

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND COORDINATION ON THE MEDICAL CONSULTANCY AND OTHER SERVICES (RATIONALIZATION OF FEES) BILL, 2016

I, the Chairman of the Standing Committee on National Health Services, Regulations and Coordination, have the honor to present this report on the Bill to rationalize the consultancy and other medical services fees for making them affordable for the common man in the federal capital and for matters connected therewith or incidental thereto [the Medical Consultancy and Other Services (Rationalization of Fees) Bill, 2016] referred to the Committee on the 16th August, 2016.

2. The Committee comprised the following: -

i)	Mr. Khalid Hussain Magsi	Chairman
ii)	Dr. Zulfiqar Ali Bhatti	Member
iii)	Dr. Muhammad Afzal Khan Dhandla	Member
iv)	Dr. Nisar Ahmad Jatt	Member
v)	Choudhry Muhammad Shahbaz Babar	Member
vi)	Dr. Hafeez-ur-Rehman Khan Dirshak	Member
vii)	Dr. Ramesh Kumar Vankwani	Member
viii)	Ms. Rida Khan	Member
ix)	Ms. Shakila Khalid Luqman	Member
x)	Ms. Shaista Pervaiz	Member
xi)	Ms. Zahra Wadood Fatemi	Member
xii)	Dr. Azra Fazal Pechuho	Member
xiii)	Mir Aijaz Hussain Jakhrani	Member
xiv)	Dr. Mahreen Razaque Bhutto	Member
xv)	Dr. Muhammad Azhar Khan Jadoon	Member
xvi)	Col. (Retd.) Dr. Amirullah Marwat	Member
xvii)	Dr. Nikhat Shakeel Khan	Member
xviii)	Qari Muhammad Yousaf	Member
xix)	Syed Ghazi Gulab Jamal	Member
xx)	MR. Abdul Qahar Khan Wadan	Member
xxi)	Ms. Saira Afzal Tarar	Ex-officio Member

*Minister of State for National Health Services,
Regulations & Coordination*

3. The Committee in its meeting held on the 10th November, 2016 discussed the contents of the said Bill in detail and decided not to pursue it. Therefore, the Committee recommends that the Bill may not be considered for Legislation. The Bill as introduced in the National Assembly is at Annex-A.

Sd/-
(KHALID HUSSAIN MAGSI)
Chairman

Sd/-
(ABDUL JABBAR ALI)
Secretary
Islamabad the 21st December, 2016

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

to rationalize the consultancy and other medical services fees for making them affordable for the common man in the federal capital and for matters connected therewith or incidental thereto. It is enacted hereby as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Medical Consultancy and Other Services (Rationalization of Fees) Act, 2016.

(2) It extends to the federal capital.

(3) It shall come into force at once:

2. **Definitions.**- In this Act, unless the context otherwise requires,-

(a) "Committee" means the Medical Consultancy and Other Services Rationalization of Fees Committee constituted under section 3;

(b) "Diagnostic Laboratory" means a place owned or run by a person or a group of persons or by a private or corporate hospital where pathological tests or investigations are conducted on the advice of a bonafide medical practitioner or consultant;

(c) "Medical consultancy and other services" includes,-

(i) Consultancy by qualified medical practitioners in all kind of medicines/surgery including alternative branches, whether in private clinics or in the private or corporate hospitals;

(ii) All such pathological tests as are prescribed by the qualified Doctors whether in a private clinic or in a private and/or corporate hospital; and

(iii) All such scanning or imaging services, namely, x-ray, ultra sound, MRI, or CT scan, whether in a private clinic or in a private/corporate hospital.

(d) "Medical Practitioner" means a person legally qualified and duly registered by the PMDC and engaged in the business of consultancy and providing advice to patients whether as a private practitioner or in a private corporate/hospital; and

(e) "Prescribed" means prescribed by rules made under this Act.

3. **Constitution of the Medical Consultancy and Other Services Rationalization of Fees Committee.**- (1) The Federal Government shall, by notification in the Official Gazette, constitute a Committee to be known as the Medical Consultancy and Other Services Rationalization of Fees Committee to determine the fees of a medical practitioner and prices of pathological tests, scanning and imaging.

(2) The Committee shall consist of-

(i) The Minister of National Health Services, or any other Minister appointed by the federal government, - Chairman;

- (ii) Chairpersons of the National Assembly and Senate Standing Committees on National Health Services;
- (iii) Three representatives of major hospitals/laboratory including government run hospitals/laboratory;
- (iv) Three representatives of the non-governmental organizations in the health sector;
- (v) Three representatives of medical practitioners; and
- (vi) Secretary, Ministry of National Health Services.

(3) Members under clauses (iii), (iv) and (v) shall be appointed by the federal government in such manner as may be prescribed.

4. The federal government shall provide the Committee such assistance as may be necessary for the efficient functioning of the Committee.

5. **Functions of the Committee.**- (1) The Committee shall-

- (i) determine the consultancy fees to be charged by the medical practitioners from patients either in their private clinics or in a private hospital/corporate hospital after taking into the consideration such factors as may be necessary;
- (ii) determine the rate for the pathological tests and scanning taking into consideration the inputs used in carrying out the tests;
- (iii) encourage private practitioners to organize free medical camps on a regular basis to provide free consultancy for the local community; and
- (iv) examine complaints of the violations of this Act.

(2) The Committee shall meet once in three month;

(3) The Committee shall review the aforesaid fees after every 1 year:

Provided that the government shall have power to review the aforesaid fees, as a whole, or any part thereof, whenever it fits necessary.

6. **Mandatory display of consultancy and other fees.**- (1) No medical practitioner shall charge from any patient the fee exceeding the fee fixed by the Committee.-

(2) It shall be mandatory for every medical practitioner and diagnostic laboratory to display the fees as determined by the Committee in such manner as may be prescribed.

7. **Penalty.**- (1) Whoever contravenes the provisions of this Act shall be punished with fine which may extend up to five lakh rupees.

(2) Where an offence under this Act has been committed by a practitioner/hospital/laboratory, the license of such practitioner/hospital/laboratory shall be cancelled forthwith.

8. **Annual and special reports of the Committee.-** (1) The Committee shall prepare an annual report at the end of the financial year and may at any time prepare special reports on any matter which in its opinion is of particular urgency or importance.

(2) The federal government shall cause the annual report and the special reports to be laid before the Majlis-e-Shoora (Parliament) within thirty days, from the date of their receipt, alongwith a memorandum indicating the action taken or proposed to be taken on the recommendations of the Committee and reasons for non-implementation of the recommendations, if any.

(3) The report shall be placed on the website of the concerned Ministry immediately after its laying before the Majlis-e-Shoora (Parliament) for information of general public.

9. **Power to make rules.-** (1) The federal government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

The medical practitioners are charging exorbitant consultancy fees from patients. The pathological tests and scanning, etc. in the private hospitals are exceedingly expensive and becoming out of reach of the common people. In this background, it is felt that the consultancy by the private medical practitioners and other medical services all over the country needs to be rationalized. It is, therefore, proposed to constitute a Committee to fix the consultancy fees and pathological and other test charges and to reorganize free medical camps and rationalize the fees for medical services for the poor.

2. The Bill seeks to achieve the above objectives.

Sd/-

DR. NIKHAT SHAKEEL KHAN
MR. MUHAMMAD MUZAMMIL QURESHI
MS. KISHWER ZEHRA
MR. SUFYAN YUSUF
Members, National Assembly.