that I shall intimate to the appropriate registering authority of any change in the particulars given above.

Place: _____

Date : _____

Enclosure: (1)Notarized affidavit of key person

(2) Self attested photograph of key person

Signature of the Authorized Signatory

Office Seal

Note: If the above information is found incorrect or the form filled is incomplete it shall not be considered for registration.

Form – C

REGISTRATION OF CLINICAL ESTABLISHMENT
(under Uttarakhand Nursing Homes/ Clinics Act, 2018)

Self attested
photo of key
person

Registration no. : _____

Date of Issue: _____

Valid from _____ to _____

1. Name of the Clinical Establishment : _____
 2. Address: _____
 3. Owner of the Clinical Establishment: _____
 4. Name of key person of Clinical Establishment: _____
 5. System of Medicine: _____
 6. Type of Establishment: _____
 7. Scope of services: _____
- _____

This authorization is subject to the conditions as specified in the Rules in force under Uttarakhand Nursing Homes/ Clinics Act, 2018.

Date: _____

Place: _____

District Registration Authority

District _____

Chief Medical Officer and

Chairman, District Registration Authority

FORM 'D'

Register of patients admitted to Clinical Establishments
other than Clinics.

S.No.

Reference	Full Name	Nature of	If the patient		
	and	disease			
no. of	address	at	suffered from		
patient	of patient	of	the time	an infectious	
				admission disease during	
				his stay in the	
				home, the nature	
				of such disease	
				and action taken	

1 2 3 4 5 _____ 6 _____

Additional Particulars to be filled in respect of maternity
cases

Date & Hour of delivery miscarriage or abortion as the case may be	Sex of the child whether born alive Dead	The name & address of Persons Attending to delivery	Method of feeding each child in the home & the period.
7	8	9	10 _____

In case of death of patient or child the date and hour of death

Date of discharge ofRemarks

the patient from the

home.

_11 _____ 12 _____ 13 _____



MINIMUM STANDARDS : Recommendation on structural changes shall not be considered in already existing hospitals.

II. STANDARD FOR A NURSING HOME/ MATERNITY HOME/ HOSPITAL

A. General

1. Hospital should have minimum infection control measures
2. Biomedical Waste Management should be proper with authorization certificate
3. Medical records maintained via hard or soft copy
4. Laboratory services either own or outsourced
5. Birth and Death registers to be maintained
6. Electricity backup
7. Fire Extinguishers
8. Laundry facility – in house or outsourced
9. Ambulance service – in house or outsourced
10. Display of scope of services and tariff (which shall be decided by key person of Clinical Establishment at his own will and wish)
11. Wheelchairs and stretchers except for Neonatal and Pediatric Hospitals
12. In- house Pharmacy (not mandatory but desirable)

B. OPD:

1. Stethoscope, Torch, Non Mercurial Thermometer, Non Mercurial BP Apparatus, Hand Wash Facility, Examination Table/ Chair, Patient waiting area
2. Reception for registration of patients with mobile number as optional
3. Display of name of consultant with degree and state medical registration number

C. Casualty Services:

1. Emergency drugs as per scope of service
2. Easily visible signage depicting casualty services provided in Clinical Establishment other than Clinics so that the patients of that particular scope of service can be admitted through if Clinical Establishment caters to it.
3. In case of multi storied, multi speciality and super specialty hospitals a ramp/lift for smooth transfer of patients. For Neonatal and Pediatric setups, this shall be condoned.

D. IPD:

1. Easily visible signage of different departments
2. Easily visible tariff list of important and common procedures
3. The nursing staff and technicians should desirably be qualified but in Clinical Establishments the trained staff already working shall continue to work and the Government however from time to time shall rehabilitate the trained nursing staff through National Skill Programs to ensure that such trained staff is also qualified. Furthermore, the Day Care Centres should have trained/ qualified technicians to run the respective centres.

4. Bed facility – a system to call nurses in rooms via call bell / intercom/manual, hand wash facility, bed pan/ waste bins, attendants chair/ stools, and sputum bowls and IV stands.

E. OT/ Labour Room:

1. Each OT/Labour Room should have plain tiles till 7 feet, OT Table, OT light, adjacent hand washing area, air conditioning and instrument trolleys.
2. The technicians who are trained under the surgeon for minimum six months shall be considered to assist in the OTs. Labour Room shall have labour table, overhead light, cardiac monitor, oxygen and vacuum facility, IV stand, stools and sputum bowls. Such facility shall also require registration / NOC for MTP from Chief Medical Officer of the respective District.
 - a) Equipments of OT: oxygen, suction, boyles apparatus, Cardiac monitor, pulse oxymeter, and optional defibrillator. This is relaxable for hill areas.
3. Emergency drug tray matching the scope of service
4. Day Care OTs shall be equipped with OT table, OT light/ operating microscope, instrument trolley, oxygen cylinder and vacuum/suction machine, pulse oxymeter and emergency medicine tray.

