



सस्त्वमेव जयते

GOVERNMENT OF ASSAM

ASSAM MEDICAL ATTENDANCE
RULES, 2008

Health & Family Welfare Department,
Dispur :: Assam

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 15th November, 2008

No. HLA. 1071/08/116 :- In exercise of power conferred by the proviso to Article 309 of the Constitution of India and in superseding all previous rules in this regard, the Governor of Assam is pleased to make the following rules governing medical treatment of Govt. Servants, Pensioners and their eligible family members, namely:-

1. Short title : These rules may be called the **Assam Medical Attendance Rules, 2008**.
2. Application : They shall apply to all employees of regular establishment of the Government of Assam, while they are on duty or leave or under suspension and their families and the Government pensioners and Government Family pensioners including Extra Ordinary family pensioners. They shall apply to those All India Service Officers who opt for them during their tenure in the State and retired / re-employed All India Services Officers, the State Government pensioners and family pensioners who served in connection with the affairs of the State of Assam irrespective of their place of permanent settlement in India and the family pension holders under the All India Services.
3. They shall come into force with effect from 1st December, 2008.
4. Definition : In these rules, unless the context otherwise requires, -
 - (a) "Government" means Government of Assam.
 - (b) "Authorized Medical Attendant" means the Doctor-in-Charge of the Government Hospital in which a person seeks medical treatment and in case of the Government servant working in the Government establishment outside Assam, it shall mean the Medical Officer appointed by the Government in Assam House/ Assam Bhawan for this purpose.
 - (c) "Family" means the family of a Government servant consisting of, -
 - (i) wife or husband;
Spouse who is working is eligible for reimbursement provided such reimbursement is not claimed by the spouse from his/her employers.
 - (ii) parents ordinarily residing with and wholly dependent on the Government servant;
 - (iii) Non-earning sons upto the age of 30 years and un-married daughters. There shall be no age limit for dependent children who are physically or/and mentally challenged.

NOTE : (1) Parents includes step-parents.

(2) The term 'sons' and 'daughters' includes legally adopted children and step-children residing with and wholly dependent on the Government servant.

(3) (i) AB read for Admissibility Board, (ii) AR read for Admissibility report, (iii) AMA read for Authorized Medical Attendant.

- (d) "Patient" means a Government servant or a member of his family or a Government pensioner or his spouse or Government Family Pensioners or retired/re-employed I.A.S. Officer or his spouse who served in connection with the affairs of the State of Assam and retired from Assam irrespective of their place of permanent settlement in India who requires medical attendance. The retired/ re-employed All India Services Officers of the aforesaid category shall be entitled to get all facilities as admissible to Class-I State Government Officers under the said Rules.
- (e) "Government Hospital" means and includes all Medical College Hospitals, Civil Hospitals, Sub-divisional Civil Hospitals, Community Health Centres, Primary Health Centres and Dispensaries in the State and shall include all Central Government run Hospitals in Delhi/ New Delhi/ Mumbai/ Kolkata etc for the exclusive purpose of the Government servants working out side the State.
- (f) "Medical Attendance" means attendance in a Government Hospital or at the residence of the patient and includes, -
- i. Such pathological, bacteriological, radiological or other methods of examination for the purpose of diagnosis as are available in Government Hospital or Laboratory and are considered necessary by the Authorized Medical Attendant (A.M.A.);
 - and
 - ii. Such consultations with any other Medical Officer or specialist in the services of the Government as the A.M.A. certifies to be necessary to such extent and in such manner as the Medical Officer or the specialist may, in consultation with the A.M.A., determines.
- (g) "Treatment" means the use of all medical and surgical facilities available at the Government Hospital in which a patient is treated and includes, -
- i. the employment of such pathological, bacteriological, radiological or any other methods as are considered necessary by the A.M.A.;
 - ii. Dental treatment where the diagnosis of the physiological or other disability from which a patient is suffering indicates that the teeth are the real source of disturbances provided it is of a major kind such as treatment of a jaw bone disease, whole scale removal of teeth etc.
- EXPLANATION : Surgical operations needed for the removal of Odon tomes and impacted wisdom tooth also fall under the category of dental - treatment of a major kind . Treatment of gum boils come under oral surgery of the mouth and such it is admissible under the Rules. Treatment of pyorrhoea and gingivitis is, however, not covered.

