

**THE KHYBER PAKHTUNKHWA PROVINCIAL HOUSING AUTHORITY
EMPLOYEES (MEDICAL ATTENDANCE) REGULATIONS, 2022**

1. Short title, application and commencement.- (1). These regulations may be called the Khyber Pakhtunkhwa Provincial Housing Authority Employees (Medical Attendance) Regulations, 2022.

(2) These regulations shall apply to all the employees of Khyber Pakhtunkhwa Provincial Housing Authority.

(3) They shall come into force at once.

2. Definitions.- (1) In these regulations unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them as under:

- a. "Act" means the Khyber Pakhtunkhwa Provincial Khyber Pakhtunkhwa Provincial Authority Act, 2005.
- b. "Authority" means the Authority specified in Section-3 (3) of the Khyber Pakhtunkhwa PHA Act, 2005;
- c. "Competent Authority" in relation to the exercise of any power means an authority to which powers under the rules may have been delegated.
- d. "Authorized Medical Attendant" means a doctor in a Government hospital and includes Professor, Associate Professor, Assistant Professor, Senior Registrar, District Specialist, Specialist posted in Government hospitals or any other Specialist in Government hospital, Chief Medical Officer (CMO), Principal Medical Officer (PMO), Senior Medical Officer (SMO), Medical Officer (MO), Dental Surgeon and Casualty Medical Officer (CMO).
- e. "emergency case" means and includes road traffic accidents, myocardial infarctions, burns/scalds, blast, poisoning, head injury or any other medical or surgical emergency of equivalent nature as authorized by the Authorized Medical Attendant.
- f. "family members" means parents, spouse, and legitimate children and step/adopted children of the employee's parents, sister and minor brothers residing with and wholly dependent upon him.
- g. "Government hospital" means a public sector hospital and includes Civil Dispensary (CD), Basic Health Unit (BHU), Rural Health Centre (RHC), Dental Hospital, Civil Hospital (CH), Tehsil Head Quarter Hospital (THQH), District Head Quarter Hospital (DHQH), Teaching Hospital, Autonomous Teaching Hospital of the Government and hospital duly categorized by the Government from time to time.

- h. "medical attendance" means services provided to a patient in Government Hospital or Private hospital, as the case may be,
- i. "patient" means a serving or retired employee of the Khyber Pakhtunkhwa Provincial Housing Authority or his dependents has fallen ill or needs promotive, preventive, curative or rehabilitative care;
- j. "private hospital" means hospital other than a Government hospital with which the Authority has entered into an agreement for the treatment of patients and includes, in case of emergency, Combined Military Hospital, Private Hospitals, Social Security Hospital, any Military or Forces Hospital and Specialized Institutes in Pakistan;

(2) Words and expressions used but not defined in these regulations shall have the same meanings as are assigned to them in Khyber Pakhtunkhwa Provincial Housing Authority Act, 2005.

3. FAMILY MEMBERS DEPENDENCY.- (1) Wife of an employee shall be deemed to be wholly dependent upon him so long as she is not judicially separated and where the wife herself is a Govt. servant (that is, the servant of the Provincial or Federal Govt.), the husband shall be entitled to claim any benefit admissible to him in respect of the wife if she does not claim the benefit in her own right as Govt. servant.

(2) Sons and step/adopted sons of the employee shall be deemed to be wholly dependent upon him till they complete the age of twenty one years, and shall therefore be deemed to be so dependent only if he certifies that they are wholly dependent upon him.

(3) Daughters and step/adopted daughters of an employee shall be deemed to be wholly dependent upon him till they are married, and thereafter shall normally be assumed to have ceased to be so dependent unless he certifies that they are wholly dependent upon him.

(4) The expression "residing with" shall not be so construed as to exclude any member of the family of an employee of the Khyber Pakhtunkhwa Provincial Housing Authority wholly dependent upon him but actually residing with him, so for example, the son or daughter of an employee studying at a place other than his headquarter or the wife of an employee temporarily away from such headquarter.

4. **Kinds of treatment.**- Treatment includes the use of all medical and surgical facilities available at the Government hospital in which an employee of the Khyber Pakhtunkhwa Provincial Housing Authority is treated and includes:-

