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**Government of India**  
**Ministry of Health and Family Welfare**

Nirman Bhawan, New Delhi.  
Dated the October, 2017

**MINUTES OF MEETING**

The minutes of 10th meeting of the National Council for Clinical Establishments held under the Chairmanship of Prof. (Dr.) Jagdish Prasad, DGHS on 8th September, 2017 at Nirman Bhawan, New Delhi are enclosed for information and necessary action.

Action Taken Report may please be sent in due course to Dr. Anil Kumar, Addl DDG (AK), Room No. 560 - A, Nirman Bhawan, New Delhi-110011 or to his email id viz. dr.anilkumar@nic.in

(Sudhir Kumar)  
Joint Secretary to the Government of India  
and Secretary, National Council for Clinical Establishments

**To**

1. All members of National Council for Clinical Establishments and other participants as per the list annexed.
2. Chairman and Member Secretary, State council for Clinical Establishments of Arunachal Pradesh, Himachal Pradesh, Sikkim, Mizoram, Bihar, Jharkhand, Rajasthan, Uttar Pradesh, Uttarakhand and Assam and Union Territories of Puducherry, Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Andaman and Nicobar, Lakshadweep.
3. Sh. Prasanth K S, Consultant, NHSRC, New Delhi

**Copy to:**

Secretary, Medical Council of India /Secretary, Dental Council of India /Secretary, Central Council of Indian Medicine /Secretary, Indian Nursing Council /Registrar –cum- Secretary, Pharmacy Council of India /Secretary, Central Council of Homoeopathy

**Copy also to:**

Principal Secretary (Health) of all the States/UTs who have not adopted the Clinical Establishments Act

**Copy for information to:**

1. PPS to DGHS /PPS to Special DG(BDA)/ PPS to AS and DG
2. PPS to JS (SK)/ PA to Addl. DDG (SG)/PA to Addl.DDG(AK)
3. PA to Director (BT)  
MS section / MH –II section

Signature Not Verified

Digitally signed by SUDHIR  
KUMAR  
Date: 2017.10.23 17:57:09 IST  
Reason: Approved



**Minutes of the Meeting of 10<sup>th</sup> National Council for Clinical Establishment under chairmanship of Prof (Dr). Jagdish Prasad, DGHS held at Nirman Bhawan, New Delhi on 08-09-2017**

The 10<sup>th</sup> meeting of the National Council for Clinical Establishments was held on 8<sup>th</sup> September, 2017 under the Chairmanship of Prof. (Dr.) Jagdish Prasad, DGHS at Nirman Bhawan New Delhi. A copy of the agenda and related papers were circulated in advance through emails and also during the meeting. A copy of the Operational Guidelines for implementation of the Clinical Establishments Act, Minimum Standards for Allopathy and AYUSH clinical establishments were circulated to those participants from States, who had not received it earlier.

The list of participants is annexed.

Sh. Sudhir Kumar Joint Secretary welcomed the participants. After introduction of participants Prof(Dr) Jagdish Prasad, Chairman stated that although the Clinical Establishments Act has good provisions and is required to regulate different categories of clinical establishments but till now only very few States have adopted the Clinical Establishments Act. The number of corporate hospitals is increasing and many complaints are received regarding unnecessary investigations and financial exploitation of patients. Continuous persuasion is required for convincing the states regarding implementation of the Act. Further, the patients do not come to know the price which will be finally charged by health facilities specially in case of corporate hospitals. He called upon Indian Medical Association (IMA) to help in the matter and prevent unfair treatment of patient and their attendants by Clinical Establishments.

A power point presentation was made by Addl.DDG (AK) regarding action taken report on the minutes of 9<sup>th</sup> meeting of National Council and the agenda points. Following actions taken were informed to the members of the National Council and other participants:-

I. Standard Treatment Guidelines (STGs) for Dental Caries and Periodontitis have been formulated under National Oral health Program. Indian Dental Association (IDA) was requested to prepare Standard Treatment Guidelines for other common dental conditions and submit the same to Dte.GHS.Following new STGs have been approved and uploaded on the website.

a Major Trauma

- b Hypertension
- c Alcohol Dependence
- d Dry Eye Disease
- e Snake-bite
- f Diabetic foot
- g Management of Acute Respiratory Infections in Children
- h Management of Recurrent Spontaneous Abortions
- i Management of Sinusitis in Adults
- j Feeding of Low Birth Babies
- k Management of Jaundice in New Borns

A total of 227 Standard Treatment Guidelines for medical conditions under allopathic system have been approved till date and are available on the website. New Draft STGs have been received from National Institute of Siddha and the same will be circulated to members and Siddha experts for comments, if any. It was requested that STG of the other AYUSH systems may also be submitted to the National Council Secretariat at the earliest. Ministry of AYUSH is requested to facilitate the same (Action: Ministry of AYUSH, National institutes of Unani, Yoga and naturopathy, Sowa-Rigpa, Homeopathy).