- iii. The supply of such medicines, sera or other therapeutic substances as are ordinarily available in Government Hospitals in the State;
- iv. Such accommodation as is ordinarily provided in the hospital to which the patient is admitted and 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. The medical attendance described in sub-clause (ii) of clause (g) but does not include diet or provisions at the request of the patient of accommodation superior to that described in sub-clause (iv).

(h) Referred Medical Board means the board constituted by the Government for streamlining the procedure of referring a patient for treatment outside the State.

(i) Procedure for referral : There shall be Medical Referral Board in each of the government medical colleges of the state. On the recommendation of the AMA the patients who require treatment outside the state of Assam or in Private Health Institution in Assam shall make a claim before the Medical Referral Board. The Medical Board will then proceed to examine the claim and if found eligible make a referral to a private/ Government institution preferably of the choice of the patient depending upon the condition of the patient. On the basis of the referral issued by the medical referral board the patient can proceed to the referral institution and obtain treatment.

(ii) The Medical Referral Board shall have a sitting at least twice a week. If an emergent life threatening situation arises, the patient or / his attendant can approach the Professor and Head of the Department / Senior most Medical Officer of the concerned department and make a claim. Then the concerned Medical Officer shall apply his mind and if situation warrants make a referral. However, such referrals shall be placed before the Medical Referral Board for ratification.

(iii) The minutes of the Referral Board shall be sent to the Admissibility Board (to be constituted by the Government) immediately after each meeting under intimation to the Director Medical Education.

(iv) In respect of the retired Government servants who belong to the All India Services as well as State Government Services who have settled outside the state, the Government will issue a separate Executive order as regards the procedure to be followed.

5. (i) There shall be an Admissibility Board (AB) with Director Health Services as Chairman and two other Medical Officers as members to examine claims of Medical Reimbursement and furnish Admissibility Report (AR). The AB shall be constituted by the Government from time to time.
- (ii) The AB shall have atleast one sitting a fortnight.
- (iii) There shall be a separate AB for the Assam Legislative Assembly to be constituted with medical experts by the Hon'ble Speaker.
- (iv) There shall be separate ABs for sitting and retired Judges of the Gauhati High Court and serving and retired Judicial Officers upto the rank of District & Session

Judges including all other officers of Judicial Service of the State. The AB for the former will be headed by Registrar General of the Gauhati High Court and the later will be headed by the Secretary, Judicial & Legal Remembrancer, Government of Assam. There shall be two other members in the committees who will be Medical Officers drawn from a panel prepared by the Director of Medical Education, by the respective Chairpersons of the Committees.

6. The Government servants as defined in these rules shall be entitled to free medical attendance and treatment at the nearest Government hospital, provided that the Government servants working under the state Government establishments outside the state shall get free attendance by the medical officer appointed by the state Government in the Assam Bhawan /Assam House for this purpose.
 - a) The patient after obtaining treatment shall submit bills for reimbursement to the Controlling officer who shall forward the case to the administrative department of the Government. The administrative department shall consult the AB as regards the admissibility of the claim. On receipt of the claim, the AB within a period not exceeding 45 days shall furnish the admissibility report to the referring department.
 - b) Based on the admissibility report of the AB, the administrative department shall issue necessary sanction at the earliest but not exceeding 45 days.
 - c) In case where a patient obtains treatment without referral and makes a claim to his department, the concerned administrative department shall refer the matter with specific recommendation on the extenuating circumstances in the nature of extreme emergency to the Government in Health & F.W. Department within a period not exceeding 45 days. The Health & F.W. department shall consider such cases thoroughly and carefully and within a period not exceeding 45 days return the case to the administrative department with their views/remarks.
 - d) In case the Health & F.W. Department concurs in to the case, the concerned administrative department shall refer the matter to the AB for admissibility. Thereafter, the AB shall furnish an admissibility report within a period not exceeding 45 days.
 - e) All cases of admissibility reports shall be dealt with on a First Come First Served (FCFS) and shall not be delayed beyond the Time frame as stated above.
 - f) In case of treatment obtained in Government Hospitals wherein the patient has to incur expenditure as an indoor patient for lack of the availability of medicines and consumables, such bills shall be countersigned by an authorized signatory duly designated as such by Principal or Chief Superintendent of Medical College and Hospital/ Superintendent of the Hospital/Senior most Medical officer of the health institution.
7. If the A.M.A. is of the opinion that owing to the severity of the illness a patient is not in a position to visit the nearest hospital, he may receive medical attendance and treatment at his residence. He may send written information to the A.M.A. about his illness and the A.M.A. may attend the patient at his residence without consultation fees.

