

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
O/o DELHI AROGYA KOSH
DIRECTORATE GENERAL OF HEALTH SERVICES
F-17, KARKARDOOMA, DELHI- 110032

F.No. E. 4125/ **10665-10681**

Dated: **15/02/2018**

OFFICE MEMORANDUM

Subject: Guidelines for cashless treatment of medico-legal victims of road accident, acid attack and thermal burn injury, where incident has occurred in the National Capital Territory of Delhi, in registered nursing homes/ private hospitals situated in NCT of Delhi and for seeking reimbursement of the cost incurred during treatment of such victim by the concerned nursing home/private hospital through Delhi Arogya Kosh.

In pursuance to Order No. F.No. 22 (4793)/DAN-Pt. File/CD#000451497/js3hfw/277-90 dated 19.01.2018 issued by Jt. Secretary (H&FW) regarding amendment in the eligibility criteria of Delhi Arogya Kosh for providing free treatment of medico-legal victims of road accident, acid attack and thermal burn injury, where incident has occurred in the National Capital Territory of Delhi in identified private hospitals and in order to implement the scheme, the following guidelines are being framed:

1. **Eligibility criteria in r/o domicile and income status of the victim for receiving cashless treatment.**

All medico-legal victims of road accident, acid attack and thermal burn injury, where the incident has occurred in the National Capital Territory of Delhi and under the jurisdiction of Delhi Police, shall be eligible for cashless treatment in nursing home/private hospital, irrespective of income and domicile status.

The victim is not required to carry any document for the purpose of verification/eligibility except that the incident has occurred in the jurisdiction of Delhi Police.

2. **Existing Statute and Obligation:**

- a) Nursing home/ private hospital registered under Delhi Nursing Homes Registration Act, 1953 shall not refuse treatment to the injured/serious patients brought to them due to any reason, whatsoever.

An order dated 21.02.2013 was issued by Secretary (H&FW), GNCTD in this regard and circulated to Keepers of all nursing homes/private hospitals of Delhi and all keepers have submitted an undertaking to this effect at the time of registration/ renewal of registration.

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- b) Section 357 C of the Code of Criminal Procedure (CPC) provides that keepers of all private hospitals in NCT of Delhi shall immediately provide first-aid or medical treatment, free of cost, to the victims of the offence covered under section 326 A of the Indian Penal Code (IPC) and shall immediately inform the police of such incident.

Hence, duty is cast on the keeper of every nursing hospital/ private hospital to ensure that no victim of acid attack will be returned without providing the victim first-aid or immediate medical treatment, free of cost.

A circular dated 19.12.2013 was issued by Spl. Secretary (H&FW), GNCTD in this regard to all hospitals in NCT of Delhi.

3. Condition for exemption of a nursing home from this scheme:

Nursing homes which have taken prior approval of the Supervising Authority regarding exemption of the availability of doctor at night in accordance to Clause 13.1 of the Schedule appended with Rule 14 of Delhi Nursing Homes Registration (Amendment) Rules, 2011 shall be presently exempted from this scheme.

All registered nursing homes/ private hospitals which have not been provided the aforementioned exemption under Clause 13.1 of the Schedule appended with Rule 14 of Delhi Nursing Homes Registration (Amendment) Rules, 2011 by the Supervising Authority shall mandatorily implement this scheme.

In case, it is found that a nursing home/ private hospital has refused to treat/ stabilize a medico-legal victim of road accident, acid attack and thermal burn injury, and no prior exemption for the same was given by the Supervising Authority or has not provided cashless treatment to such victims within the staff, facilities and medical expertise available in the concerned nursing home/private hospital, a Notice to Show Cause shall be issued under section 7 read with section 8 (ii) of Delhi Nursing Homes Registration Act, 1953 as to why the registration of the concerned nursing home/ private hospital registration should not be cancelled.

4. Procedure to be followed after arrival of a victim of road accident, acid attack and thermal burn injury:

After providing immediate first-aid and requisite treatment for saving the life and limb of the victim, within the staff, facilities and medical expertise available, the treating doctor (registered with Delhi Medical Council) shall inform the local police station, record the Daily Diary Number (D.D No.) on the case-sheet and prepare the medico-legal document.

The keeper of the nursing home/ private hospital shall inform the following details of the victim preferably within six hours of his/her arrival on email ID: dak.emergency@gmail.com or SMS the requisite details on mobile numbers 8745011340 & 8745011319:


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- i. Name of the nursing home and address
- ii. Casualty Record No./ Emergency Registration No.
- iii. MLC No.
- iv. Name
- v. Age
- vi. Gender
- vii. Address
- viii. Brought By
- ix. Informant
- x. Brief History: Whether road accident or acid attack or thermal burn injury
- xi. Police Station
- xii. D.D. No.
- xiii. Investigating Officer

In case the patient is unconscious/ drowsy and not oriented in time, space and person, then details at (iv) & (vii) above are not required, however, approximate age of the patient is to be provided.