F. High Dependency Unit (HDU/ ICU)

Essentials

1. Fowler Beds, Sputum bowls, IV Stand, Stools
2. Emergency Drugs
3. Cardiac Monitors
4. Defibrillator (optional)
5. Infusion pumps
6. Oxygen (cylinder/oxygenator/ central), vacuum (apparatus/central)
7. Nebulizer
8. Bed side glucometer
9. If unit is not part of hospital than BMW Authorization certificate and display of tariff and specialists is required

Optional (for ICU):

1. Ventilators
2. Bipap/ Cpap
3. Defibrillator

G. Neonatal Unit

Essentials

1. Open Care Unit
2. Phototherapy Unit
3. Neonatal NIBP Monitor
4. Neonatal Emergency Kit with Drugs, Laryngoscope, Airways and tubes
5. Infusion pump
6. Nebulizer

7. Oxygen (cylinder/oxygenator/ central), vacuum (suction apparatus/central)
8. If unit is not part of hospital than BMW Authorization certificate and display of tariff and specialists is required

Optional (for NICU):

1. Bubble Cpap
2. Ventilator with neonatal and pediatric mode
3. Central Oxygen, Air & Vacuum

H. Kidney Unit

1. Dialysis Unit (s)
2. Bed / sputum bowls/ stools/IV stand
3. Cardiac Monitor
4. Nebulizer
5. Infusion pump
6. Glucometer
7. Water TDS meter
8. Oxygen (cylinder/oxygenator/ central), vacuum (apparatus/central)
9. If unit is not part of hospital than BMW Authorization certificate and display of tariff and specialists is required

I. Endoscopy Lab

Essentials

1. Endoscopes
2. Cardiac Monitor
3. Oxygen (cylinder/oxygenator/ central), vacuum (apparatus/central)
4. If unit is not part of hospital than BMW Authorization certificate and display of tariff and specialists is required

J. Blood Bank

1. As per guidelines of Drug and Cosmetic Act, 1940

K. Organ & Tissue Bank

1. As per guidelines of Transplantation of Human Organs Act, 1994

L. De Addiction Centres

1. Training of NGOs running such centres under Narcotic Drugs and Psychotropic Substances Act, 1985

III. CLINICS:

Essentials:

1. Name of the physician with qualification and registration number in the Clinic
2. Chairs/ stool and table for examination, torch, non mercurial thermometer, non mercurial BP apparatus or stethoscope
3. Hand washing facility and waiting area for patients
4. Bio Medical Waste Management authorization certificate
5. Display of scope of service and tariff

6. Emergency medicine tray as per scope of service
7. In case of skin clinics if laser is installed then the standard protection provision should be present

Optional:

1. Glucometer
2. Vaccination Service
3. Minor dressing service
4. X- Ray and other Diagnostic service
5. ECG Machine
6. Nebulizer
7. Fire Extinguisher
8. Electricity backup
9. Dispensing of medicines

IV. LABORATORIES:

1. Name of the consultant with qualification and registration number. The consultant shall sign all reports in person with eligible signatures and shall write his name in capital letters under the signature in his own handwriting. No digital signatures or illegible mark as a signature shall be considered. This is relaxable for hill areas to promote tele pathology.
2. Display of services and charges
3. Fire Extinguisher
4. Biomedical Waste Management services authorization certificate
5. Electricity backup
6. Waiting area, chair/stool for phlebotomy, drinking water/hand washing facility, toilet facility
7. Lab facility- neuberg chamber, microscope, centrifuge machine, auto analyzer, BP instrument and stethoscope
8. Autoclave and incubator
9. Emergency tray and blood collection couch

Note: Collection centres of central laboratories can be opened but with individual registrations in their name. They cannot be clubbed with the main central lab. The fees of registration of such centres shall be at par with that of clinics.

V. RADIOLOGY

A. X- Ray/ CT/ MRI

1. Name of the consultant with qualification and registration number. The consultant shall sign all reports in person with eligible signatures and shall write his name in capital letters under the signature in his own handwriting. No digital signatures or illegible mark as a signature shall be considered. This is relaxable for hill areas to promote tele radiology.