8. If in the opinion of the A.M.A. it is necessary to refer a patient to another Government Hospital to provide him the requisite treatment, the patient shall receive medical treatment at the referred hospital free of charges.

9. Government servants who need hospitalization shall be entitled to free accommodation in any of the Government Hospital according to their entitlement shown. In case, the Government servant is hospitalized in a referral hospital, the reimbursement shall be limited to the maximum amount indicated below against each category of Government

Class of Officers	Entitled type of accommodation in Government Hospital.	Maximum reimbursement limit for referral Hospital.
1	2	3
I	Private/single paying	Rs. 3500/- per day.
II	Ward, -do-	Rs. 2000/- per day
III	General Ward	Rs. 1000/- per day.
IV	-do-	Rs. 700/- per day

Pensioners shall be entitled to accommodation as mentioned above according to their status immediately before their retirement from service."

10. (a) If no accommodation is available even in the General Ward of a Government Hospital, the patient may seek admission in private Hospital and receive the necessary medical attendance and treatment.

(b) The non-availability of accommodation in a Government Hospital, should be certified by the following authorities :

i. In the case of Medical College Hospital, by the Superintendent of the Hospital.

ii. In the case of Civil Hospitals at the District or Sub Divisional Headquarters, by the Superintendent of the Hospital, if there is one or by the Sub-Divisional Medical and Health Officer (SDM&HO) of the Sub-Division, in which the Hospital is situated, if there is no Superintendent.

iii. In case of Primary Health Centres and Dispensaries, the SDM&HO of the Sub Division in which the P.H.C. or Dispensary is situated.

(c) The ceiling for reimbursement shall be in accordance with the latest rates prescribed under the Central Government Health Scheme (CGHS).

Government shall reimburse the cost of treatment at the empanelled / referral hospital as per the CGHS rates only. The cost of treatment beyond the CGHS rates for hospitalization / treatment shall have to be borne by the employee/pensioner/family pensioner.

The administrative Department may with the concurrence of the Health & Family Welfare Department on the estimate submitted by the concerned Referral Hospital, grant an advance upto a maximum of 50% of the prescribed rates of the CGHS in respect of such ailment/ medical intervention subject to the full adjustment of such advance against the bill of re-imbusement.

(d) The list of Referral Hospitals both Government & Private within and outside the state of Assam shall be notified by the Government in Health & FW Department.

11. If the patient suffers from TB, Leprosy, Cancer and other such malignant diseases, irrecoverable paraplegia, hemiplegia and diseases requiring thorastic surgery, he shall be entitled to receive full reimbursement of the cost of medicines purchased by him outside Govt. Hospital on the prescription of the Authorized Medical Attendant (AMA). In addition to, if a patient suffers from Heart disease/Kidney trouble/High blood pressure and Neurological problem etc etc where hospitalisation is not required but constant treatment/ check up is necessary, with consumption of drugs regularly, as out door patient, the expenditure so incurred shall be reimbursible.

NOTE : "Authorized Medical Attendant" in respect of patient suffering from these special diseases shall be –

<u>Type of Disease</u>	<u>Authorized Medical Attendant</u>
T.B	(a) Supdt. L.G.B. Chest Hospital, Guwahati (b) District Health Officers (c) Head of Departments of Medicines or Medical College Hospitals
Cancer	(a) Head of Deptt. of Medicines in Medical College Hospitals. (b) Director, Dr. Bhubaneswar Baruah Cancer Institute, Guwahati.
Neurological Treatment	(a) Head of Deptt. of Neurology of Medical College Hospitals. (b) Director, Institute of Neurological Science, Dispur, Guwahati.
Other Diseases.	4. Head of the concerned Deptt. of Medical College Hospitals.

