

## **KARNATAKA LEGISLATURE (PENSIONERS MEDICAL ATTENDANCE) RULES, 1990**

### CONTENTS

1. Short title and commencement
2. Definitions
3. Charges for Medical Attendance
4. Special treatment in certain cases

## **KARNATAKA LEGISLATURE (PENSIONERS MEDICAL ATTENDANCE) RULES, 1990**

In exercise of the powers conferred by Section 15 read with Section 11-A of the Karnataka Legislature Salaries, Pensions and Allowances Act, 1956 (Karnataka Act 2 of 1957), the Special Board of Karnataka Legislature hereby makes the following rules, namely:

### **1. Short title and commencement :-**

(1) These rules may be called the Karnataka Legislature (Pensioners' Medical Attendance) Rules, 1990.

(2) They shall be deemed to have come into force from the 1st day of November, 1990.

### **2. Definitions :-**

In these rules, unless the context otherwise requires.

(a) "Authorised Medical Attendant" means.

(i) in the, case of pensioner residing in places where there are Government hospitals or dispensaries, the Medical Officers,

(ii) in the case of pensioner residing in places where there are no Government hospitals or dispensaries, the Medical Officers, whether Gazetted or non-Gazetted, in-charge of local fund dispensaries, health units or health centres, at such places;

(iii) in the case of pensioner suffering from tuberculosis and receiving treatment at the Karnataka Health Institute, Ghataprabha, the Chief Medical Officer of the said Institute:

Provided that, honorary specialists, honorary Medical Officers part-

time Specialists, part-time Medical Officers shall not be deemed to be the Authorised Medical Attendants;

(b) "Medical Attendance" means attendance at a Government hospital or dispensary including such pathological, bacteriological, radiological or other methods of examination for the purpose of diagnosis as are available in the Government hospital and are considered necessary by the Authorised Medical Attendant, and such consultation with a specialist in Government employ within the State or other Medical officer similarly in Government employ within the State as the Authorised Medical Attendant certifies to be necessary to such extent and in such manner as the specialist or Medical Officer may, in consultation with the authorised medical attendant, determine;

(c) "Pensioner" means pensioner to whom these rules apply and who has fallen ill;

(d) "Pensioner" means an Ex-member of the Kamataka Legislative Assembly/Karnataka Legislative Council/Mysore Representative Assembly;

(e) "Secretary" means the Secretary of the Kamataka Legislature and includes the Deputy Secretary of the State Legislature and any Under Secretary of the State Legislature;

(f) "Treatment" means use of all medical, X-ray and Surgical facilities available at the Government Hospital or Dispensary in which the pensioner is treated and includes;

(i) the employment of such pathological, bacteriological, radiological or other methods as may be considered necessary by the Authorised Medical Attendant;

(ii) the supply of such medicines, vaccines, sera or other therapeutic substances as are available in the hospital or dispensary;

(iii) the supply of such medicines, vaccines, sera or other therapeutic substances 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 pensioner and which are not ordinarily available with the authorised medical attendant;

(iv) treatment of confinement cases of a pensioner;

(v) such accommodation as is ordinarily provided in the hospital and accommodation in the ward of the highest class available at the time of admission of the patient in hospital;

(vi) in the case of a pensioner who is an inpatient in a hospital, such nursing and diet as is ordinarily provided to inpatients by the hospital.

### **3. Charges for Medical Attendance :-**

(i) The pensioner shall be entitled free of charge to medical attendance and treatment by the authorised medical attendant;

(ii) No pensioner shall be entitled to any free services by Dentists or Opticians except for eye diseases requiring medical treatment and prescription of glasses and for removal of teeth. The cost of glasses shall not be borne by the Government;

(iii) No pensioner shall be entitled to free treatment at any Government Hospital for venereal diseases or any disease brought about by his interperance.

(iv) No fee shall be charged for sterilisation of instrument used in connection with operations performed on the pensioner.

(v)<sup>1</sup> where a pensioner incurs expenses for the medical attendance and treatment obtained by him at any Hospital or Dispensary maintained by the State Government or in any Hospital or Dispensary notified by the Karnataka Legislature he shall be entitled for reimbursement of the expenses incurred thereon. The expenses shall be inclusive of the charges for accommodation in the place where such treatment is taken.

(va) reimbursement of expenses incurred at any place other than in a Government Hospital or Dispensary and other than Hospital and Dispensary notified by the Karnataka Legislature. In respect of expenses incurred by a member for the medical attendance and treatment obtained by him in any place, other than in a hospital or dispensary maintained by State Government and other than Hospital or Dispensary notified by the Karnataka Legislature he shall be entitled to reimbursement of the expenses incurred to the same extent as he is entitled under these rules for reimbursement of expenses incurred by him for medical attendance and treatment obtained in such hospital or dispensary. The expenses shall be inclusive of the charges for accommodation in the place where such

treatment is taken".

(vi) All claims for refund of expenses incurred on account of the purchase of medicine should be accompanied by an essentiality certificate in Form A from the authorised medical attendant and countersigned by the Dean or Vice-Dean in-charge of the Government Hospital in Bangalore, Mysore, Hubli or Bellary, and by the District Surgeon or any other medical officer authorised by the Director of Health Services in case of notified Hospitals and Dispensaries. The counter-signing officer shall satisfy himself that the authorised medical attendant has complied with these rules, the verification of medicine being made with reference to the lists of Non-reimbursable medicines specified by the Director of Health Services, from time to time;

(vii) Claims for reimbursement for the expenses incurred in connection with medical charges shall be preferred in Form B and shall be sent to the Secretary within a period of one year: claims preferred after the said period of one year: will be subject to pre audit by the Accountant General. The expenditure relating to medical charges shall be debited against the allotment of the State Legislature under the head "18" Parliament State/Union Territory Legislature B State/Union Territory Legislature.

(viii) The amount to be reimbursed shall be drawn from the treasury on a salary bill duly countersigned by the Secretary and supported with the necessary bills and receipts including essentiality certificate signed by the authorised medical attendant and other competent medical authority in accordance with Rule 3.

1. Clauses (v) to (viii) inserted by Notification No. ACTS-I/ACT/28/97-98, dated 1-4-1998 and shall be deemed to have come into force w.e.f. 1-9-1997

#### **4. Special treatment in certain cases :-**

If an authorised medical attendant is of the opinion that the case of the patient is of such serious or special nature as to require medical attendance by some persons, other than himself or that the patient requires antirabic treatment, he may, with the approval of the Director of Health Services (which shall be obtained before and unless the delay involved entails danger to the health of the patient), send the patient to the nearest specialist or other medical officer in Government employment, by whom, in his opinion, medical attendance is required for the patient or in the case of anti-rabic treatment, to the nearest place where such treatment is

available, or if the patient is too ill to travel, summon such specialist or other medical officer to attend upon the patient.