



KHYBER PAKHTUNKHWA

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GOVERNMENT OF KHYBER PAKHTUNKHWA HEALTH DEPARTMENT

NOTIFICATION

Dated: 4th June, 2015.

No. SOH-I/HD/7-53/2015--- In pursuance of section 23 of the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015 (Act No. IV of 2015), the competent authority is pleased to make the following rules, namely:-

KHYBER PAKHTUNKHWA PROVINCE MEDICAL TEACHING INSTITUTIONS RULES, 2015

Short title, extent, application and commencement

- (1) These rules will be called the "Khyber Pakhtunkhwa Province Medical Teaching Institutions Rules, 2015."
- (2) These rules shall apply to all the Medical Teaching Institutions to which the Khyber Pakhtunkhwa Province Medical Teaching Institutions Act IV, 2015 applies.
- (3) They shall come into force at once.

4. DEFINITIONS

In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them:

- a) "Act" means the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act No. IV of 2015;
- b) "Section" means a section of the Act;
- c) "Government" means the Government of the Khyber Pakhtunkhwa Province;
- d) "Institution" means a Medical Teaching Institution to which the Act applies as defined in section 2;
- e) "Hospital" means the affiliated teaching hospital of the Institution;
- f) "Board" means the Board of Governors constituted under section 5 of the Act;
- g) "Chairman" means the Chairman of the, Council, Board, or any Committee or Department;
- h) "Department" means the administrative department of Health Khyber Pakhtunkhwa;
- i) "Hospital Director" means the Hospital Director appointed under section 10 of the Act;
- j) "Medical Director" means the Hospital Director appointed under section 12 of the Act;

- k) "Finance Director" means the Finance Director of an institution appointed by the Board for overall supervision of the financial, budgetary and accounts matters of the Institution;
- l) "Executive Committee" means the Executive Committee constituted under clause K of section 7 (1) of the Act ;
- m) "Appendix" means an Appendix to these rules;
- n) "Bank" means the National Bank of Pakistan or any other Scheduled Bank authorized by the Management Committee;
- o) "Fund" means the Funds of an institution described in section 19 of the Act;
- p) "Prescribed" means prescribed by rules or regulations made under the Act;
- q) "Regulations" means regulations made under this Act.

MEDICAL TEACHING INSTITUTIONS

5. THE SEARCH AND NOMINATION COUNCIL

(i) Conduct of Business

- a) An officer of the health secretariat to be nominated by the Secretary Health, not below the rank of Deputy Secretary, shall act as secretary to the Council to record minutes, circulate the agenda and keep records of meetings.
- b) All the members shall be informed about the meeting giving sufficient time,
- c) Agenda of the meeting shall be circulated in advance
- d) Quorum for the meeting shall be presence of four members including chairman.
- e) In case of vacancy arising due to any reasons, Health Department shall forward panel of names to the Government for approval.
- f) All the decisions of the council shall be by majority. In case of tie the Chairman shall have casting vote.

6. BOARD OF GOVERNORS

(i) Conduct of business

- a) The member count at Board meetings shall be determined by actual members present. Members unable to attend in person may do so by video conference and would be considered as present. Proxy vote shall not count.
- b) Remuneration for attending Board meetings shall include reimbursement for travel and, where appropriate, lodging expenses, as well as an honorarium. The reimbursement rates and honoraria will be set and approved by the Search & Nomination Council and revised from time to time as per financial year.
- c) The Secretary to the Board will be selected and approved by the Board and perform functions as per Section 6 (10) of the Act, on the basis of:
 - i. Qualification and experience: a graduate with a Bachelor's degree;
 - ii. Excellent communication skills and command of written and spoken English and Urdu, preferably well conversant with medical and health terminologies;
 - iii. Computer literate and proficiency in Shorthand.

7. PRIVATE PRACTICE

- a) Government shall give an option after the commencement of this Act, as per Section 17 of the Act.

