

Kerala Clinical Establishments (Registration & Regulation) Act 2018

Frequently Asked Questions

1. What is the Kerala Clinical Establishments (Registration & Regulation) Act 2018?

The Kerala Clinical Establishments (Registration and Regulation) Act 2018 is a proposed legislation that provides for registration and regulation of clinical establishments in Kerala.

2. Who is covered under this Act?

All clinical establishments across all recognized systems of medicine (i.e. Modern Medicine (including Dentistry), Ayurveda, Naturopathy, Homoeopathy, Siddha, and Unani) in the public and private sectors are covered under this Act. This includes, all establishments owned, controlled or managed by the Government, a Department of the government, a trust (public or private), individual proprietorship, a partnership firm, corporation registered under a Central, Provincial or State Act (whether or not owned by the Government), a local authority.

3. Are there any clinical establishments that are not covered under the purview of the Act?

The clinical establishments owned, controlled or managed by the Armed Forces and clinical establishments offering only consultation services are not covered under this Act.

4. Who is responsible for registering a clinical establishment under this Act?

The owner of the clinical establishment is responsible for registering the clinical establishments under this Act.

5. Who is the registering authority?

A multi member body at district level known as the District Registering Authority is the registering authority for Clinical Establishments located in that district.

6. What is the composition of the District Registering Authority?

The district registering authority will comprise of

- District Collector, ex-officio- Chairperson;
- District Medical Officer (Health), ex-officio-Vice-Chairperson;
- An officer not below the rank of Assistant Director of Health and Family Welfare Department nominated by the Government who shall be the Convener of the Authority
- A Medical Officer of the Indian Systems of Medicine nominated by the Government;
- A Medical Officer of Homoeopathic System of Medicine nominated by the Government.

- One member whose tenure shall be three years to be nominated by the District Collector from a professional association in the health sector.

7. What are the functions of the District Registering Authority?

- Grant, renew, suspend or cancel registration of a clinical establishment;
- Ensure compliance of the provisions of the Act and the rules made there under;
- Cancel the registration of such clinical establishment where there is imminent danger to public health and the health and safety of patients and staff;
- Prepare and submit reports periodically of such nature as directed by the Council;
- Perform such other functions as may be prescribed.

8. Will the same minimum standards apply to all clinical establishments?

No. Clinical establishments will be classified into different categories. This would be based on the size (number of beds), services and facilities provided. There would be different minimum standards prescribed for different categories. Smaller hospitals and nursing homes would have different standards from the bigger hospitals.

9. Are Single Practitioners with only consultation services required to register?

No. Single Practitioners with only consultation services are not required to register

10. Do Co-operative hospitals need to register?

Co-operative hospitals need to register under this act as a private entity and also there is no exemption of the fees.

11. In case of grievances, who can be contacted?

Under the Act there is a Grievance Redressal Committee being set up to receive complaints from the public regarding the violation of the provisions of this Act or the rules by any clinical establishment.

12. What are the conditions for registration of a clinical establishment under this Act?

- Shall have the standards according to the category of clinical establishment.
- The medical and paramedical staff shall have the minimum qualifications fixed by the authorities concerned and advertised by the Council.
- Undertake to mandatorily comply with the orders issued by the Council from time to time, in such form as may be prescribed;
- Undertake to furnish such information to the State Government as notified.

- Maintain standards of safety, infection control and methods of treatment maintaining standards as may be notified
- Such other conditions as may be prescribed.

Other conditions are:

- Display the Registration certificate at a prominent place.
- Display the rates charged for each type of service provided and facilities available, package rates for the benefit of patient at a conspicuous place.
- Maintain and provide information and statistics in accordance with all other applicable laws that are in force and rules made there under.

13. Where will the money collected as fees be credited?

An account has been created and linked to the e-treasury. The fees, fines and penalties collected will be credited to this account and utilized for the activities connected with the implementation of the provisions of this act.

14. Will the fees paid be refunded?

No. The fees once paid will not be refunded.

15. Is the clinical establishment required to display the certificate of registration?

Yes, the certificate should be displayed at a prominent place from where it is clearly visible.

16. If my clinical establishment is shifted to another location in same district, then what is the procedure to be followed?

In event of change of location, or on ceasing to function as a clinical Establishment, information to be provided to the DRA, the certificate in respect of such clinical establishment shall be surrendered to the Authority and the Clinical Establishment shall apply afresh for registration.

17. If I move my clinical establishment to some other district, what is the procedure to be followed?

In event of change of location the certificate in respect of such clinical establishment shall be surrendered to the Authority and Clinical Establishment shall apply afresh for registration.

18. I am accredited by NABH. Do I still need registration?

Yes. You need to register. Those establishments with NABH accreditation will not be subjected to assessment before granting permanent registration and to inspections during the period for which the accreditation is valid.

19. If I buy / hire a clinical establishment which is registered, do I need to apply again for registration?

In the event of Change of ownership / management, the Clinical establishment shall apply afresh for the registration and inform the authority of such change.

20. If there is change in Person In Charge of the establishment, what is the procedure?

Intimate the DRA and make the required corrections in the details.

21. If I upgrade my already registered clinical establishment into another category or add beds or dental chairs or add a Laboratory with it, what is the procedure to be followed?

In case of change of category (e.g. clinic, hospital, Laboratory, Imaging center, change in system of medicine) the certificate in respect of such clinical establishment shall be surrendered to the authority within thirty days and Clinical Establishment shall apply afresh for registration.

22. Do I need to have to seek accreditation, if I am registered under the act?(enquired about this question)

Accreditation is voluntary and there is no compulsion on Clinical Establishment for the same.

