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The Goa Medical Practitioners Rules, 2011

Department of Public Health

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Notification

22/1/2003-I/PHD

Whereas the draft rules which the Government of Goa proposes to make under the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) (hereinafter referred to as the "said Act"), were pre-published as required by sub-section (1) of section 18 of the said Act, in the Official Gazette, Series I No. 17 dated 22-7-2010, under Notification No. 22/1/2003-I/PHD dated 12-7-2010, of the Department of Public Health, Government of Goa, inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of publication of the said Notification in the Official Gazette;

And whereas no objections or suggestions have been received from the public on the said draft Rules by the Government.

RULES

Now, therefore, in exercise of the powers conferred by section 18 read with sections 3 to 7, 10 and 12 of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1.Short title and commencement.— (1) These rules may be called the Goa Medical Practitioners Rules, 2011.

2.Definitions.— In these rules, unless the context otherwise requires,—

(a)"Act" means the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004);
(b)"clinic" means a place where one or more Medical Practitioners provide medical treatment to the Out-patients;
(c)"Director" means the Director of Health Services, Goa;
(d)"Form" means a form appended to these rules;
(e)"hospital" means a place where patients are admitted as In-patients and where treatment is available for a number of ailments;
(f)"license" means a license granted under the provisions of the Act and these rules;
(g)"Medical Superintendent" means a person, by whatever name and designation he/she is called, who is a medical practitioner and is in-charge of, or is entrusted with the running of, a clinic, Hospital or Nursing Home;
(h)"nursing home" means a place where the patients are admitted and where they can avail of specific specialty medical services;
(i)"Schedule" means a Schedule appended to these rules;

Words and expressions used herein but not defined shall have the same meaning as assigned to them in the Act.

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3.Minimum Standards.— Every private doctor/medical practitioner engaged in private practice shall conform to the minimum standards referred to in section 4 of the Act, as specified in the Schedule hereto.

4.Procedure for obtaining license.— (1) An application for a license under sections 3, 3A or section 5 of the Act or for renewal of license under section 10 of the Act, as the case may be, shall be made to the Competent Authority in

Form I hereto alongwith a fee of Rs. 250/- (Rupees Two hundred fifty only) by demand draft drawn in favour of the Director.

(2)The Competent Authority, on receipt of such application, shall make enquiry and direct the Inspecting Authority to inspect the Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory where the applicant is practicing/proposes to practice and to find out whether the applicant fulfills the minimum standards specified in the Schedule to these rules and submit to the Competent Authority its Inspection Report.

(3)On the basis of the Inspection Report, the Competent Authority may grant the license, or as the case may be, refuse to grant the license after recording the reasons for such refusal in writing.

Form II hereto.

(5)The license granted under sub-rule (4) shall be valid for a period of five years from the date of its issue, provided that the licensee is holding or continues to hold a valid registration from the Goa Medical Council or the Goa Dental Council or the Goa Board of Indian System of Medicine and Homoeopathy, as the case may be. The Licensee shall apply for renewal of license within ninety days before the date of expiry of the license.

(6)The Competent Authority or the Inspecting Authority, at any time, on receipt of complaint or otherwise, visit a Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological laboratory with or without prior notice, and verify whether the provisions of the Act, these rules and the conditions of the license are being duly observed or not.

(7)The Inspection Report, together with the observations, if any, of the Competent Authority, shall be communicated to the concerned doctor or the Medical Superintendent, as the case may be, for compliance within sixty days from the date of receipt of the same.

(8)In case of failure to comply with the observations communicated under sub-rule (7) above within the specified time, the license shall be liable to be cancelled/suspended for such period as may be specified in writing in that behalf.

5.Manner of filing appeal.— Every appeal against the order of Competent Authority shall be preferred before the Appellate Authority accompanied by the order against which the appeal is being preferred and fee of Rs. 500/- (Rupees Five hundred only) by demand draft drawn in favour of the Director.

By order and in the name of the Governor of Goa.

Porvorim, 11th February, 2011.
D. G. Sardessai, Joint Secretary (Health).

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SCHEDULE

(See rule 3)

(Standards to be maintained by doctor/medical practitioner engaged in practice in Medicine /Dentistry in a clinic or in Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory)

(I)Staff:— (1) The Medical Practitioner shall be assisted by para-medical staff, including qualified Nurse/s and Technician/s (wherever required), with Attendants/Servants, etc.

(2)They should be free from communicable or contagious diseases and medically examined at the time of appointment and thereafter at every six months.

(3)They should wear clean clothes or identifiable uniforms.