- I. Representative of Indian Dental Association has been included as special invitee for attending the meetings of National Council.
- II. Most of the states are yet to prescribe rates of procedures and services under the Clinical Establishments Act. Only few states have constituted technical committees in this regard. The states were requested to take immediate action for determining the standard procedure cost for some common procedures in consultation with both Government and Private sector medical experts including professional associations. The rates of procedures and services should be transparent and should be inclusive of everything. Only one rate has to be informed to the patients and the same should be charged till discharge of the patient (**Action: All Implementing States**).
- III. It was informed that the clinical establishments Act in present form is not in conflict with other Acts like Rehabilitation Council of India (RCI) Act 1992, Indian Medical Council (IMC) Act 1956, and INC (Indian Nursing Council) Act 1947.
- IV. A letter was sent to Delhi Govt. from Joint Secretary level for adoption of the clinical establishments Act. However no response has been received.
- V. NIC has informed that they have resolved issue of limited space in the Certificate of provisional registration for name of the Clinical establishment. It was informed that online Registration is functional in 10 States/Union Territories
- VI. Advocacy cum Training Workshops were organized in States of Arunachal Pradesh, Chandigarh, Andaman and Nicobar Islands and Jharkhand in the current year so far.
- VII. It was again reiterated that Ministry may issue instructions to all concerned regarding mandatory registration under Clinical Establishments Act for empanelment under any

Govt. of India Scheme. States Government representatives were advised that they may also implement the same for State schemes. **(Action: MS Division, MoH&FW, All implementing States)**

- VIII. Suggestions had been invited from Council members, participants and States on the Draft of operational Guidelines of Clinical Establishments Act, as circulated in last meeting. No suggestions were received. Draft Operational Guidelines is taken as approved

The minutes of last meeting with addition of point that “CEA should not be in conflict with Indian Nursing Council Act 1947” were taken as approved.

The National Council was of the view that the code of conduct as applicable to Doctors as per MCI Act may also be applicable to the corporate clinical establishments providing health care / patient care services.

**During the course of discussions, Siddha representative commented as:**

1. Apart from the regulation of Clinics, Nursing homes, Hospitals, the act should also regulate the other health centres involved in siddha physiotherapy retrieval techniques.
2. For registration competent medical personnel should be employed, follow STG, display cost for various procedures and facilities should be mandatory prerequisites for registration.

Following States presented the status of implementation of the Act along with issues if any, the same is summarized as under:

**Puducherry:**

1. So far 227 online registered Clinical Establishments
2. Presently survey is under process for single practitioners
3. Based on the complaint received it was suggested mandatory requirement of having 10,000 ltrs of overhead water tank as per Puducherry fire safety norms, may be required to be reconsidered by the UT Administration. (Action: UT administration)
4. Regarding query on how to calculate rates, it was advised that keeping CGHS rates for various procedures as core; separate rates could be developed for the state. (Action: UT administration)

**Jharkhand:**

1. Present status of implementation- DRA( district Registration Authority) have been constituted for all districts
2. Committee was formed for deciding standard medical procedure cost
3. Opening of common bank account for Clinical Establishment is in process

4. Advocacy-cum-training workshop was conducted on 30.08.2017
5. Based on the complaint received it was suggested punitive actions against Clinical Establishments which have not registered is required to be stopped, as the dissemination of information to stakeholders is not complete(Action: State Authorities of Jharkhand).

**Assam:**

1. So far 2847 Clinical Establishments registered.
2. Cost of procedures is yet to be decided.
3. State has to stabilise prices, centre will not dictate terms corporate and other private sector hospitals could be involved while deciding prices for procedures which should be transparent as well as range bound. The rates should be displayed.
4. Problems:-
  1. Sanctioning of funds is less than what was demanded. (Action: NHM)
  2. Payment gateway is still not working. (Action: NIC)
  3. National and State register not tally. (Action: NIC)

**Chandigarh:**

1. UT council under CEA sent for notification.
2. Registration for all Clinical Establishments is first priority
3. Specialist has to have competency to treat diseases of specific spectrum e.g. diabetes
4. Ayurvedic doctors practicing allopathy
5. Penalty recovered for running Clinical Establishment without registration-file moved to Governor's office for the waiver of this amount, result awaited
6. Problems:-
  1. Full name of the institution could not be saved and printed in registration certificate. (Action: NIC)
  2. Phone number uploaded could not be verified