5. Transfer of the victim from a nursing home/ private hospital to another medical establishment.

- a) Provided that the nursing home, where the victim has been initially received/ brought, is not equipped to handle such case within the staff, facilities and medical expertise therein (*as mentioned in Form B submitted by the keeper at the time of registration/ renewal of registration*), the doctor/ keeper shall ensure immediate transfer of the victim to an appropriate higher centre with requisite facilities either in their own ambulance or use the services of the ambulance provider mentioned by the keeper at the time of registration/renewal of registration or use the services of CATS ambulance of GNCTD.
- b) Decision regarding transferring such victim MUST be taken within 24 hours of his/her time of arrival at the concerned nursing home/ private hospital.
- c) Information regarding transfer of such victim to another medical establishment alongwith reasons for the same shall be provided by the keeper to the supervising authority within 24 hours of such transfer on email Id: dak.emergency@gmail.com.

In case, the reason for such transfer/ referral is not found satisfactory by the Supervising Authority, a Notice to Show Cause shall be issued under section 7 read with section 8 (ii) of Delhi Nursing Homes Registration Act, 1953 as to why the registration of the concerned nursing home/ private hospital registration should not be cancelled.


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6. Procedure to be followed at the time of discharge

The hospital shall provide a copy of the bill showing 100% discount, discharge summary to the victim and keep a receipt of the same alongwith certification regarding cashless facility provided to the victim concerned.

7. Facilities to be provided to such victims:

The keeper shall provide all facilities to the victim as provided to a paid indoor patient admitted in the similar category i.e. the lowest economy category available in the concerned hospital/ nursing home. The keeper shall not charge any amount from the victim and his/her family or guardian for any reason, whatsoever. However, under no circumstances, elevation of category i.e. from general ward to semi private room/private room, shall be permitted during the entire length of stay of the victim in the concerned nursing home/private hospital.

In case, it is found that the concerned nursing home/ private hospital has discriminated in the provision of facility and treatment in any manner whatsoever against the victim in providing services in the nursing home/private hospital, as compared to other patient of equal status and coming for identical services therein, action as deemed fit, shall be initiated against the keeper.

8. Reimbursement

Nursing Homes/ private hospitals interested in seeking reimbursement of the expenditure incurred during the treatment of such victim(s) are required to enter into an agreement with Delhi Arogya Kosh for this purpose. The payment shall be made at the previously finalised rates.

Reimbursement shall only be given on prospective basis after the agreement is entered and executed by both the parties.

The above provisions are applicable with **immediate effect**.


(Dr. Kirti Bhushan)

Director General Health Services &
Member Secretary, DAK

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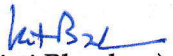
Copy for information to:

Dated: 15/02/2018


1. Chief Secretary, GNCTD, 5th Level, A-Wing, Delhi Secretariat, New Delhi
2. Pr. Secretary (Home), GNCTD, 5th Level, A-Wing, Delhi Secretariat, New Delhi

3. Commissioner of Police, Delhi Police Headquarters, I.P. Estate, New Delhi w.r.t. direct Station House Officers of all Police Station under the jurisdiction of Delhi Police regarding this scheme
4. Spl. Commissioner (Operations), Delhi Police, Police Headquarters, ITO, New Delhi
5. Pr. Secretary (H&FW), 9th Level, A-Wing, Delhi Secretariat, New Delhi
6. Secretary to Lt. Governor, Raj Niwas, Delhi
7. Advisor to Hon'ble Chief Minister, Delhi
8. Secretary to Hon'ble Minister of Health, GNCTD
9. All members of Governing Body of Delhi Arogya Kosh
10. Addl. Commissioner of Police, Police Control Room, PHQ, I.P. Estate, New Delhi-110002 w.r.t. direct the police personnel manning PCR vans regarding this scheme
11. Project Director, CATS w.r.t. direct the personnel manning CATS ambulance regarding this scheme
12. Standing Counsel (Criminal), GNCTD, Delhi High Court w.r.t. compliance of the directions of the Hon'ble High Court of Delhi in WP(C) No.7927/2012 in the matter of Court on its motion Vs UOI & Anr vide order dated 28.02.2013
13. Standing Counsel (Civil), GNCTD, Delhi High Court w.r.t. compliance of the directions of the Hon'ble High Court of Delhi in WP(C) No.7927/2012 in the matter of Court on its motion Vs UOI & Anr vide order dated 28.02.2013
14. President, DMA Nursing Home & Medical Establishment Forum w.r.t. inform all their members
15. Keepers of all registered nursing homes/private hospital situated in NCT of Delhi
16. Guard file.

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