The other diseases in addition to these as mentioned in rule 11 in which the patients require the treatment without hospitalization, the Health & Family Welfare Department shall issue a separate notification after consulting the HoDs of the Medical Colleges of the State.

12. In case of the Government servant working in the Government Establishments outside the State no approval from the Medical Referral Board shall be required and the recommendation of the Authorized Medical Attendant will enable the Government servant to receive treatment in any of the institutions notified by the Government under rule 10(d).
13. When the patient is required to travel from his head quarters to a referred hospital on the advise of the AMA, as provided in this rules, he shall be entitled to, if he is a Government servant, the traveling allowance as on tour for journeys from his headquarters to the referred hospital and back. If he is not a Government servant, but a member of his family, the patient shall be entitled to the same rates of traveling allowances as applicable to the Government servant. If the patient is a Government pensioner, he or his spouse shall be entitled to Traveling Allowances of the entitled class on the eve of his/her retirement.

Provided that no Traveling Allowance shall be admissible for visit outside the State for Medical check up unless the Referral Medical Board has categorically certified that such check up is needed or detection of ailment for which the facilities do not exist within the State. In all such cases referred for check up and certified that the check up has resulted into positive finding of an ailment which needed urgent and special attention.

14. (a) If the A.M.A. considers it necessary, he may allow an attendant to accompany the patient from his headquarters to the referred hospital and back. In the event of a Government servant being an attendant, he with the prior approval of his Head of Office, is entitled to claim the actual traveling expenses incurred from his headquarters to the referred hospital and back. If the attendant is not a Government servant, he will be entitled to travel in the same class of accommodation as the patient is entitled to.

(b) Two escorts may be allowed in exceptional cases, viz. in case of Lunatic or Non-Ambulatory illness of a severe nature or in case of a child below 5 (five) years on the specific recommendation of the Referral Medical Board."

15. Government does not undertake any liability to reimburse expenditure incurred by a patient for medical attendance or treatment including purchase of drugs, medicines, sera, vaccines etc. in private hospital/ institution even if prescribed by the A.M.A., except as provided specifically in this Rules.

The reimbursement shall not be made for purchase of medicines prescribed to Government servant / pensioner as out door patients, except for the diseases requiring constant treatment without hospitalization as specified under rule-11 of these rules.

These rules shall not applicable for officers/ officials of All India Services but such bills shall be countersigned by the Authorized Medical Attendant.

Provided that a Government Servant shall be reimbursed the expenses incurred by him for the purchase of medicine/surgical facilities during his hospitalization in any of the Government Hospitals or a referral hospital, in which he is entitled to receive treatment free of cost as in rule 6 (f).

16. In order to compensate for the expenditure incurred by a patient on medical attendance and treatment outside Government Hospitals for which no provision has been made in these Rules, a fixed monthly allowance will be paid to every Government servant or Government Pensioner, to be determined from time to time by the Government. Existing medical allowance for Government servant/ pensioner/ Family Pensioners is Rs. 350/- p.m.

However, no fixed monthly medical allowance shall be admissible to a State Government family pensioner, if he/she is a Government employee or is working in any Government Undertaking/ Corporation under the Government of Assam or the Government of India or any other State Government.

17. The Government may grant an advance of an amount not exceeding two months basic pay, subject to a minimum of Rs. 5,000/- (Rupees five thousand) for treatment

of a patient in an approved Institution outside Assam. The advance shall be adjusted fully against the Bills, submitted by the Government servant concerned for reimbursement of the expenditure within three months from the date of discharge of the patient from the referred hospital and any balance not covered by the reimbursement Bill shall be refunded by the Government Servant or recovered from his pay in instalments as decided by the Administrative Department concerned within six months from the date of discharge of the patient from the referral hospital.

N.B. The advance under rule 10 (c) shall in addition to the above mentioned advance.

18. No. Government servant shall be transferred to a post under any employer other than Govt. unless the employer undertakes to afford to him facilities not inferior to those to which he will be normally entitled under these rules.

