

## **Clinical Establishments Act, 2010 & National Council for Clinical Establishments**

### **1. Background**

After passing of the Clinical Establishments Act by Parliament in August 2010 and notification by the Ministry of Health and Family Welfare, the Act initially came into force in the 4 States namely Sikkim, Mizoram, Arunachal Pradesh and Himachal Pradesh and all Union Territories (except NCT of Delhi) on 1-3-2012. Subsequently 7 more States namely Uttar Pradesh, Uttarakhand, Bihar, Jharkhand, Rajasthan, Assam and Haryana have adopted the Act. Thus as on date, the Clinical Establishments Act, 2010 is applicable in 11 States and 5 Union Territories namely Chandigarh, Puducherry, Andaman and Nicobar Islands , Lakshadweep and Dadra and Nagar Haveli and Daman and Deu.

The Act is for registration and regulation of the clinical establishments (except those of Armed Forces) with a view to prescribe minimum standards of facilities and services which may be provided by them so that mandate of article 47 of the Constitution for improvement in public health may be achieved.

### **2. Status of Applicability of Clinical Establishments Act 2010/Other Regulatory Acts in States/UTs.**

#### **The States/ UTs which have adopted Clinical Establishments (Registration and Regulation) Act, 2010**

**States: 11**

**Union Territories: 05**

<b>States</b>		<b>Union Territories</b>	
<b>1</b>	Arunachal Pradesh	<b>1</b>	Andaman and Nicobar Islands
<b>2</b>	Himachal Pradesh	<b>2</b>	Chandigarh
<b>3</b>	Mizoram	<b>3</b>	Dadra and Nagar Haveli and Daman and Diu
<b>4</b>	Sikkim	<b>4</b>	Lakshadweep
<b>5</b>	Haryana	<b>5</b>	Puducherry
<b>6</b>	Jharkhand		
<b>7</b>	Rajasthan		
<b>8</b>	Bihar		
<b>9</b>	Uttarakhand		
<b>10</b>	Uttar Pradesh		
<b>11</b>	Assam		

**The states/ UTs which have not adopted Clinical Establishments (Registration and Regulation) Act, 2010 but have their own Acts**

**States: 16 (including erstwhile Andhra Pradesh)  
Union Territories: 01 (Delhi)**

<b>States</b>		<b>Union Territories</b>	
<b>1</b>	Andhra Pradesh	<b>1</b>	Delhi
<b>2</b>	Maharashtra		
<b>3</b>	Madhya Pradesh		
<b>4</b>	Punjab		
<b>5</b>	Orissa		
<b>6</b>	West Bengal		
<b>7</b>	Jammu & Kashmir		
<b>8</b>	Chattisgarh		
<b>9</b>	Tamil Nadu		
<b>10</b>	Meghalaya		
<b>11</b>	Kerala		
<b>12</b>	Karnataka		
<b>13</b>	Manipur		
<b>14</b>	Nagaland		
<b>15</b>	Tripura		
<b>16</b>	Goa		

**Those states/ UTs which have neither adopted Clinical Establishments (Registration and Regulation) Act, 2010 nor have their own Act**

**States: 01  
UTs: 02**

<b>S.No</b>	<b>State</b>	<b>Union Territories</b>
1	Gujarat	1. Jammu and Kashmir
		2. Ladakh

**National Council for Clinical Establishments**

***It is the National level body provided under the Clinical Establishments Act, 2010 under the chairmanship of DGHS for carrying out the following functions:***

- a. compile and publish a National Register of clinical establishments within two years from the date of the commencement of this Act;
- b. classify the clinical establishments into different categories;
- c. develop the minimum standards and their periodic review;
- d. determine the first set of standards for ensuring proper healthcare by the clinical establishments

- e. collect the statistics in respect of clinical establishments
- f. Perform any other function determined by the Central Government from time to time.

**2. Achievements including Steps taken and Activities carried out for Implementation of the Act:**

- 2.1. Dedicated website of the Act ([www.clinicalestablishments.gov.in](http://www.clinicalestablishments.gov.in)) is operational.
- 2.2. Online registration facility for clinical establishments is available through website.
- 2.3. Designated Nodal Officers and provision of posts of coordinators and data entry operators at state and district level for implementation of the Act.
- 2.4. Secretariat for National Council has been set up for coordinating the work of National Council.
- 2.5. Budget for implementation of the Act is provided as per State Programme Implementation Plan through National Health Mission (NHM).
- 2.6. A gazette notification of clinical Establishments (amendment) Rules, 2018 in respect of Minimum Standards for Medical Diagnostic Laboratories has been published on 18 May 2018.
- 2.7. Minimum Standards of various categories of Clinical Establishments of Allopathy and AYUSH finalised by National Council for Clinical
- 2.8. Establishments and uploaded for public comments/suggestions/observations.
- 2.9. Following Standard Treatment Guidelines (STGs) for provision of proper health care have been uploaded on the website:
  - Standard Treatment Guidelines (STGs) for 227 medical conditions belonging to 21 clinical specialties.
  - Ayurveda STGs for common 18 medical conditions.
- 2.10. Other Technical Supports being provided to states by Ministry for implementation of various provisions of Act.
  - Advocacy cum training workshops are regularly conducted regarding implementation of the Act and training in online registration. In the year 2019-20 the workshops were conducted in the States of Mizoram, Haryana and Jharkhand.
  - User Manual for online registration & web based training Module are available in public domain.
  - Frequently asked Questions are available on the website for users and stakeholders.
  - Help Email ([help.ceact2010@nic.in](mailto:help.ceact2010@nic.in)) is functional for responding to queries of various stakeholders.
  - Assistance is also being provided through telephone.
  - Provision for receiving online feedback is available through website.

