-1-

GOVERNMENT OF GOA

Department of Legislature Secretariat

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Notification

LA/C/MED-MLA/391/2006

The Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Medical Treatment) Rules, 2006.

In exercise of the powers conferred by section 26 read with sections 16 and 17 of the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 2004 (Act 20 of 2004), the Speaker of the Goa Legislative Assembly hereby makes the following rules, namely :

1.Short title and commencement. (1) These rules may be called the Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Medical Treatment) Rules, 2006.

(2) They shall come into force at once.

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

(a)Act means the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 2004 (Act 20 of 2004);

(b)Authorised Medical Attendant means the Medical Official appointed by the Department of Health of the Government of Goa or Medical Official of the Hospital recognized by the Government for the investigation of illness and treatment of patient;

(c)Government means the Government of Goa;

(d)Government hospital means the dispensary or hospital established and run by the Government for the medical attendance and treatment and includes any other hospital with which arrangements have been made by the Government for the investigation and treatment of the patient,

(e)Medical attendance means attendance by the Authorized Medical Attendant in his consulting room or in a hospital to which he is attached or at the residence of the patient and includes all methods of examination for the purpose of diagnosis as are available in the hospital or at the Consulting room and which are considered necessary by the Authorized Medical Attendant, and consultation with a specialist or other Medical Officer in service of the Hospital as the Authorized Medical Attendant certifies to be necessary;

(f)Patient means the member to whom these rules apply and who has fallen ill;

(g)Treatment means the use of all medical and surgical facilities available at the hospital in which the member is treated and includes all methods of treatment as are considered necessary by the Authorized Medical Attendant;

(h)Words and expressions used in these rules but are not defined shall have the same meaning as assigned to them in the Act.

3.Medical attendance, accommodation and treatment. (1) A member and the members of his family shall be entitled, free of charge, to medical attendance by the Authorized Medical Attendant in Government hospitals, accommodation in Government

-2-

hospital and also to medical treatment.

(2) Every person who is not a sitting member but has served for any period as a member, and his wife, shall be entitled, free of charge, to medical attendance by the Authorized Medical Attendant in Government hospital, accommodation in such hospital and also to medical treatment.

4.Specialized treatment. (1) Whenever a particular treatment or facility is not available in any Government hospital or in the Goa Medical College and Hospital, the Goa Medical College and Hospital may recommend the patient to any other hospital recognized by the Government of Goa for investigation of illness and treatment of patient.

(2) If the Goa Medical College and Hospital is of the opinion that the case of the patient is of such a serious or special nature as to require medical attendance from a hospital outside the State of Goa, it shall recommend the case to such hospital outside the State of Goa, as recognized by the Government of Goa, for investigation and medical treatment.

5.Travelling allowances for medical attendance journeys: (1) Travelling allowances will be paid to a patient as per the entitlement of Class-1 Officer of the Central Government or airfare, if the Goa Medical College and Hospital recommends the journey by air by a certificate, when the particular medical treatment is not available in the State of Goa and such medical treatment has to be taken from the hospital outside the state of Goa.

(2) Travelling allowance to the attendant of the patient will be paid if the Goa Medical College and Hospital recommends to the patient an attendant, by certificate to that effect.

6.Grant of Advances. Advances to the maximum up to 80 % of the estimated expenditure on medical treatment as approved by the hospital may be granted to the member or to the member of his family and to a person referred in sub-rule (2) of rule 3 of these rules, to enable him to initially meet the expenditure on medical attendance and treatment, on production of a certificate from the Goa Medical College and Hospital recommending such treatment.

7.The presentation of claims. (1) Application for claiming refund of medical expenses incurred in connection with medical attendance and/or treatment of the member or member of his family or person referred to in sub-rule (2) of rule 3 of these Rules, shall be made in

Form I hereto to the Secretary of the Goa Legislative Assembly supported by a Certificate ‘A’ or ‘ B’ in Form II or III hereto, respectively.

(2)The Certificate ‘ A’ or ‘ B’ as the case may be, shall be duly approved and signed by the Authorized Medical Attendant in charge of the case of the patient at the hospital and shall also countersigned by the Medical Superintendent of the hospital, wherever necessary.

(3)The Speaker shall have power to sanction medical bills up to an amount of rupees three lakhs and for amounts exceeding rupees three lakhs, medical bills shall be referred to a panel consisting of the Chief Minister, the Speaker and the Leader of the Opposition for sanction.

8.Treatment during emergency. Notwithstanding anything contained in these rules, where a Member or Ex-Member has to be rushed during emergency for treatment in a hospital other than a Government hospital, whether within or outside the state of Goa, such Member shall be entitled for refund to medical expenses incurred in connection with medical attendance and/or treatment on a application made in

Form I hereto to the

-3-

[1][Provided that on an application, if any, made in this behalf by any Member or ex-Member, the Speaker may, if he thinks that it is fit case to be considered for relaxation, by order for the reasons to be recorded in writing, relax the provision relating to the requirement of production of said certificate

.B. in

form III].

[2]***9. Power to relax***. The Speaker may, when it considers necessary or expedient to do so, that the operation of any of the provisions of these rules causes undue hardship in any particular case, he may, for reasons to be recorded in writing, dispense with or relax or depart from any of the provisions to such an extent and subject to such conditions as deemed fit.]

By order and in the name of the Speaker of the Legislative Assembly.

T. N. Dhruva Kumar, Secretary Legislature.

Porvorim 18th May, 2006

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FORM I

[See rule 7 (1) and 8]

FORM OF APPLICATION FOR MEDICAL CLAIMS

Form of application for claiming refund of medical expenses incurred in connection with medical attendance and/or treatment of member or member of family, or Ex-member or his wife. For medical attendance/treatment taken both from an Authorised Medical Attendant and a Hospital.

1.Name and designation of Patient/Member (in Block Letters) :
(i)whether married or unmarried :
(ii)if married, the place where wife/husband is employed :
2.Term of Legislative Assembly :
3.Actual residential address :
4.Name of the patient and his/her relationship with Member/Ex-Member : N.
B.: In the case of children state age also.
5.Place at which the patient fell ill :
6.Details of the amount claimed :
I.Medical Attendance :
II.Hospital Treatment :
III.Consultation with Specialist :

-4-

7.Total amount claimed : … Rs.
8.Less advance taken on : … Rs.
9.Net amount claimed : … Rs.
10.List of enclosures : … Rs.

DECLARATION TO BE SIGNED BY THE PATIENT/MEMBER

I hereby declare that the statements in the application are true to the best of my knowledge and belief and that the person for whom medical expenses were incurred is related to me as .....

Date :

Signature of the Member/Ex-Member

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-5-

FORM II

[See rule 7(1)]

CERTIFICATE 'A'

(To be completed in the case of patients who are not admitted to hospital for treatment)

Certificate granted to Mrs./Mr./Miss…….. wife/son/daughter of Mr. ..... Member of Legislative Assembly/Ex-Member of Legislative Assembly.

I, Dr ..... hereby certify :-

(a) that I charged and received Rs. ..... for Consultations on (.....) at my consulting room/at the residence of the patient.

(b) that I charged and received Rs. ..... for administering ..... intra-venous/intra-muscular/subcutaneous injections on .....(.....) at my consulting room/the residence of the patient;

(c)that the injections administered were not/were for immunizing or prophylactic purposes;

(d)that the patient has been under treatment at ..... hospital/my consulting room and that the under mentioned medicines prescribed by me in this connection were essential for the recovery/prevention of serious deterioration in the condition of the patient. The medicines are not stocked in the ..... (name of hospital) for supply to private patients and do not include proprietary preparations for which cheaper substances of equal therapeutic value are available nor preparations which are primarily foods, toilets or disinfectants.

Names of medicines	Prices
1.	.....
2.	.....
3.	.....
4.	.....

(e)that the patient is/was suffering from ..... and is/was under my treatment from ..... to ..... ;

(f)that the patient is/was not given pre-natal or post-natal treatment;

(g)that the X-ray, laboratory test, etc,. for which an expenditure of Rs. ..... was incurred was necessary and were undertaken on my advice at .....(name of the hospital or laboratory);

(h)that I referred the patient to Dr. ..... for specialist consultation and that the necessary approval of the .....

(i)that the patient did not require/required hospitalization.

Signature of AMA/

Designation of the Medical Officer and hospital/

dispensary to which attached

Dated :

-6-

N. B.- Certificate not applicable should be struck off. Certificate (e) in compulsory and must be filled in by the Medical Officer in all case.

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FORM III

[See rule 7(1) and 8]

CERTIFICATE 'B'

(To be completed in the case of patients who are not admitted to hospital for treatment)

Certificate granted to Mrs./Mr./Miss ……wife/son/daughter of Mr. ..... Member of Legislative Assembly/Ex-Member of Legislative Assembly.

PART A

I, Dr ..... hereby certify-

(a) that the patient was admitted to hospital on the advice of ..... (name of the medical officer)/on my advice;

(b)that the patient has been under treatment at ..... and that the under mentioned medicines prescribed by me in this connection were essential for the recovery/prevention of serious deterioration in the condition of the patient. The medicines are not stocked in the ..... (name of the hospital) for supply to private patients and do not include proprietary preparations for which cheaper substances of equal therapeutic value are available nor preparations which are primarily foods, toilets or disinfectants;

Names of medicines	Prices
1.	.....
2.	.....
3.	.....
4.	.....

(c)that the injections administered were/were not for immunizing or prophylactic purposes;

(d)that the patient is/was suffering from ..... and is/was under treatment from ..... to .....

(e) that the X-ray, laboratory tests, etc, for which an expenditure of Rs. .....was incurred were necessary and were undertaken on my advice at .... (name of hospital or laboratory);

(f) that I called on Dr. ..... for specialist consultation and that the necessary approval of the ..... as required under the rules, was obtained.

Signature and Designation of the Medical Officer in charge of the case at the hospital

-7-

PART B

I certify that the patient has been under treatment at the ……...hospital and that the service of the special nurses for which an expenditure of Rs…….was incurred, vide bills and receipts attached, were essential for the recovery/prevention of serious deterioration in the condition of the patient.

Signature of the Medical Officer in charge of the case at the hospital

COUNTERSIGNED
Medical Superintendent
..... Hospital

*I certify that the patient has been under treatment at the ..... hospital and that the

facilities provided were the minimum which were essential for the patients treatment.

Medical Superintendent

..... Hospital

Place : .....

Note : Certificates not applicable should be struck off. Certificate (d) is compulsory and must be filled in by the Medical Officer in all cases.

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1.Inserted vide First Amendment Rules, 2007 published in the Official Gazette Series-I No.52 (Extraordinary-5) dated 3-4-2007 and come into force at once.

2.Inserted vide Second Amendment Rules, 2007 published in the Official Gazette Series-I No.21 (Extraordinary) dated 24-8-2007 and come into force at once.