Personal hearing was given to the following representatives of main associations objecting to the draft Gazette notification of minimum standards of Medical Diagnostic Laboratories as given under-

1. Dr Ajay Soni, National Coordinator, Association of Clinical Microbiologists and Biochemists (ACMB)
2. Shri Arjun Maitra, General Secretary, National M.Sc Medical Teachers' Association (NMMTA)
3. Dr Praveen Sharma, PhD.(Medical Biochemistry), Past President & Executive Member, Association of Clinical Biochemists of India, (ACBI)
4. Dr Rajiv Ranjan Sinha, General Secretary, Association of Clinical Biochemists of India ACBI
5. Shri Kaptan Singh Sehrawat, President, Indian Confederation of Medical Laboratory Science ICMLS
6. Dr Malkit Singh, Executive Member, Indian Confederation of Medical Laboratory Science ICMLS
7. Dr Pankaj Kaul, General Secretary Indian Confederation of Medical Laboratory Science ICMLS

The representatives as mentioned above were of the view that many institutions are running clinical biochemistry course where they are exposed to clinical work. In many of the programmes like tuberculosis, NACO and in Railways MSc. and Ph.D have been allowed to sign the laboratory reports. They should be allowed to sign the reports and head Laboratories. However one representative was also of the view if Ministry does not want MSc and PhD to sign the reports then a cut-off date be decided and after which this restriction may be imposed.

**After discussions and deliberations, following decisions were taken/ action point recommended:-**

1. Redeployment of the manpower provided under NHM for implementation of the Act may be considered by concerned State Government authorities as demanded by some of the states like Himachal Pradesh. **(Action: All States)**
2. As pointed out by some of the members, it was advised that punitive action may not be taken immediately by the State / District registration authority against the clinical establishments who are applying late for renewal. State/ District may give notice of few months. **(Action: All States)**
3. It was agreed that a letter will be written to states informing that the standard treatment guidelines (STG) have been prescribed under the Act and Rules thereunder. They may give their suggestions for updating these guidelines from time to time. **(Action: All States, MoH&FW)**
4. Dr. K.K. Aggarwal, National President of IMA demanded that clause related to Stabilization of Emergency medical condition need to be changed to providing basic life support services to Emergency medical condition. The point was discussed in the meeting and it will be considered for further necessary action keeping in view the provisions of the clinical establishments Act. **(Action: MoH&FW)**
5. On the issue of signing of Laboratory Reports by Lab Technicians/MSc./Ph.D, the National Council decided to constitute a separate committee or subcommittee to deliberate on the issue and give its recommendations for consideration of National Council. The committee/ subcommittee shall include representatives from IMA, MCI, NABL, 5-6 experts from Central Govt. institutions (including CHS doctors of Delhi Govt) and Dr Chand Wattal, who was key member of initial technical committee on the matter. The key association representative may be included as special invitee. **(Action : National Council Secretariat)**
6. IMA was of the view that the Clinical Establishments which hold entry level accreditation from NABH at the time of registration may not be subjected to pre-registration inspection. In this regard, it was clarified that pre-registration inspection is not required as per the Act. After registration, right of inspection after due notice will be available with the registering authority, as provided under the Act.
7. IMA wanted single window registration for clinical establishments in respect of different Acts such as Clinical Establishments Act, PCPNDT Act etc. It was informed that this matter is already under consideration of Inter-ministerial committee.

As the time for the meeting exceeded, other agenda items could not be taken up and it was decided that the same will be taken up in the next meeting.

The meeting ended with a vote of thanks to the Chair.

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## Annexure

### LIST OF MEMBERS OF NATIONAL COUNCIL FOR CLINICAL ESTABLISHMENTS AND OTHER PARTICIPANTS

**10<sup>th</sup> Meeting of National Council for Clinical Establishments held under the  
chairmanship of Dr. Jagdish Prasad, DGHS on 08-09-2017 at Nirman Bhawan, New  
Delhi**

S.No	Name with Designation	Address	Telephone No./Mobile No./Fax No.	E-mail
<b>National Council Chairman, Secretary and Members who attended the meeting.</b>				
1	Dr Jagdish Prasad, DGHS and Chairman of National Council	Dte.GHS, Nirman Bhawan,	23061063	
2	Shri Sudhir Kumar, Joint Secretary & Member Secretary National Council	MOHFW, Nirman Bhawan, New Delhi		
3	Dr. K K Agarwal, President, IMA	IMA House, ITO, Delhi-110092	9811090206	
4	Dr R N Tandon, IMA	IMA House, ITO, Delhi-110092	9810089490	hsg@ima-india.org
5	Dr D R Rai, IMA	IMA House, ITO, Delhi-110092	931250448	dr.drrai@gmail.com
6	Dr Mira Shiva, Rep. Consumer Education Research Centre	A-60, Hauz Khas, New Delhi	9810582028	mirashiva@gmail.com

