



GOVERNMENT OF MEGHALAYA

MEGHALAYA MINISTERS', SPEAKER'S AND DEPUTY SPEAKER'S, MEDICAL ATTENDANCE RULES

FOR THE YEAR 1970

The 22nd June, 1971

No. SS/Health. 44/70/31 – In exercise of powers conferred by sections 8 and 9 of the Legislative Assembly of Meghalaya (Speaker's and Deputy Speaker's Salaries and Allowances) Act, 1970 (Act No. 3 of 1970) and the Legislative Assembly of Meghalaya (Ministers' Salaries and Allowances) Act, 1970 (Act No. 4 of 1970); the Governor is pleased to make the following Rules, namely:-

1. Short title and commencement -

(1) These rules may be called the Meghalaya Ministers', Speaker's and Deputy Speaker's, Medical Attendance Rules, 1970.

(2) They shall be deemed to have come into force with effect from the 2nd April, 1970.

2. Definitions – In these rules, unless the context otherwise requires:-

(a) "Authorised medical attendant" means a Civil Surgeon of the District where the Minister, etc. falls ill, or a medical officer who in rank is equal or immediately junior to the Civil Surgeon and who is attached to the same hospital or dispensary to which the Civil Surgeon is attached, OR, a medical officer-in-charge of a hospital or dispensary to which no Civil Surgeon is attached;

(b) "Family" means the wife or husband, children, stepchildren and parents of the Minister, Speaker and Deputy Speaker, wholly dependent upon him or her as the case may be;

(c) "Government" means the Government of Meghalaya;

(d) "Hospital" means,

(i) A Government hospital or dispensary and includes;

(ii) A hospital or dispensary maintained by a local authority which receives aid from the Government, or,

(iii) Hospitals as enumerated in SCHEDULE (I).

(e) "Medical Attendance" means attendance in a hospital or at the consulting room maintained by the authorised medical attendant by arrangement with him and includes:-

(i) Such pathological, bacteriological, radiological or other methods of diagnosis as are available in a hospital or laboratory or institution and are considered necessary by the authorised medical attendant; and

- (ii) Such consultation with any other medical officer or specialist as the authorised medical attendant certifies to be necessary, to such extent and in such manner as the medical officer may, in consultation with the authorised medical attendant, determine;
- (f) “Patient: means a Minister, the Speaker and the Deputy Speaker, including their family, who requires medical attendance and treatment;
- (g) “Treatment” means the use of all medical and surgical facilities available at a hospital or dispensary in which a patient is treated, and includes:-
- i) The employment of such pathological, bacteriological, radiological or any other methods as are considered necessary by the authorised medical attendant;
 - ii) The supply of such medicines, vaccines, sera or other therapeutic substances as are ordinarily available in a Government hospital;
 - iii) The supply of such medicines, vaccines, sera or other therapeutic substances not ordinarily so available, as the authorised medical attendant may certify in writing to be essential for the recovery, or for the prevention of deterioration in the condition of the patient;
 - iv) The best accommodation as is available in the hospital to which the patient is admitted;
 - v) The services of such nurses as are ordinarily employed by the hospital to which the patient is admitted;
 - vi) Such special nursing as the authorised medical attendant may certify in writing to be essential for the recovery, or for the prevention of deterioration in the condition, of the patient having regard to the nature of the disease;
 - vii) Such blood transfusion as may be certified essential by the authorised medical attendant;
 - viii) Medical attendance described in sub-clause (ii) of clause (e) but does include diet, superior in quality, than is ordinarily supplied by the hospital to the patients occupying the best accommodation available therein.

3. **Medical attendance by an authorised medical attendant** – A patient shall be entitled, free of charge, to medical attendance by an authorised medical attendant.

4. **Travelling allowances** – (1) When the place at which a patient falls ill is not the headquarters of the authorised medical attendant:-

- (a) The patient shall be entitled to travelling allowance as usual rates for the journey from the place where he falls ill to the headquarters of the authorised medical attendant, or
- (b) If the patient is too ill to travel, the authorised medical attendant shall be entitled to travelling allowance to and from the place where the patient is.

(2) An application for a travelling allowance under sub-rule (1) shall be accompanied by a certificate in writing by the authorised medical attendant stating that medical attendance was necessary and, if the application is under clause (b) of that sub-rule, that the patient was too ill to travel.

(3) Where a patient is sent to a specialist or other Medical Officer under clause (a) of rule 5, he shall, on production of certificate in writing by the authorised medical attendant in this behalf, be entitled to travelling allowance for the journey to and from the headquarters of the specialist or other Medical Officer.

(4) A specialist or a Medical Officer summoned under clause (b) of rule 5 shall, on production of a certificate in writing by the authorised medical attendant in this behalf, be entitled to travelling allowance for the journey to and from the place where the patient is.