- b) Those civil servants or employees of the Medical Teaching Institution, as the case may be, who are medical consultants and opt for private practice within the premises of the hospital, clinics, imaging facilities and laboratories of the Medical Teaching Institution, may be entitled to such increase in salary, adjustment, bonuses or other ancillary benefits as the Board may approve. Furthermore, such an option once exercised will be considered irrevocable.
- c) The civil servants and the existing employees of the Institution, who are medical consultants and who do not opt for private practice within the premises of the hospital, clinics, imaging facilities and laboratories, shall be allowed to continue their private practice outside the premises of the hospital, clinics, imaging facilities and laboratories of the Medical Teaching Institution and shall not be entitled to any increase in adjustment, bonuses or other ancillary benefits as the Board may approve. Furthermore, such an option once exercised will be considered irrevocable.
- d) Provided that, those civil servants, and existing employees of the Institution, who do not give any option for private practice shall be considered as opting for continuing in their current practice according to Statutes.
- e) Provided further that after the commencement of this Act, all future medical consultant employees shall be permitted private practice only within the premises of the hospital, clinic, imaging facility or laboratory of the Medical Teaching Institution.
- f) No direct billing by the consultants of institutional private practice patients will be permissible and all patient billing shall be done only by the hospital, clinic, imaging facility, or laboratory.
- g) The Institution will strive to provide the highest quality facilities in terms of space, fixtures, equipment, personnel and laboratory and imaging facilities to provide the best possible environment for patient care, both for private and general patients. This responsibility shall rest with the Medical and Hospital Directors, the Board, the Institutional Management Committee and other committees.
- h) The individual Consultant shall be responsible for the most efficient and effective use of the facilities.
- i) In preparing the cost and income projections the consultant may utilize the resources of the Hospital Director and staff and such assistance will be promptly provided.
- j) The individual Consultant shall be responsible to the Hospital Management, with respect to efficiency and effectiveness of service provided to the patients in the Hospital and shall follow all the rules and regulations.

8. FINANCE

- a) Board shall send object wise demand of Budget to the Government, indicating the current financial position, donations and own receipts
- b) Finance Department shall release the budget as single line grant.

- c) All moneys received by an institution, as grant in aid by Government, donations, user charges, rents, fees or on any other account shall constitute the fund of the institution concerned. The fund shall be kept in a scheduled Bank as authorized by the Board of Governors.
- d) All receipts of an institution shall be deposited in the Bank in the name of the institution concerned. Separate accounts for the hospitals and colleges shall be maintained. The receipts of the hospitals and colleges shall become part of their respective budgets. Any modification/re-appropriation from one budget to other shall be done only after the approval of the Institutional Management Committee.
- e) All disbursements shall be made out of the fund, under the order of the competent authorities. All cheques for payment must bear double signatures, that is the signature of the Drawing and Disbursing Officer and the signature of the Finance Director.
- f) Funds may be kept and invested in Government securities with the approval of the Management Committee in accordance with the policy of Government.
- g) There shall be a reserve fund to which shall be credited an appropriate percentage of such receipts as may be determined by the Management Committee. The reserve fund shall be utilized in accordance with these rules for expenditure of developmental nature over and above the normal development grant provided by Government in Annual Development Programme.

9. BUDGET, AUDIT & ACCOUNTS

- a) The Finance Director shall prepare and submit the Budget within the limits of the available funds, to the Board of Governors for its approval before the commencement of each financial year.
- b) The Finance Director shall prepare and submit the revised budget estimate on 15th March and Budget estimates on 30th May of the respective year to the Board of Governors for approval.
- c) Expenditure of emergent nature for which no provision has been made shall only be incurred after authorization by the Institutional Management Committee to be sanctioned post facto by the Board of Governors.
- d) No contingent liability shall be created by an Institution, for which funds have not been earmarked in the budget.
- e) The Institutional Management Committee shall devise and maintain adequate systems to ensure that firstly the Medical Teaching Institution can identify, implement and monitor opportunities for cost improvements and income generation programmes and secondly to be informed of the financial consequences of changes in policy, pay awards, and other events and trends affecting budget.
- f) Audit shall be carried by the Auditor General of Pakistan as per provisions of Section 20 of the Act.

- g) The Board of Governors may make arrangements for pre audit as deemed fit.
- h) Government and the Board may order special audit.
- i) The audit report shall be presented to the Board of Governors.
- j) All Audit reports shall be submitted to the Department Govt. of Khyber Pakhtunkhwa.
- k) The budget of an institution shall be approved and its accounts shall be maintained and audited as per rules and regulations.
- l) Government may order financial, medical and management monitoring and audit on quarterly basis, through a third party nominated by it and paid for by the institution concerned immediately on issuing any such direction by Government.
- m) Government shall consolidate the audit reports of all institutions and cause the same to be presented to the Provincial Assembly in respect of each financial year.
- n) The Board of Governors of the institution by the close of a financial year shall render accounts of income and expenditure of the institution to the Accountant General, Khyber Pakhtunkhwa, for incorporation in the Civil Accounts of the Province by the 31st July of each year.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT.