

GUJARAT MINISTERS' (MEDICAL ATTENDANCE AND TREATMENT) RULES, 1964

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GUJARAT MINISTERS' (MEDICAL ATTENDANCE AND TREATMENT) RULES, 1964

In exercise of the powers conferred by section 10 of the Gujarat Ministers' Salaries and Allowances Act, 1960 (Gujarat VI of 1960), the Government of Gujarat hereby makes the following rules namely:-

1. Short title and commencement. :-

(1) These rules may be called the Gujarat Ministers' (Medical Attendance and Treatment) Rules, 1964.

(2) They shall be deemed to have come into force with effect on and from 1st May, 1960.

2. Definitions. :-

In these rules unless there is anything repugnant in the subject or context,-

¹[(1)"Authorised medical attendant" means in the City of Ahmedabad, the Civil Surgeon Head Quarters, Ahmedabad (which Includes such Government Medical Officer as may be specially appointed by Government in this behalf) and elsewhere the Principal Medical Officer of the district appointed by the State Government to attend on its officers and includes a Medical Officer, who is in rank equivalent to such Civil Surgeon or, as the case may be, the Principal Medical Officer and who is attached to the same hospital or dispensary to which such Civil Surgeon or, as the case may be, the Principal Medical Officer is attached:

Provided that in the case of patient, who wishes to be treated in accordance with the Ayurvedic system of medicine, the Honorary Ayurvedic Medical Officer at the Civil Hospital, Ahmedabad or the Medical Officer at the Akhandanand Ayurvedic Hospital Ahmedabad shall be the authorised medical attendant];

(2) "Government Hospital" means a hospital maintained by the State Government and Includes any nursing home attached to it;

(3) "Medical Attendance" means attendance in a Government Hospital or at the consulting room maintained by the authorised medical attendant or at the residence of the patient and includes-

(a) such pathological, bacteriological, radiological or other methods of examination for the purpose of diagnosis as are available in any Government Hospital or Government laboratory in the State and as are considered necessary by the authorised medical attendant: and

(b) such consultation with any other medical officer or specialist as the authorised medical attendant certifies in writing to be necessary to such extent and in such manner as the medical officer or the specialist may, in consultation with the authorised medical attendant, determine;

(4) "nurse" means a nurse registered or deemed to be registered under the Bombay Nurses, Midwives and Health Visitors Act, 1954:

(5) "patient" means a person who is entitled to medical attendance and treatment, free of charge, under section 10 of the Gujarat Ministers' Salaries and Allowances Act, 1960 and needs medical attendance and treatment:

(6) "treatment" means the use of all medical and surgical facilities available, at the Government Hospital in which the patient is treated and includes-

(a) The employment of pathological, bacteriological, radiological or any other methods as are considered necessary by the authorised medical attendant;

(b) the supply of such medicines, vaccines, sera or other therapeutic substances as are ordinarily available in a Government Hospital;

² [(c) the supply of such medicines, vaccines, sera or other therapeutic substance, not ordinarily so available, as the authorised

medical attendant may certify in writing to be essential for the recovery or for the prevention of serious deterioration in the condition of the patient, except the medicines which are included in the list of medicines refund in respect of which is not admissible under the Central Services (Medical Attendance) Rules, 1944, as may be amended from time to time].

(e) such special nursing as may be certified in writing by the authorised medical attendant to be essential for the recovery, or for the prevention of serious deterioration in the condition of the patient; and

(f) diet.

1. Substituted by Notfn. dated 3-9-1992.

2. Substituted by G.G.Gaz. Pt.IV-B. Ext, dated 27-11-1981, p.224.

3. Reimbursement for expenditure incurred by patient. :-

(1) Where a patient incurs any expenditure on account of medical attendance or treatment, the amount so paid by him shall, on production of a certificate in writing by the authorised medical attendant in this behalf shall be reimbursed to the patient in such manner as Government may determine.

(2) All medicines, sera or other therapeutic substances prescribed by the authorised medical attendant shall as far as may be dispensed-

(a) in the City of Ahmedabad, at the Civil Hospital or at the Akhandanand Ayurvedic Hospital, and

(b) elsewhere is at. such Government Hospital as the authorised medical attendant may specify: Provided that, where any medicine, sera or other therapeutic substance is not so available in any such Hospital, the patient may purchase the same and the cost thereof shall be reimbursed to him by Government in such manner as it may determine.

4. Special provisions for medical attendance. :-

(1) Where the authorised medical attendant is of opinion that the case of a patient is of such a serious nature as to require attendance or treatment by some person other than himself, the authorised medical attendant may-

(a) refer the patient to the nearest specialist or other medical

officer, or

(b) if the patient is too ill to travel, summon the specialist or other medical officer to attend the patient.

(2) Where the place at which a patient falls ill is not the head quarters of the authorised medical attendant and the medical officer attending the patient is of the opinion that it would not be safe for the patient to make a journey without being attended to, such medical officer may accompany the patient.

(3) Where the authorised medical attendant is of opinion that owing to the severity of the illness of the patient, the patient cannot be given treatment in a Government Hospital he may receive treatment at his residence:

Provided that in such a case the patient shall be entitled to be reimbursed for any expenditure incurred by him, on such treatment, a sum equivalent the cost of such treatment as he would have been entitled to receive free of charge, if had been treated at Government hospital.

(4) A specialist or other medical officer summoned under clause (b) of sub-rule (1) 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. In such a case the attendant, if a Government servant, shall be deemed to be travelling on duty and may draw travelling allowance for the outward and return journey as for a Journey on tour and if he is not a Government servant shall be entitled to actual expenses.

5. Reimbursement of cost not permissible otherwise than under these rules. :-

Nothing in these rules shall be deemed to entitle a patient to reimbursement of cost incurred in respect of any medical attendance or treatment obtained by him otherwise than expressly provided in these rules.