19. Nothing in these rules shall be deemed to, -

(i) entitle a member of the service to reimbursement of any cost incurred in respect of medical services obtained by him or in traveling allowance for any journey performed by him otherwise than as expressly provided in these Rules;

(ii) prevent the Government from granting to a Government Servant including All India Service Officers any relief relating to treatment, attendance and journey for the purpose of treatment which is not specifically authorized under these rules :

Provided that such relief shall be granted with the prior approval of the Cabinet only in cases where treatment (cannot be provided by the Government Hospitals and the Hospitals referred under rule 11, and shall be granted for treatment abroad also if such treatment) is not available anywhere in India and a certificate to that effect is given by the Referral Medical Board, provided further that such relief is in regard to the total cost to treatment/attendance / journey shall be 75% of the cost or Rs. 5 lakhs whichever is lesser.

20. These rules supersede -

(i) The Assam Medical Attendance Rule, 1976 with upto date amendments;

(ii) Contributory Health Service Scheme ;

(iii) Liberalized Medical Treatment Benefit Scheme, all other rules and instructions issued by Government and in this connection from time to time governing medical attendance to Government employees.

21. The DHS shall arrange to supply printed stationery from the Security Press with serial numbers as introduced by Finance (Budget) Department in issuing Advice Slips to the referred Hospitals, Medical Colleges in order to minimize the channel of fraudulent referrals. The Referral Boards constituted for this purpose shall allow a patient for hospitalization in any private hospital within the State or in any hospital outside the State in rare and exceptional cases where there is no option.

Similarly the admissibility report shall also be furnished by the DHS in a pre-printed stationeries with serial numbers printed in Security Press only.

22. The Director of Medical Education shall notify from time to time the authorized signatories of the Medical Referral Board and inform the DHS. Similarly, DHS will from time to time notify the name of the authorized signatory of the admissibility reports.

23. Procedure for sanction / drawal of Medical Reimbursement Bill -

- (a) A Government servant as defined in these rules, while submitting a claim for reimbursement of medical Bill to respective administrative department shall furnish the following documents/information alongwith the Bill to his administrative department through the respective Drawing & Disbursing Officers / Controlling Officers.
- (i) Authorized medical attendant recommendation.
 - (ii) Recommendation of the Referral Medical Board, where applicable.
 - (iii) The approval of the Director of Health Services, Assam where applicable.
 - (iv) Essentiality Certificate to be issued by the Authorized Medical Attendant.
 - (v) Records of the Referral Hospital/ Government Hospital / Private Hospital
 - (vi) Final Bill issued by the Hospital Authority at the time of discharge.
 - (vii) Discharge Certificate from the Hospital concerned.
 - (viii) Bank account number of the claimant.
- (b) Administrative Department while issuing sanction of the reimbursement of the medical Bill shall issue a prescribed Advice Slip duly filled in with signature and seal to concern Treasury Officer under sealed cover.
- (c) The Advice Slip shall be supplied by the Finance Department.
- (d) The Treasury Officer shall pass the bills for payment only on receipt of Advice Slip from the concerned administrative department and payment to be made only through bank account of the claimant.

24. For any financial loss caused to the State Government due to fraudulent drawal of the reimbursement of the medical Bill, the concerned drawing and disbursing officer along with the claimant and others guilty of abetment will be panelized under relevant provisions of the Assam Fiscal Responsibility and Budget Management Act, 2005 and that of the Indian Panel Code.

V. S. BHASKAR, IAS

Commissioner & Secretary to the Govt. of Assam,
Health & Family Welfare Department.

Dated, Dispur the 15th November, 2008

No. HLA. 1071/08/117 :- The Governor of Assam is pleased to declare the following Health Institutions both outside and within the State of Assam as "Referral Hospitals" as per provision of Rule – 10 (d) of the Assam Medical Attendants Rules, 2008 to the Govt. of Assam in connection with the treatment for serving and Retired employees including eligible dependent family members of the State Govt. of Assam residing within the State and outside the State of Assam. The employees both serving & retired include the Family Pension holders and the officers of the All India Services (who opt for AMA rules 2008) working under the State Govt. of Assam subject to the condition that the Health Institutions will provide treatment at the C. G. H. S. latest rates of the cities / towns where the hospital is located.

