

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND COORDINATION ON THE ISLAMABAD HEALTHCARE REGULATION BILL, 2017

I, Chairman of the Standing Committee on National Health Services, Regulations and Coordination, have the honor to present this report on a Bill to provide for establishment of the Islamabad Healthcare Regulatory Authority [The Islamabad Healthcare Regulation Bill, 2017] (Government Bill) referred to the Committee on 03-11-2017.

2. The Committee consists the following:-

| | | |
|-----|--|-------------------|
| 01) | Dr. Hafeez-ur-Rehman Khan Drishak | Chairman |
| 02) | Dr. Zulfiqar Ali Bhatti | Member |
| 03) | Dr. Muhammad Afzal Khan Dhandla | Member |
| 04) | Dr. Nisar Ahmad Jatt | Member |
| 05) | Choudhry Muhammad Shahbaz Babar | Member |
| 06) | Dr. Ramesh Kumar Vankwani | Member |
| 07) | Ms. Rida Khan | Member |
| 08) | Ms. Shakila Khalid Luqman | Member |
| 09) | Ms. Shaista Pervaiz | Member |
| 10) | Ms. Zahra Wadood Fatemi | Member |
| 11) | Dr. Azra Fazal Pechuho | Member |
| 12) | Mir Aijaz Hussain Jakhrani | Member |
| 13) | Dr. Mahreen Razaque Bhutto | Member |
| 14) | Dr. Muhammad Azhar Khan Jadoon | Member |
| 15) | Col. (Retd.) Dr. Amirullah Marwat | Member |
| 16) | Dr. Nikhat Shakeel Khan | Member |
| 17) | Qari Muhammad Yousaf | Member |
| 18) | Syed Ghazi Gulab Jamal | Member |
| 19) | Mr. Abdul Qahar Khan Wadan | Member |
| 20) | Ms. Saira Afzal Tarar, <i>Minister for National Health Services, Regulations and Coordination</i> | Ex-officio Member |

3. The Committee considered the Bill as introduced in the National Assembly, placed at Annex-A, in its meeting held on 05-01-2018 and recommends that the Bill may be passed by the National Assembly.

Sd/-

(TAHIR HUSSAIN)

Secretary

Islamabad, the 31st January, 2018

Sd/-

(DR. HAFEEZ-UR-REHMAN KHAN DRISHAK)

Chairman

Standing Committee on National Health Services,
Regulations and Coordination

[AS REPORTED BY THE STANDING COMMITTEE]

A

Bill

*to provide for establishment of the Islamabad Healthcare Regulatory
Authority*

WHEREAS it is expedient to provide a regulatory framework to ensure provision of quality health care services, by implementing quality standards by the healthcare sector, to residents of the Islamabad Capital Territory and where as it is expedient to establish the Islamabad Healthcare Regulatory Authority for aforesaid purpose and to provide for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:-

CHAPTER I**INTRODUCTION**

1. **Short title, extent, commencement and application.**- (1) This Act may be called the Islamabad Healthcare Regulation Act, 2017.

(2) It extends to the whole of the Islamabad Capital Territory.

(3) It shall come into force at once.

(4) It shall apply to all healthcare establishments in the Islamabad Capital Territory.

2. **Definitions.**- In this Act, unless there is anything repugnant in the subject or context:-

(i) "accreditation" means systemic quality improvement process which ensures that services provided meet the notified practices;

- (ii) "assessor" means an expert or group of experts commissioned by the Authority or any other recognized institution or organization for assessment of quality of a healthcare establishment;
- (iii) "allied health professional" means a person who assists in providing services for diagnostic, therapeutic, preventive, curative and rehabilitative field in health care delivery system and has qualified a prescribed course of training in an recognized institution having recognition from their respective council;
- (iv) "allopathic" means a system of medical practice that aims to combat disease by use of remedies, as drugs or surgery, producing effects different from or incompatible with those produced by the disease being treated;
- (v) "alternative medicine system" means *unani, tibb, ayurveda*, homoeopathic, acupuncture or any other recognized system of treatment of diseases in Pakistan;
- (vi) "Authority" means Islamabad Healthcare Regulatory Authority established under section 3;
- (vii) "Board" means the Board of the Authority constituted under section 5;
- (viii) "Chairperson" means the Chairperson of the Board;
- (ix) "chief executive officer" means the chief executive officer of the Authority;
- (x) "council" means the Pakistan Medical and Dental Council, the Pakistan Nursing Council, the National Council for Homeopathy, the National Council for Tibb, the Pharmacy Council or such other Councils established by Federal