(5) If the patient has to proceed to a station other than that at which he falls ill for the purpose of treatment under sub-rule (I) of rule 6, he shall, in production of a certificate from the authorised medical attendant in this behalf, be entitled to travelling allowance for the journey to and from the place at which such treatment is received. A patient shall be entitled to travel with an attendant if the authorised medical attendant certifies in writing, before the journey is undertaken, that it is unsafe for the patient to travel unattended and as such an attendant is necessary to escort the patient to the place of treatment and back. Such an attendant shall be entitled to travelling expenses as follows:-

- a) If a Government servant, usual travelling allowance and daily allowance at the rates admissible to him for a journey on tour.
- b) If not a Government servant, he shall be entitled to actual expenses;

Provided that for all journeys under this rule a patient shall be entitled to travelling allowance at the rates admissible to a journey on tour, and no allowance for halts on such journey shall be admissible.

5. **Medical attendance by person other than authorised medical attendant** – If the authorised medical attendant is of opinion that the case of a patient is of such a serious and or special nature as to require medical attendance by some person other than himself, he may, with the approval of the Director of Health Services:-

- (a) Send the patient to the nearest specialist or other medical officers as provided for in Clause (e) of Rule 2, by whom, in his opinion, medical attendance is required for the patient; or
 - (b) If the patient is too ill to travel, summon such specialist or other medical officer to attend upon the patient.
6. **Hospitals or dispensaries at which treatment may be received and reimbursement therefor** – (1) Every patient shall be entitled, free of charge, to treatment:-
- (a) In such hospital or dispensary in the district where he falls ill as can, in the opinion of the authorised medical attendant, provide the necessary and suitable treatment; or
 - (b) If there is no such hospital or dispensary in the district, in such hospital in the State as may, in the opinion of the authorised medical attendant, provide the necessary and suitable treatment;

Provided that where in any exceptional case the authorised medical attendant is of the opinion that the necessary and suitable treatment is available only in a hospital outside the State (but within India), he may, with the approval of the Director of Health Services (which shall be obtained beforehand unless the delay involved entails danger to the health of the patient), send the patient for treatment in such hospital recognised by the Government of India:

Provided further that if the Minister, etc., while on tour, falls ill in a place outside the State (but within India), he may consult any authorised medical officer of the State or Union Territory where he falls ill, or, attend any recognised hospital of that State or Union Territory. In such cases *ex-post facto* approval of the Director of Health Services shall be obtained.

(2) Where a patient is entitled under sub-rule (1), free of charge, to treatment in a hospital, the amount paid by him on account of such treatment shall, on production of a certificate in writing by the authorised medical attendant in this behalf, be reimbursed to the patient by the Government.

(3) If the patient has to proceed to a station other than that at which he falls ill for the purpose of treatment under sub-rule (I), he shall, on production of a certificate from the authorised medical attendant in this behalf be entitled to travelling allowance for the journey to and from the place at which such treatment is received. Such travelling allowance shall also be admissible for an attendant, if the authorised medical attendant certifies in writing that, it is unsafe for the patient to travel unattended and that an attendant is necessary to accompany the patient to the place of treatment and back.

(4) In cases where there are no facilities for treatment in the hospitals mentioned in Rule 2 (d), the authorised medical attendant may refer the case to a Military Hospital in the State if such facilities exist.

7. **Treatment at Residence** – If the authorised medical attendant is of the opinion that owing to the absence or remoteness of a suitable hospital or to the severity of the illness, the patient cannot be given treatment as provided in sub-rule (I) of Rule 6, he may receive such treatment at his residence as may be arranged by the authorised medical attendant.

8. **Charge for Service other than Medical Attendance to be paid** – (1) Any charge for services rendered in connection with, but not included in medical attendance or treatment of a patient who is entitled, free of charge, to medical attendance or treatment under these rules, shall be determined by the authorised medical attendant and paid by the patient.

(2) If any question arises as to whether any service should be included in medical attendance or treatment, it shall be referred to the Government whose decision thereon shall be final.

9. **Sanction for Reimbursement** – (1) All bills for reimbursement under these rules shall be sanctioned by the Government in the Personnel Department with the concurrence of the Finance Department.

(2) All bills for reimbursement of costs incurred by a patient in respect of purchase of medicine shall be accompanied by a certificate in the prescribed form signed by the Authorised Medical Attendant and counter-signed by the Director of Health Services.

(3) If any question arises as to whether any medicine included in the treatment is reimbursable, it shall be referred to the Government whose decision thereon shall be final.

SCHEDULE (I)

Hospitals where medical attendance and treatment is permissible to Ministers, the Speaker and Deputy Speaker and families-Rule 2(d), (iii).

1. Khasi Hills Presbyterian Hospital, Shillong.
2. Nazareth Hospital, Shillong.
3. American Baptist Mission Hospital, Tura.
4. Presbyterian Mission Hospital, Jowai.

DAVID W. M. DUNCAN,

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Social Services Department (Health).