- (i) The applying of such pathological, bacteriological, radiological or other methods/medical procedures as are considered necessary by the Authorized Medical Attendant for diagnostic/treatment of the patient;
- (ii) The supply of such Medicines. Vaccines, Sera or other therapeutic substances as are ordinarily available in the hospital;
- (iii) The supply of such medicines, vaccines, sera or other therapeutic substances not ordinarily so available as the authorized medical attendant may certify in writing to be essential for the recovery or for the prevention of serious deterioration in the condition of the patient;
- (iv) Such accommodation as is ordinarily provided in the hospital and is suited to his status. In case of retired employee of the Khyber Pakhtunkhwa Provincial Housing Authority his status will be determined by the last appointment held;
- (v) Such nursing care as is ordinarily provided to the patient by the hospital;
- (vi) The specialist consultation described in clause (f), but does not include provision of the request of the employee of accommodation superior to that described in sub clause (iv);
- (vii) "Dental treatment" which includes treatment of alveolar (gum and jaw bones) disease, extraction of teeth, treatment for dental caries, gingivitis pyorrhea and filling (temporary or permanent) if dental cavities including root canal treatment scaling, but does not include dental implants, orthodontic appliances, bridging, crowing and provision of dentures;
- (viii) The provision of artificial limbs, joints and implants;
- (ix) The facility of circumcision.

5. **Entitlement.**- (1) A patient is entitled to free of charge medical attendance or treatment, as the case may be, subject to such ceiling as may be fixed by the Director General on the recommendations of the Technical/Advisory Committee.

(2) Whereas a patient is entitled to receive free of charge, medical attendance or treatment, as the case may be, any amount paid by him on account of such medical attendance or treatment, as the case may be, shall, on production of all necessary documents duly signed and stamped by the Authorized Medical Attendant in this behalf and after necessary verification by the audit section, be reimbursed to him by the Khyber Pakhtunkhwa Provincial Housing Authority.

(3) The necessary documents shall include:

- i. a written certificate by the Authorized Medical Attendant;
- ii. medical record of the patient;
- iii. the printed tariff of the Government hospital or private hospital;
- iv. detailed bill of the Government hospital or private hospital; and
- v. duly signed receipt in token of having paid.

6. **Referral.**- (1) If the Authorized Medical Attendant is of the opinion that the case of a patient is of such a serious or special nature as to require medical attendance or treatment, as the case may be, by another medical attendant, he may:-

- (a) send the patient to the nearest General hospital, where in his opinion, medical attendance or treatment, as the case may be, is required for the patient, or in case of serious or life threatening conditions, to the place in the Province or Country, as the case may be, where such medical attendance or treatment is available. The referral has to be to Government hospital in the first instance, and if not available, then he may refer the patient to private hospital with full justification and with prior approval of the Competent Authority.

Provided that the approval or otherwise of the Competent Authority, for such referral, shall be communicated within seven (07) days of such referral request, or

- (b) request such specialist or other medical officer, to attend upon the patient, if the patient is unable to travel due to illness.

(2) The Casualty Medical Officer shall be authorized medical attendant in serious cases, needing immediate referral, if there is no such hospital as mentioned in sub-regulations (1) to such hospital in the Province as may, in the opinion of such Authorized Medical Attendant, provides the necessary medical attendance or treatment, as the case may be.

(3) In any exceptional case where the Authorized Medical Attendant is of the opinion that the necessary medical attendance or treatment, as the case may be, is available only in a hospital outside the Province, he may with the approval of the Competent Authority, refer the patient for such medical attendance or treatment, as the case may be, in such hospital.

Provided that the approval or otherwise of the Competent Authority, for such referral, shall be communicated within seven (07) days of such referral request.

7. Travelling Allowance.- (1) when a patient is referred by the Authorized Medical Attendant under regulation-6, the patient shall be entitled to travelling allowance at tour rates for the journey to and from the initial referral point.

(2) If the patient is unable to travel due to illness, the Authorized Medical Attendant shall be entitled to travelling allowance at tour rates for the journey to and from the initial referral point.

Provided that a patient shall not be entitled to travelling allowance for a journey for attendance by a dentist.

8. Treatment.- (1) Subject to regulation-6, the patient shall be entitled free of charge treatment on Government hospital or private hospital, as the case may be, at, or near, the place where he falls ill as in the opinion of the Authorized Medical Attendant to provide the necessary and suitable medical attendance or treatment, as the case may be.

(2) The treatment shall be limited to the country and place to which the employee of Provincial Housing Authority has been sent on duty.

9. Health Insurance Scheme.- The Khyber Pakhtunkhwa Provincial Housing Authority may opt health insurance scheme through an insurance company of repute for indoor treatment of its employees or their family members on such terms and conditions as deemed fit and commensurate to the general principles as laid down in these regulations.

10. Penalty.- If an employee of Provincial Housing Authority makes any fake or false claims, or those issuing false certificates or signing false medical documents and processing false medical claims, shall be proceeded against under the Khyber Pakhtunkhwa Provincial Housing Authority Employees (Efficiency & Discipline) Regulations, 2022.

9. Relaxation.- The Authority or the Director General, as the case may be, may relax these regulations in cases of special hardship.