



Indian Medical Association
Hospital Board of India



Central Council guidelines on

The Clinical Establishments (Registration and Regulation) Act 2010 and Rules 2012

The CEA 2010 has been passed by the Parliament, received the President's assent and along with the relevant rules 2012 has been notified in the Gazette of India. It is directly applicable with immediate effect in all the union territories and the four states of Himachal Pradesh, Arunachal Pradesh, Sikkim and Mizoram. Since hospitals come under the state list of the constitution every state branch of IMA and state chapter of IMA HBI have to study the situation in the state concerned and take appropriate steps. IMA HQ and IMA HBI issue the following general guidelines.

1. Where ever possible the law should be kept in abeyance. Massive awareness programme should be undertaken amongst doctors and hospitals. Since the state legislature has to adopt this law independently all effort should be made to sensitize the MLAs and party functionaries.
2. Where ever it is not possible to keep the law in abeyance suitable amendments should be negotiated with the state Government.

General guidelines

1. Single doctor primary care clinics should be exempted from the act.
2. Secure adequate representation for IMA in the state council of the act.
3. Try and eliminate the District Registering Authority. If this is not possible, ensure IMA's presence in the district council. Removal of the representatives of the police and NGO from the DRA is an essential thing to achieve.
4. Try to achieve introduction of independent accrediting agencies into the act. The concept is to have few Government recognized accrediting agencies. (independent bodies) These agencies will facilitate, verify and certify conformation to prescribed

standards. These certificates should be deemed adequate for registration of the hospitals. This will eliminate the inspector raj.

5. Try and get more time for the hospitals to achieve the standards. Now the law prescribes one year after temporary registration. Ideally it should be five years for the existing institutions.
6. The stabilization clause should be totally deleted. Provision of first aid is acceptable.
7. The complaints cell should be totally deleted.
8. Try and bring in reasonable registration fee and penalty structure.
9. Try and delete the provision barring civil courts from adjudicating.
10. Public hearing on provisions or inviting public objections on registration of individual hospitals should not be allowed.
11. Provision for fixing the fee and charges for procedures should be deleted(Rules).
12. Public display of rates is not in line with the dignity of the profession. Instead offer PRO services for such information. Even printed brochures for infrastructure component of the charges could be given.
13. Provision for Government issuing treatment protocols should be deleted(Rules).
14. Negotiate and secure single window clearance for all laws and regulations regarding hospitals.
15. Negotiate for inclusion of promotion along with registration and regulation : (Clinical Establishment Regulation, Registration and Promotion)Act.

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