(II)Facilities:— The premises should include—

(1)A Consulting Room;
(2)A Patient Room;
(3)A Reception/Lobby area;
(4)Equipments and Instruments of good quality and in adequate quantity to carry out the various required tasks;
(5)Beds with mattresses and linen;
(6)Adequate number of toilets with water facility;
(7)Fully equipped Operation Theatre and Labour Room;
(8)Proper method of disposal of Bio-Medical Waste as per the Bio-Medical Waste (Management and Handling) Rules, 1998, as amended from time to time.

(III)In case of Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory, names, addresses and license numbers of all the practicing doctors/medical practitioners including that of honorary doctors shall be displayed at conspicuous place.

(IV)Minimum standards as laid down under trade license issued by the Municipal Corporation/Municipal Council/Village Panchayat concerned shall be maintained.

(V)In addition to above, proper hygiene and cleanliness, adequate water and power supply quality equipment/instruments, beds with mattresses and linen, shall be provided and always maintained neat and clean.

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FORM I

[See rule 4 (1)]

Application for License/Renewal of License to Practice Medicine/Dentistry in a Clinic/Hospital/
/Nursing Home/Diagnostic Centre/Pathological Laboratory.

To
The Competent
Authority,
Directorate of
Health Services,
Campal,
Panaji–Goa.

Sir/Madam,

I wish to apply for license(s) to practice Modern Medicine/Dentistry/Alternate Medicine in a Clinic/to establish Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory.

Details of the Applicant:

Name:

Age:

Sex:

Qualifications:

Specialization:

Registration Number of Medical Council/Board:

Name of the Medical Council/Board:

Address of Clinic/Hospital/Nursing Home/ Diagnostic Centre/Pathological Laboratory: Residential Address:

Telephone No. Fax: Mobile No.

E-mail: Website:

(If applying for more than one place of practice, please give the address of each Clinic/Hospital/ /Nursing Home/Diagnostic Centre/Pathological Laboratory)—

(1)

(2)

(3)

Copies of documents to be attached to the application:—

(1)Proof of qualifications/specialization;

(2)Registration Certificate from Goa Medical Council/Goa Dental Council/Goa Board of Indian System of Homoeopathy and Medicine;

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(3)Trade license(s) from Municipal Corporation/Council/Village Panchayat concerned;

(4)Ownership documents of the Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory;

(5)Fee of Rs. 250/- by demand draft drawn in favour of Director.

I certify that the details furnished are true to the best of my knowledge.

I agree to abide by the provisions of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) and Rules framed thereunder.

I undertake to inform the Competent Authority immediately in the event of any changes in the details furnished heretofore.

Signature of the Applicant: .....

Date: .....

Details of the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory: To be filled if the applicant is Owner/Co-owner/Trustee or connected with the management of Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory.

Name of the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory–

Location: House No.: Street: Ward No.:
City/Village:

Name of the Owner:
Name of the Medical Superintendent/Medical Director:

Age: Sex: Qualifications:

Tel Nos.: Office: Residence: Mobile: E-Mail ID:

Details about the Medical Practitioners attached to the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory:

(1)Name: Sex:
Age:
Qualifications:
Location:

(2)Name: Sex: Age:
Qualifications:
Location:

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(2) Name: Sex:

Age:

Qualifications:

Location:

(Please attach a separate sheet if the space provided is insufficient)

- I certify that the details furnished are true to the best of my knowledge.
- I agree to abide by the provisions of the Goa Medical Practitioners Act, 2004 and the Rules framed thereunder.
- I undertake to inform the Competent Authority immediately in the event of any change in the details furnished heretofore.
- I undertake that the Medical Practitioners without license under the said act shall Not be allowed to attend on any patients in the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory

Signature of the Applicant: .....

Date:

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FORM II
[See rule 4 (4)]

License No.

Dated:

License for a Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory. o MODERN MEDICINE
oDENTISTRY
oALTERNATE MEDICINE

License is hereby granted to Dr..... for running/establishing Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory, under the provisions of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) and the rules framed thereunder, at the following address/es:–
(i)
(ii)
(1) This License, unless renewed, shall be valid till.....

(2)The Licensee has paid the prescribed fees of Rs. 250/- by demand draft under receipt No ..... dated .....

(3)This License shall be displayed at the Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory (where there is more than one place of practice, photocopies thereof shall be displayed at all such places).

(4)The Licensee shall intimate to the Competent Authority any changes in the addresses mentioned above.

(5)The Licensee shall observe and maintain the standards as specified in Schedule appended to the Goa Medical Practitioners Rules, 2010.

Competent Authority

Seal

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