

MAHARASHTRA LEGISLATURE MEMBERS (MEDICAL ATTENDANCE) RULES, 1966

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MAHARASHTRA LEGISLATURE MEMBERS (MEDICAL ATTENDANCE) RULES, 1966

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1. Short title :-

(1) These Rules May Be Called The Maharashtra Legislature Members (Medical Attendance) Rules, 1966.

(2) They shall be deemed to have come into force from the 1 st day of October, 1965.

2. Definitions :-

In these rules, unless the context requires otherwise,-

(1) "Act" means the Maharashtra Legislature Members Salaries and Allowances Act., 1956 ;

(2) "authorised medical attendant" means in -

(i) in Greater Bombay, the Superintendent, St. George's Hospitals, Dean or Deputy Superintendent, J. J. Group of Hospitals, and Superintendent of G.T. Hospital and of Cama and Albless Hospital, and Medical Officer-in-charge of the Legislator's Hostel;

(ii) in Nagpur, the Dean or Deputy Superintendent, Government Medical College, Nagpur and the Civil Surgeon, Nagpur or such other officer as the State Government may, by notification in the Official Gazette, specify in this behalf: and

(iii) elsewhere, the Principal Medical Officer of the district appointed by the State Government to attend on its officers in the district: and includes any officer, duly authorised by order in writing in this behalf, by the Superintendent of any Government Hospital referred to in sub-clause (i) or (ii) or by the Principal Medical Officer of the district to discharge the duties of the authorised medical attendant under all or any of the provisions of these rules as may be specified in such order;

(3) "Government hospital" means a hospital or dispensary maintained by the State Government, and includes any nursing home attached to it;

(4) "medical attendance" means the attendance by the authorised medical attendant at a Government hospital, or at his consulting rooms, or at the residence of patient and includes,-

(i) such pathological, bacteriological, radiological or other methods of examination for the purposes of diagnosis as are available in any Government hospital or Government laboratory in the State and are considered necessary by the authorised medical attendant; and

(ii) such consultation with a specialist or other medical officer whether a Government servant or otherwise, 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;

(5) "patient" means a member of the Maharashtra Legislative Assembly or the Maharashtra Legislative Council or a member of his family, as the case may be, who is entitled to receive medical attendance and treatment under Section 6 of the Act;

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

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

- (ii) the supply of such medicines, vaccines, sera or other therapeutic substances, not ordinarily so available to Government hospitals in the State;
- (iii) the supply of such medicines, vaccines, sera or other therapeutic substances, not ordinarily so available and which are not included in the list of medicines in respect of which refund is not admissible under the Central Services (Medical Attendance) Rules, 1944 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;
- (iv) such accommodation as is ordinarily provided in the hospital to which the patient is admitted and as is suited to his status;
- (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 serious deterioration in the condition of the patient having regard to the nature of the disease;
- (vii) diet: but does not include provision at the request of the patient of accommodation other than that described in sub-clause (iv).

3. Medical attendance :-

- (1) A patient shall be entitled, free of charge, to medical attendance.
- (2) Where a patient is entitled under sub-rule (1), free of charge, to treatment in a Government hospital, any amount paid by him on account of such treatment shall be reimbursed to the patient by the State Government in such manner as the State Government may determine.

4. Treatment :-

- (1) A patient shall be entitled, free of charge, to treatment.
- (2) Where an authorised medical attendant considers it desirable in the interest of the patient that he should be sent for treatment to a Government hospital, the patient shall be entitled, free of charge, to treatment in such Government hospital in the station or district where he falls ill, as can in the opinion of the authorised medical

attendant provide the necessary treatment.

(3) Where a patient is entitled under sub-rule (2), free of charge, to treatment in a Government hospital, any amount paid by him on account of such treatment shall be reimbursed to the patient by the State Government in such manner as it may determine.

(4) In Greater Bombay, all medicines prescribed by the authorised medical attendant shall, as far as may be, be dispensed at the St. George's hospital and elsewhere in such Government hospital as the authorised medical attendant may specify in that behalf:

Provided that, when any medicines, vaccines, sera or other therapeutic substances are not ordinarily available in any such hospital, the patient may purchase the same in the first instance and the cost thereof shall be reimbursed to him by the State Government on production of a certificate from the authorised medical attendant and also the necessary vouchers, in such manner as it may determine (Appendix).

5. Specialist Treatment :-

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

(a) send the patient to the nearest specialist or other medical officer in the State 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.

(2) The 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.

6. Attendant during Journey :-

Where the place at which a patient falls ill is not the headquarters of the authorised medical attendant and if a medical practitioner or a Government Medical Officer attending on the patient is of opinion that it would be unsafe for the patient to make a journey to the district headquarters or Greater Bombay, as the case may be.

without being attended to either by himself or some other persons, he may himself accompany the patient or arrange that some other person shall do so. In such 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.

7. Ayurvedic or Homoeopathic treatment :-

If a patient requires Ayurvedic or Homoeopathic treatment, he may consult the Superintendent, M. A. Podar Hospital, Bombay, the Superintendent or the Chief Medical Officer of the Ayurvedic Hospital at Pune, Nagpur and Nanded or the Honorary Chief Medical Officer, Homoeopathic Hospital, Bombay, and in such case the Superintendent or the Chief Medical Officer, as the case may be, shall for the purposes of these rules be deemed to be the authorised medical attendant. The Superintendent or the Chief Medical Officer, may arrange for pathological, bacteriological, radiological or other methods of examination in their respective hospitals.

8. Treatment at patients residence :-

(1) If the authorised medical attendant is of opinion that owing to the absence or remoteness of a suitable hospital or owing to the severity of the illness, a patient cannot be given treatment as provided in sub-rule (2) of Rule 4, the treatment may be administered at the patient's residence.

(2) Where a patient receives treatment at his residence under sub-rule (1), he shall be entitled to receive towards the cost incurred by him on such treatment a sum equivalent to the cost of such treatment as he would have been entitled to receive, free of charge, under these rules if he had been treated under sub-rule (2) of Rule 4.

9. Patient not entitled to reimbursement of costs other than those permitted under these rules :-

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

10. Repeal and saving :-

The Maharashtra Legislature Members' (Medical Attendance) Rules,

1963, are hereby repealed, except as respects things done or omitted to be done before the repeal of the said rules.