This order will come into force with effect from 1st December, 2008.

Referral Hospitals *outside* the State

<u>Sl. No.</u>	<u>Name of Hospital and location</u>	<u>Referral Hospital from treatment of -</u>
1)	Indraprastha Apollo Hospital, New Delhi	For treatment of Cardiac ailments, Joint Replacement and Transplant Services.
2)	B. M. Birla Heart Institute, Kolkata	Cardiac Ailments
3)	Escort Heart Institute & Research Centre Ltd, New Delhi	Cardiology and Cardio Thoracic Surgery.
4)	Narayana Hrudayalaya Institute of Cardiac Sciences , Bengaluru	Cardiology and Cardio Thoracic Surgery.
5)	Arabind Eye Hospital, Madurai	Ophthalmology
6)	Mahavir Hospital & Research Centre, Hyderabad	Kidney Transplantation
7)	Krishna Institute of Medical Sciences, Hyderabad	Kidney Transplantation

<u>Sl. No.</u>	<u>Name of Hospital and location</u>	<u>Referral Hospital from treatment of -</u>
8)	Madras Medical Mission, Chennai	Cardio Vascular diseases, Reproductive Medicine, Renal & digestive diseases, Organ transplantation.
9)	Max Heart Institute, New Delhi	Cardiology, CT and vascular surgery and supports services.
10)	Global Hospital, Hyderabad	Gastro-enterology & Laparoscopic Surgery, Hepatology including Liver Transplantation Nephrology & Kidney transplantation Medical & Surgical Oncology, ENT, Plastic & Cosmetic Surgery.
11)	Batra Hospital, New Delhi	Cardiac Services.
12)	Yashoda Hospital, Hyderabad	Oncology/ Cancer

Referral Hospitals inside the State :

Sl. No.	Name of Hospital and location	Referral Hospital from treatment of -
1)	Down Town Hospital, Guwahati	Neuro-Surgery
2)	International Hospital, Guwahati	Nephrology
3)	Sankardev Netralaya, Guwahati	Ophthalmology
4)	Dr. B. Barooah Cancer Institute, Guwahati	Cancer

J. C. GOSWAMI, IASSecretary to the Govt. of Assam
Health & F. W. Deptt.**NOTIFICATION**Dated, Dispur the 15th November, 2008

No. HLA. 1071/08/118 :- In exercise of power as provided in rule 5 (i) of the Assam Medical Attendance Rules – 2008, the Governor of Assam is pleased to constitute Admissibility Board for settlement of Medical Re-imbusement claims of the Serving and Retired employees of the State and their eligible dependant family members with the following members.

- 1) The Director of Health Services, Assam : Chairman
- 2) Two Medical Experts : Members
(to be nominated by Govt.)

No. HLA. 1071/08/118-A :- In exercise of power as provided in rule 5 (iv) of Assam Medical Attendance Rules – 2008, the Governor of Assam is pleased to Constitute Admissibility Board to settle the medical Re-imbusement claim of the Judicial Officers below the rank of District and Session Judges of the State (Sitting and Rtd.) of the State with the following members:

- 1) The Secretary, Judicial & Legal Remembrancer, Assam : Chairman
- 2) Two Medical Experts : Members
to be nominated by the Chairman of the Committee from the panel prepared by DME, Assam.

No. HLA. 1071/08/118-B :- In exercise of power as provided in rule 5 (iv) of Assam Medical Attendance Rules – 2008, the Governor of Assam is pleased to constitute Admissibility Board for settlement of Medical Re-imbusement claims of Judges of the Gauhati High Court and the District & Sessions Judges of the State (serving & retired in both the cases), with following members :

- 1) The Registrar (General) Gauhati High Court : Chairman

- 2) Two Medical Experts : Members
to be nominated by the Chairman
of the Committee from the panel
prepared by DME, Assam.

No. HLA. 1071/08/118-C :- A separate Admissibility Board for Assam Legislative Assembly will be constituted with Medical Experts by the Hon'ble Speaker as per provision of Rule – 5(iii) of the Assam Medical Attendance Rules 2008.