2. Display of services and charges
3. Fire Extinguisher
4. Display of radiation protection message, services, charges
5. Biomedical Waste Management services authorization certificate
6. Electricity backup
7. Waiting area, chair/stool, drinking water/hand washing facility, toilet facility
8. Lead apron
9. Optional TLD badges for X- Rays and mandatory for CT & MRI
10. Emergency tray and couch

B. Ultrasound

1. Registration under PNDT Act
2. Name of the consultant with qualification and registration number
3. Display of services and charges
4. Fire Extinguisher
5. Display of radiation protection message, services, charges
6. Biomedical Waste Management services authorization certificate
7. Electricity backup
8. Waiting area, chair/stool, drinking water/hand washing facility, toilet facility
9. Record maintenance

C. Physiotherapy:

Essentials:

1. Name of Consultant (s)
2. Fire Extinguisher
3. Display of service provided & charges
4. Drinking water facility
5. Registration of the patients
6. Waiting area
7. Electricity backup
8. Hand wash facility
9. Examination/ Treatment tables for patient
10. Torch
11. Bio Medical Waste
12. Thermometer
13. Weighing machine
14. BP Apparatus
15. Electrotherapy Equipments/ Modalities
 - a) Short Wave Diathermy
 - b) Ultrasonic Therapy
 - c) Interferential Therapy
 - d) Hot Packs
 - e) Wax Bath
 - f) TENS
 - g) Traction Unit (Cervical/ Lumbar)

- h) Muscle Stimulator
- 16. Exercise therapy Equipments/ Modalities
 - a) Cold Packs
 - b) Shoulder Wheel
 - c) Over Head Pulley
 - d) Wall ladder/ Abduction Ladder
 - e) Weight Cuffs/ Weights

Optional:

1. Electrotherapy Equipments/ Modalities
 - a) Micro Wave Diathermy
 - b) LASER Therapy
 - c) Muscle Stimulator Electra diagnostic
2. Exercise therapy equipments/ modalities
 - a) Cryo Cuff Unit
 - b) Continuous Passive Motion Exerciser
 - c) Supinator Pronator Exerciser
 - d) Heel/Ankle Exerciser
 - e) Tilt Board
 - f) Parallel Bar
 - g) Mat Exercise Facility
 - h) Suspension Therapy Unit
 - i) Stationary Bicycle
 - j) Treadmill
 - k) Vibrator
 - l) Swiss ball
 - m) Rowing Frame Exerciser
 - n) Gripper / Gel Balls
 - o) Graded Elastic Exercise Bands
 - p) Quadriceps Table
 - q) Toilet

D. Dental:

Essential:

1. Name of the physicians with qualification and registration number inside the clinics
2. Fire Extinguisher
3. Bio Medical Waste Management authorization certificate. The rules should be different from factory waste management. New user friendly rules are to be framed for the medical fraternity.
4. Dental Chair
5. Display of services and charges
6. Drinking water facility, Hand wash facility and waiting area
7. Registration of the patients
8. Electricity backup
9. Suction

10. Autoclave / sterilizer
11. Emergency kit
12. Oxygen Cylinder

Optional:

1. Toilet

The above minimum standards shall be diligently adopted by all key persons of Clinical Establishments and the Indian Medical Association Uttaranchal State shall delegate powers to Hospital Board of India (IMA HBI) to monitor the application of above minimum standards in various Clinical Establishments of the state every six months on prior one month notice. The expenses of the same shall be borne by the Corpus created under Director General of Health services of Uttarakhand.

- BY ORDER

Agenda 7: To discuss about BMW- 2016 : Dr. D. D. Choudhury informed the house that Board meeting of Pollution Control Board was held where our suggestions were considered, till date no information regarding the was received by the state office.

Agenda 8: To discuss about Uttaracon – 2018: Dr. Krishna Avtar, Chairman and Dr. Traun Mittal, Organizing Secretary, Uttaracon- 2018 presented the details of the conference.

Agenda 9 : Report of Vice Presidents: There were no reports of Vice Presidents.

Agenda 10 : Report of IMA CGP & IMA AMS: There were no reports of IMA CGP and IMA AMS.

Agenda 11: Report of Election Commission of IMA UA State branch: Chairman, Election Commission and the candidates for the post of President Elect and Vice President were not present in the meeting. The same will be presented in the 3rd State Working Committee Meeting to be held in Dehradun on 24th November, 2018.

Agenda 12: Any other matter : As there was no other matter to be discussed, meeting was adjourned by State President.

(Dr. B. C. Pande)
State President
IMA UA State branch

(Dr. D. D. Choudhury)
Hony. Secretary
IMA UA State branch