Government to regulate various cadre of healthcare professional and notified in official Gazette under this clause;

- (xi) "Council for Homeopathy" means the National Council for Homeopathy established under the *Unani, Ayurvedic and Homocopathic Practitioners Act, 1965 (II of 1965)*;
- (xii) "Council for Tibb" means the National Council for Tibb established under the *Unani, Ayurvedic and Homocopathic Practitioners Act, 1965 (II of 1965)*;
- (xiii) "equipment" includes all electrical, electronic, mechanical, laser, scanning, x-ray, imaging, analyzing and testing machinery, equipment, device, tools, apparatus, including various utensils and related material and chemical or other substances which are used to determine the performance, functionality, disorder, ailment or any other effect on state of health of human;
- (xiv) "Fund" means the Islamabad Healthcare Regulatory Authority Fund established under section 37;
- (xv) "healthcare establishment" means any premises used or intended to be used for the provision of healthcare services, including but not limited to a hospital, teaching hospitals, surgical centers, maternity homes, nursing homes, clinics, dispensaries, dentistry, dental clinics, clinical laboratories, x-ray laboratories, diagnostic centers, ambulatories, cosmetic centers, psychiatric hospitals, burn units, psychiatric nursing home, community mental health center, hemodialysis center, dialysis centre, patient rehabilitation center, slimming clinic or centre, hair transplant clinic, domiciliary care, home based services and such other healthcare or health-related premises as

the Federal Government may, by notification in the official Gazette, specify;

(xvi) "healthcare professional" means a medical practitioner and dentist registered with the Pakistan Medical and Dental Council, nurse, midwife, community midwife, female family workers or lady health visitor registered with the Pakistan Nursing Council, a *tabib* registered with the National Council for *Tibb* or homeopathic practitioner registered with the National Council for Homeopathy or pharmacist registered under the Pharmacy Council of Pakistan Act, 1967 (XI of 1967) or paramedic, allied health professional or physiotherapist, psychologist or any other person qualified and permitted by law to provide any medical, surgical treatment or other healthcare service as well as any person qualified to perform any health related test on human body or test any body fluid under a laboratory process and provide results of such test to confirm or determine any health condition or physical or mental ailment;

(xvii) "healthcare services" include any medical, surgical, dental, allied health, ambulatory, patient accommodation, screening or diagnostic services, treatment of persons suffering from or believed to be suffering from any disease, injury, pain or disability of mind or body, burn or hurt treatment, wound dressing, physiotherapy, acupuncture, any service for curing or alleviating any abnormal condition of human body or mind by application of any apparatus, equipment, instrument or device or any other medical technique or method, hemodialysis treatment, preventive or promotive health treatment, services at healthcare establishments by healthcare professional;

- (xviii) "in-charge of a healthcare establishment" means the owner or person responsible for management of day to day affairs of a healthcare establishment which are owned and operated by private persons, natural or corporate, or Government in any premises;
- (xix) "inspection" means the inspection and examination of the healthcare establishment by an inspection team;
- (xx) "inspection team" means a team comprising more than two experts having relevant qualifications and experience constituted by the Registration Board;
- (xxi) "licence" means a licence issued by the Authority under this Act for the use of any premises as a healthcare establishment to deliver healthcare services and "licensed" and "licensing" shall be construed accordingly;
- (xxii) "licensee" means a person to whom licence has been issued under this Act;
- (xxiii) "Medical and Dental Council" means the Medical and Dental Council constituted under the Medical and Dental Council Ordinance, 1962 (XXXII of 1962);
- (xxiv) "medical negligence" means any negligence by an act or omission of a healthcare professional in performing his duty. In medical negligence cases it has to be established that-
- (a) there was a duty which the healthcare professional owed to the patient;
 - (b) there was a breach of duty;
 - (c) the breach resulted in injury to the patient; and
 - (d) the injury resulted in causing damage or death.