J.C. GOSWAMI, IAS
Secretary to the Govt. of Assam,
Health & Family Welfare Department.

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THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
HEALTH AND FAMILY WELFARE (A) DEPARTMENT

NOTIFICATION

The 6th July, 2012

No. HLA. 1042/2010/45.-- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following rules further to amend the Assam Medical Attendance Rules, 2008 (hereinafter referred to as the principal Rules) in the manner hereinafter appearing, namely :-

Short title and commencement

- (1) These rules may be called the Assam Medical Attendance (Amendment) Rules, 2012.
- (2) They shall come into force on the date of their publication in the official Gazette.

Amendment of Rule 5

2. In the principal Rules, for rule 5, the following shall be substituted, namely :-

"5. There shall be an Admissibility Board in respect of the Government establishments and their serving and retired officers and employees to examine the claims of Medical Re-imburements and furnish Admissibility Reports, as follows :-

- (i) for Hon'ble Members and officers of the Assam Legislative Assembly, the Admissibility Board shall be constituted by the Hon'ble Speaker of the Assam Legislative Assembly. Medical Experts to be included

in this Board shall be selected by the Hon'ble Speaker of the Assam Legislative Assembly ;

(ii) for the sitting and retired Judges of the Hon'ble Gauhati High Court, the Admissibility Board shall be constituted with the Registrar General of the Gauhati High Court as Chairman with members as may be selected by him including medical experts to be included in this Board ;

(iii) for sitting and retired Judicial officers up to the rank of District and Session Judge and all officers of State Judicial Service, the Admissibility Board shall be constituted with Secretary to the Government of Assam, judicial Department as Chairman and members as may be selected by him, including the medical experts to be included in this Board ;

(iv) for all serving Government servants posted in a district and retired Government servants residing in a district, a District Level Admissibility Board shall be constituted for each district as follows :-

- (a) Joint Director of Health Services of the concerned district - Chairman
- (b) Two representatives of Deputy Commissioner (one Magistrate and one Finance officer) - Members

(c) Superintendent of Civil Hospital - Member

(d) Controlling Officers/ DDOs (or their representative) concerned of the Government Servant whose claim is to be considered by the Board, shall be Special Invitees of the Board;

(v) for the officers and staff working in the Assam Secretariat and the Director level offices, the Admissibility Board shall be constituted as follows ;

(a) Director of Health Services - Chairman

(b) Two other Medical officers - Members"

as may be selected by DHS, Assam .

Amendment of Rule - 6

3. In the principal Rules, in rule 6, for sub-rules (a) and (b), the following sub-rules (a) and (b) respectively shall be substituted, namely :-

"(a) The concerned Controlling officers/ DDOs, on

receipt of the medical re-imbusement claims from the concerned Government Servant or the Government Pensioner after obtaining treatment, shall forward the medical claim to the concerned Admissibility Board in respect of the Government Servant or Government Pensioner constituted under rule 5, The Admissibility Board shall meet once in every fifteen days or earlier and dispose of all cases received and furnish Admissibility Reports to the concerned Controlling officers/ DDOs within next ten days after the meeting in the format prescribed for the purpose by the Director of Health Services.

(b) The Controlling Officers/ DDOs on receipt of the Admissibility Reports, shall forward the claim to the administrative Department concerned for sanction of the admissible amount at the earliest."

Amendment of Rule - 21

4. In the principal Rules, in rule 21, for the second paragraph, the following shall be substituted, namely :-

"Director of Health Services shall issue detail guidelines to all Joint Directors of Health Services in the district for examining the claim for admissibility and furnish admissibility Reports under these rules and shall provide necessary pre-printed forms for issue of Admissibility Reports by the concerned Admissibility Board."

Amendment of Rule - 22

5. In the principal Rules, in the rule 22, for the second sentence, namely :- "Similarly Director of Health Services will from time to time notify the names of authorized signatory of the admissibility reports", the following sentence shall be substituted, namely :-

"The Chairman of the concerned Admissibility Board shall sign the Admissibility report himself and shall not delegate the function to any other officer."

(A. B. MD. EUNUS)

Commissioner and Secretary to the Govt. of Assam,
Health & F. W. Department.