7	Dr K Reddemma INC Nominee	Nodal Officer National Consortium for PhD College of Nursing, St.John Hospital, Bangalore- 560084	09886068164	reddemma@rediffmail.c
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9	Dr Pradeep Dua  Research Officer, Rep.of Sh.D C Katoch	Ministry of AYUSH	9811190570	duadrpradeep@gmail.cc
10	Shri Prakash Bachani, BIS Head (MHD)	Bahadur Shah Zafar Marg, New Delhi	9871953046	hmhd@bis.org.in
11	Shri Deepak Aggarwal, BIS Scientist 'E'	Bahadur Shah Zafar Marg, New Delhi	9643587968	deepak@bis.gov.in
12	Shri Anil Kr.Chandna Professor & HoD Dept.of Orthodontics, DCI Member ITS, Dental College, Hospital & Research Centre, Plot No- 47, Knowledge Park III, Greater Noida, Dist.G B.Nagar, UP	J-5/61, Rajouri Garden, New Delhi	9811058872	dranilchandna@gmail.cc
13	Shri Shiva Sharan K. DCI Member	Devi Darsha Kadri, Temple Road, Mangalore – 575 002, Karnataka	9448144399	shivsharan@hotmail.com  shiva@namma.tv
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18	Sh. Bhuvnesh Mishra, SSA	NIC-146A Wing, MOHFW, Nirman Bhawan, New Delhi	9717665353	mishra.b@nic.in

**State Council Members/ Representatives**

19	Dr. T. Kumaravel, State State Coordinator CEA , Puducherry	Puducherry	9443202831 0413-2229356	cea2010pdy@gmail.com
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21	Dr Rakesh R Bhardwaj OSD (CEA)	Directorate of Health Safety & Regulation, Red Cross Bhawan, Himachal Pradesh	09418485259	osddhsrhp@gmail.com
22	Dr S P Agarwal Addl.Director	Addl.Dir, Health, Uttarakhand	09759007820	admck@gmail.com
23	Dr Manju Behl, Incharge CEA	O/o DFWD, Sector-22, UT Chandigarh	08054320272	ceachandigarh@gmail.com porchcd@gmail.com
24	Dr Raj Mohan Nodal Officer, CEA	Dept.of Health & FW, Jharkhand	09835757260	jansamwadhealthjharkha

**State/UT Representatives who have not adopted the CEA**

25	Dr Umakant Satapathy Jt. Director Dir. Med. Edu.	Odisha	9437410842	uksatapathy@yahoo.co.
26	Dr Suvir Saxena Dy. Director	O/O Director General, Health Services, Sector-6, Panchkula, Haryana	9888196111	ddpndghs@gmail.com suvirsaxena2002@gmail.com
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29	Dr Upendra B. Gandhi Assistant Director Medical Services	Block 5, 1 <sup>st</sup> Floor, Dr Jivraj Mehta Bhawan, Gandhi Nagar-382010, Gujarat	9825005656	astdms.health
30	Dr Monalisa MSNH, DGHS	F-17, Karkardooma, Delhi-110096	8745011601	nursinhomes.1@gmail.com monalisa.borah@gov.in
31	Dr Preeti Thaware Program Officer, Govt. of Punjab	O/o DHS Sector 34-A, Chandigarh	8146429508	ceadhhs@gmail.com
<b>Other Participants</b>				
32	Dr Kumar Rajan, Chief Consultant, Immediate Past President Indian Dental Association, (South Delhi) Rep.	Sector-41, Block-D, H.No-127A, Noida	9868004567	drkumarrajan@outlook.
33	Dr A K Sen Principal Consultant, Dr RML Hospital	Dept of Pathology, Dr RML Hospital, PGIMER, New Delhi-110001	011-23340539 011-23404585	achen.k.sen@gmail.com
34	Dr Chand Wattal, Executive Mem. IAMM Ex officio Secretary IAMM-DC	Sir Ganga Ram Hospital, New Delhi	9810502899	chandwattal@gmail.com

35	Ms Rashmi Kumar Media Coordinator	Room No-310-D, Nirman Bhawan, New Delhi	9910780082	just2rashmi@gmail.com
36	Dr Anil Relia CEO	NABL	9818168618	ceo@nabl.qcin.org
The representatives who were given personnel hearing in respect of Draft Notification of Mi Standards for Medical Diagnostic Laboratories				
37	Dr Ajay Soni National Coordinator ACBM	195, Friends Colony, Nagpur-13	9822577987	as.acbm@gmail.com
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PPS and MTS of DGHS				