

# Ordinance Summary

## The Karnataka Private Medical Establishments (Amendment) Ordinance, 2020

- The Karnataka Private Medical Establishments (Amendment) Ordinance, 2020 was promulgated on July 31, 2020. It amends the Karnataka Private Medical Establishments Act, 2007. The Act provides for the regulation of private medical establishments in Karnataka by specifying: (i) their registration process, (ii) the standards for quality of service they provide, and (iii) their statutory obligations, among others. The Ordinance sets up a separate: (i) registration and grievance redressal authority, and (ii) appellate authority, for private medical establishments in the Bruhat Bengaluru Mahanagara Palike area. The Bruhat Bengaluru Mahanagara Palike is the municipal corporation responsible for the Greater Bengaluru metropolitan area.
- **Registration and Grievance Redressal Authority:** The 2007 Act provides for a Registration Authority in every district of Karnataka. The Authority will examine applications and grant registration to private medical establishments. The Authority consists of the: (i) Deputy Commissioner of the district, as the Chairman, (ii) District Health and Family Welfare Officer, and (iii) President or Secretary, Indian Medical Association (IMA) of the district.
- For the Bruhat Bengaluru Mahanagara Palike (BBMP) area, the Ordinance sets up a separate Registration and Grievance Redressal Authority for performing these functions. Its members are the: (i) BBMP Commissioner, as the Chairman, (ii) Chief Health Officer (Public Health), (iii) President or Secretary of the IMA, State Headquarters, and (iv) Joint Director, AYUSH, Karnataka. When the Authority is dealing with a grievance redressal matter, it will include a fifth member in the form of a woman representative.
- **Appellate Authority:** The Act provides for appeals by any aggrieved private medical establishment to be heard by an Appellate Authority. The grounds for appeal include: (i) rejection of application, or (ii) suspension/cancellation of registration, or (iii) any other grievance for reasons specified under the Act. The Appellate Authority consists of the: (i) Commissioner for Health and Family Welfare, as the Chairman, and (ii) Director of Health Services or Director, Indian System of Medicine and Homeopathy (any one of the two depending on the system of medicine practised by the PME which has filed the appeal).
- The Ordinance provides for a separate Appellate Authority for the BBMP area, which will handle all the appeals filed against the decisions of the Registration and Grievance Redressal Authority. This Appellate Authority will consist of: (i) Additional Chief Secretary/ Principal Secretary/ Secretary of the Health and Family Welfare Department, as the Chairman, (ii) Director, Health and Family Welfare Services, (iii) Director, AYUSH, (iv) Director, Medical Education, and (v) one Clinician with a post-graduation in General Medicine (who will be nominated by the state government).
- All prior applications or appeals, for the BBMP areas, pending before the existing authorities will be transferred to these new authorities.

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