### 3. Status of Registration

3.1 Online registration at present is functional through aforesaid website of the Act in the 13 States/UTs of Assam, Himachal Pradesh, Rajasthan, Jharkhand, Arunachal Pradesh, Uttarakhand, Haryana, Chandigarh, Daman and Diu, Dadra and Nagar Haveli, Andaman and Nicobar, Mizoram and Puducherry. So far, 23475 Clinical Establishments as on 02-01-2020 have registered on line forming the part of digital National register, with detail in the table as under:

**\* Status of Online registration of Clinical Establishments as on 13-07-2020**

State	Allopathy	Ayurveda	Unani	Siddha	Homoeo-pathy	Yoga	Natura-pathy	Sowa - Rigpa	Total
ANDAMAN & NICOBAR ISLANDS (UT)	124	20	0	2	24	5	2	0	139
ARUNACHAL PRADESH	64	5	0	0	12	0	2	0	77
ASSAM	4299	676	33	13	217	64	20	1	4480
CHANDIGARH (UT)	595	123	3	1	33	8	8	1	645
DADRA & NAGAR HAVELI (UT)	217	54	1	0	64	0	1	0	298
DAMAN & DIU (UT)	178	46	5	0	74	3	0	0	251
HARYANA	283	50	8	4	40	23	12	0	292
HIMACHAL PRADESH	4339	2407	131	25	211	53	56	12	6393
Jharkhand	7213	396	67	6	295	67	44	0	7569
MIZORAM	7	0	0	0	3	0	0	0	8
PUDUCHERRY (UT)	732	39	0	38	30	6	4	0	777
RAJASTHAN	1369	104	21	7	103	34	24	2	1466
UTTARAKHAND	833	189	32	1	75	32	72	0	1080
<b>Total</b>	<b>20253</b>	<b>4109</b>	<b>301</b>	<b>97</b>	<b>1181</b>	<b>295</b>	<b>245</b>	<b>16</b>	<b>23475</b>

*#Difference in total of rows is due to a Clinical Establishment may have more than one system of medicine operational.*

- 3.2 No. of clinical establishments registered offline as per information received is 2228 with detail as under.

Sikkim	<b>338</b>
Mizoram	<b>535</b>
Arunachal Pradesh	<b>689</b>
Puducherry	<b>116</b>
Dadra and Nagar Haveli	<b>20</b>
Uttarakhand	<b>530</b>
Total	<b>2228</b>

#### **4. Achievements & work done by National Council for Clinical Establishments**

Following documents have been finalised and approved by National Council for Clinical Establishments and the same are available on the website: <http://www.clinicalestablishments.gov.in>

- 4.1 Categorization of Clinical Establishments.
- 4.2 Minimum Standards of major general categories of clinical establishments namely Clinics, Polyclinics, Mobile Clinics, Hospitals, Physiotherapy Centre, Health Check-up Centre, Dental Lab, Mobile Dental Van, Dietetics, Integrated Counselling Centre
- 4.3 Minimum Standards for 34 specialty/super-specialty wise departments/clinical establishments
- 4.4 Minimum Standards for all systems of medicine under AYUSH
- 4.5 Application Form and Certificate for Provisional/Permanent Registration
- 4.6 Formats for collection of Information & Statistics from OPD, IPD, Lab and Imaging Clinical Establishments
- 4.7 List of Recognised Qualifications of person incharge of Clinical Establishments
- 4.8 A list of medical treatment procedures and a standard template of costing of procedures and services. State/UT Governments have been advised to use these for determining the standard cost of any procedure taking into consideration all pertinent factors. The information on standard procedure cost should be available to the stakeholders and general public.
- 4.9 Formats for collection of Information & Statistics from Clinical Establishments.
- 4.10 Operational Guidelines for implementation of the Clinical Establishments Act has been disseminated to implementing States/ UTs.

**For further detail information about the Clinical Establishments Act, Rules, National Council for Clinical Establishments and its subcommittees, Operational Guidelines, Minimum Standards, Standard Treatment Guidelines etc. please visit the website [www.clinicalestablishments.gov.in](http://www.clinicalestablishments.gov.in)**

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