



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Medical Practitioners
(Amendment) Bill, 2008**

(Bill No. 12 of 2008)

(As passed by the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM-GOA
MARCH, 2008**

The Goa Medical Practitioners (Amendment) Bill, 2008

(Bill No. 12 of 2008)

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BILL

*to amend the Goa Medical Practitioners Act, 2004
(Act 9 of 2004)*

Be it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Medical Practitioners (Amendment) Act, 2008.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Goa Medical Practitioners Act, 2004 (Act 9 of 2004) (hereinafter referred to as the "principal Act"), (i) after clause(f), the following clause shall be inserted, namely:—

“(ff) “diagnostic Centre” means any premises including the precincts thereof wherein the diagnosis of symptoms to decide the cause or nature of disease in humans is

carried on with aid of instruments or equipments under the supervision of a qualified person deemed for that particular investigation;”;

(ii) after clause (o), the following clause shall be inserted, namely:—

“(oo) “pathological Laboratory” means any premises including the precincts thereof wherein scientific investigations of human blood, excreta, urine, tissue, other body fluids, etc., is carried out to find the aetiology/ /causes/nature of the disease with the aid of instruments/equipments under the supervision of a qualified Pathologist;”.

3. *Amendment of section 3.*— After section 3 of the principal Act, the following section shall be inserted, namely:—

“3A. *Diagnostic Centre, Pathological Laboratory to be licenced.*— On and from the date of coming into force of the Goa Medical Practitioners (Amendment) Act, 2008, no person shall establish, run or maintain a Pathological Laboratory or a Diagnostic Centre in the State of Goa except under and in accordance with the terms and conditions of a licence granted under the provisions of this Act and the rules made thereunder:

Provided that any person in charge of or entrusted with, the management or running of a pathological laboratory or diagnostic centre, in operation before the commencement of the Goa Medical Practitioners (Amendment) Act, 2008, shall also apply for a licence to the competent authority in such form and manner and on payment of such fees as may be prescribed from time to time, within a period of one year from such day as may be notified by the Government in this behalf and pending orders thereon, may continue to run such pathological laboratory or diagnostic Centre subject to the provisions of this Act.”.

4. *Amendment of section 5.*— In section 5 of the principal Act, after the words “or dentistry” and before the words “in the State of Goa”, the expression “or every person desiring to establish or run or maintain a Diagnostic Centre or Pathological Laboratory” shall be inserted.

5. *Amendment of section 7.*— In section 7 of the principal Act, (i) after clause (c), the following clauses shall be inserted, namely:—

“(d) whether the premises housing the pathological laboratory and diagnostic centre is adequately suitable, hygienically or otherwise;

(e) whether the pathological laboratory and diagnostic centre is adequately staffed with qualified medical practitioners, pathological technicians, paramedical and other technical staff, as the case may be, and conforms to the specified standards concerning laboratories, instruments or equipments and other facilities;

(f) whether the facility for disposing bio-medical waste as per the provisions of the Bio-Medical Waste (Management and Handling) Rules, 2003, is available;";

(ii) existing clause (d) shall be renumbered as clause (g) thereof.

6. *Amendment of section 13.*— In section 13 of the principal Act,

(i) for the words "private doctor", wherever they occur, the expression "private doctor or pathological laboratory or diagnostic centre" shall be substituted;

(ii) in sub-section (2), for the words "said doctor", the expression "said doctor or person in charge of pathological laboratory or diagnostic centre" shall be substituted.

7. *Amendment of section 14.*— In section 14 of the principal Act, in sub-section (1), for the words "private doctor", the expression "private doctor or person in charge of pathological laboratory or diagnostic centre" shall be substituted.

8. *Amendment of section 15.*— In section 15 of the principal Act, in sub-section (1), for the word "five", the words "twenty five" and for the word "ten", the words "fifty", shall be substituted.

9. *Amendment of section 18.*— In section 18 of the principal Act, in sub-section (2) in clause (b) for the expression "sections 3 and 5", the expression "sections 3, 3-A and 5" shall be substituted.
