



KARNATAKA LEGISLATIVE ASSEMBLY
FIFTEENTH LEGISLATIVE ASSEMBLY
SEVENTH SESSION

THE KARNATAKA PRIVATE MEDICAL ESTABLISHMENTS (AMENDMENT)

BILL, 2020

(LA Bill No. 38 of 2020)

A Bill further to amend the Karnataka Private Medical Establishments Act, 2007.

Whereas it is expedient further to amend the Karnataka Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Private Medical Establishments (Amendment) Act, 2020.

(2) It shall come into force with effect from 31st day of July, 2020.

2. Amendment of section 4.- In the Karnataka Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) (hereinafter referred to as the Principal Act), in section 4, the following proviso shall be inserted, namely:-

“Provided that, in respect of the Bruhat Bengaluru Mahanagara Palike area, the Registration and Grievance Redressal Authority shall consist of the following, namely:-

(a)	The Commissioner, BBMP	Chairman
(b)	The Chief Health Officer (Public Health)	Member
(c)	The President or Secretary of Indian Medical association, State Head quarters	Member
(d)	The Joint Director, AYUSH	Member
(e)	One woman representative when the authority deals with grievance redressal	Member

Provided further that, on and from the date of commencement of the Karnataka Private Medical Establishments (Amendment) Act, 2020 all applications pertaining to Bruhat Bengaluru Mahanagara Palike area, pending before the Registration and Grievance Redressal Authority specified in section 4, shall be transferred to the Registration and Grievance Redressal Authority specified in the first proviso and it shall dispose of them as if they were filed before it.”

3. Amendment of section 16.- In section 16 of the Principal Act, the following proviso shall be inserted, namely:-

“Provided that, the Appellate Authority over the Registration and Grievance Redressal Authority of the Bruhat Bengaluru Mahanagara Palike area, shall consist of the following, namely:-

(a)	The Additional Chief Secretary or Principal Secretary or Secretary to Government, Health and Family Welfare Department	Chairman
(b)	The Director, Health and Family Welfare Services	Member
(c)	The Director, AYUSH	Member
(d)	The Director of Medical Education	Member
(e)	One Clinician with post graduation in General Medicine nominated by the State Government	Member

Provided further that, on and from the date of commencement of the Karnataka Private Medical Establishments (Amendment) Act, 2020 all appeals pending before the Appellate Authority specified in section 16, within the jurisdiction of Bruhat Bengaluru Mahanagara Palike area shall be transferred to the Appellate Authority for Bruhat Bengaluru Mahanagara Palike, specified in the first proviso and it shall dispose of them as if they were filed before it.”

3. Repeal and savings.- (1) The Karnataka Private Medical Establishments (Amendment) Ordinance, 2020 (Karnataka Ordinance 17 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) to make provisions for a separate registration and Grievance Redressal Authority and Appellate authority, in respect of Bruhat Bengaluru Mahanagara Palike area and more fully to handle COVID -19 cases effectively.

As the matter was urgent and both Houses of the State Legislature were not in session, the Karnataka Epidemic Diseases Ordinance, 2020 (Karnataka Ordinance No. 07 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

B. SRI RAMULU

Minister for Health and Family Welfare

M.K. Vishalakshi

Secretary (I/c)
Karnataka Legislative Assembly

EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1) OF RULE 80 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE KARNATAKA LEGISLATIVE ASSEMBLY.

It is considered necessary to amend the Karnataka Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007) to make provisions for a separate registration and Grievance Redressal Authority and Appellate authority, in respect of Bruhat Bengaluru Mahanagara Palike area and more fully to handle COVID -19 cases effectively.

Since the matter was urgent and both the Houses of the Karnataka Legislature were not in session, the Karnataka Private Medical Establishments (Amendment) Ordinance, 2020 (Karnataka Ordinance 17 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the above ordinance.

Hence, the Bill.

ANNEXURE**Extract from the Karnataka Private Medical Establishments Act, 2007 (Karnataka Act 21 of 2007)****XX****XX****XX**

4. Registration and Grievance Redressal Authority.- There shall be a Registration and Grievance Redressal Authority in each district consisting of the following members nominated in such manner with such qualification as may be prescribed, namely:-

(a) The Deputy Commissioner of the District Chairman

(b) District Health and Family Welfare Officer Member Secretary

(c) District AYUSH Officer Member

(d) One member each from Indian Medical Association and one more association Members

(e) One woman representative when the Authority is dealing with a grievance redressal Member

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16. Appellate Authority.- There shall be an Appellate Authority over the Registration and Grievance Redressal Authority consisting of the following members, namely:-

(a) the Commissioner for Health and Family Welfare, Karnataka Chairman

(b) the Director of Health Services, Karnataka - Member

(c) The Director of AYUSH (Ayurveda, Unani, Siddha, Homeopathy, Nature cure and Yoga)- Member

(d) One Clinician with Post Graduation in General Medicine nominated by the State Government - Member

(e) Director of Medical Education – Member

Note: The Director of Health Services, Karnataka shall be a member in respect of appeals preferred by a Private Medical Establishment treating patients through allopathic system of medicine and the Director Indian System of Medicine and Homeopathy shall be a member in respect of appeals preferred by other Private Medical Establishments treating patients through 16 Ayurveda, Unani, Homeopathy, Yoga, Naturopathy or Siddha system of medicine.

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