23. What is the procedure for registration?

The registration can be done through online by visiting the website www.keralaclinicaestablishments.gov.in.

24. What is Provisional Registration?

The clinical establishments functioning at the time of implementation of the Act will receive provisional registration once they apply. This will be granted within 45 days of submitting the application and there will not be any assessment before granting provisional registration.

25. What is Permanent registration?

The Government shall notify the minimum standards as per the provisions of the Act and all the clinical establishments having provisional registration will need to apply for permanent registration with evidence that they have conformed to the standards for the category to which registration is sought.

Those establishments who did not take provisional registration also will need to apply for permanent registration with an additional fee and submit an explanation to why it did not apply for provisional registration.

26. Who will issue the registration certificate?

The District Registering Authority shall issue the registration certificate.

27. Will there be inspection before I am granted a provisional registration certificate?

For purpose of provisional registration there will not be any inspection prior to grant of registration. However the owner of clinical establishment is expected provide and to fill in all data correctly & provide the documents requested for.

28. Once I receive a Provisional certificate of registration, what is the validity?

Every provisional registration shall be valid for two years from the date of issue of the certificate of registration.

29. Can an establishment apply for a permanent registration instead of provisional?

No, all the clinical establishments have to apply for a provisional registration, permanent registration will commence after the minimum standards are notified.

30. When will Permanent Registration be undertaken?

Permanent registration will commence after minimum standards are notified.

31. Is there a penalty for not registering a clinical establishment under this Act?

No one can run a clinical establishment without registration. Yes, monetary penalty would be imposed and in certain cases closure of the establishment. (Kindly see the Act for more details-www.keralaclinicalestablishments.gov.in)

32. Are Public sector establishments required to pay the fee?

No. Public establishments are exempted from paying the fees.

33. Under what conditions will the application be rejected?

The applications from establishments practicing unrecognized systems of medicine will be rejected.

If the DRA returns the application for clarification and if it is not resubmitted within 15 days of return, then the application will be automatically rejected.

34. Can the details of the Person In Charge or the applicant be changed overtime?

Yes. There is provision available to change the details of the applicant but the district regulation authority must be informed of the same.

35. Is the application process online or the form could be filled and uploaded?

The entire process of application is web based and the applicant needs to fill the form online. No hardcopies of the same will be accepted.

36. Can an establishment register without an ownership certificate?

No the establishment cannot register without the Ownership certificate.

37. Are establishments with more than 1 branch required to register separately?

Establishments with branches in the same district or different districts can be registered under one User Id but individual applications have to be submitted for each branch.

38. Will there be any penalty fee to be paid after the registration deadline?

Yes penalty would be charged which would be 25% of the application amount.

39. What are the documents required for registration?

- Certificate of Registration (LSGD and Ownership certificate)
- Photograph of the establishment
- Filled in template KCEA Human Resources
- Filled in template KCEA Medical Diagnostic Equipment
- Filled in template KCEA Fees & Charges

40. Where can one contact in case of doubts?

In case of doubts one can send in a query to feedback.kcea@kerala.gov.in or contact the District DMO Office.

41. Where can one find the transaction details after making the fee payment?

One can find the transaction details under the e-treasury site with link <https://etreasury.kerala.gov.in/>.

42. What is GRN number?

Government Receipt Number is a unique transaction number provided after making a financial transaction that can be used for future reference.

43. Year of establishment is unknown, what can be done in this situation?

This could be mentioned while filling up the application by ticking the unknown option under the Year of establishment.

44. Can the Person In charge be the Owner of the establishment?

Yes. The Person In charge can also be the Owner of the establishment.

45. Can corrections be made after paying the fees?

No. Corrections cannot be made after payment. You are requested to kindly preview the application and make the necessary changes before making the payment.

46. How is the fee calculated?

The fee is calculated on the basis of number of beds, dental chairs, locality and the services offered.

In case of multispecialty hospitals providing dental services, number of beds will be taken into consideration and not chairs.

In case of Laboratories the fees will be calculated on the basis of the Level of services provided which would be Level1, Level 2 and Level 3 (Kindly see the Schedule of fees for detailed information)

47. What if the Person In Charge has a non-medical background?

There is an option available under the Person Incharge details wherein the applicant can select non- medical and mention their degree in the open text.

48. How do I register as a user?

For creation of a new account go to the link:
<https://www.clinicalestablishments.kerala.gov.in/>

Click on, “Register here “and then click on “Sign up as a new user”, fill information required by user (e.g. Applicants Name, Designation, Email, Id Proof). A new account will be created.

To proceed further to fill an application form, click the link below.
https://www.clinicalestablishments.kerala.gov.in/images/Instructions-Sheet-for-filling-up-Online_Registering_04012019.pdf

49. What happens if I forget my password?

The user has to click on ‘Forgot Password’ and proceed further as instructed.

50. Can someone else register on my behalf?

Yes. The registration process is web based so any person can register.

51. How do I know that my application has been submitted successfully and received?

On successful submission an acknowledgement receipt will be generated. The applicant can also check the ‘Submitted’ button on the dashboard.

52. Will I get an acknowledgement once I apply for registration?

Yes. On successful submission an acknowledgement receipt will be generated.

53. In case of queries about my application whom do I contact?

If any doubts please contact your District Registration Authority i.e. office of District Medical Officer of your District or the call center provided in the website or you can also contact the helpdesk.
<https://www.clinicalestablishments.kerala.gov.in/index.php/content/index/contact-us>

54. Can I save my application and submit at later date?

Yes. The application gets automatically saved as Draft when each section is completely filled.

55. How do I enquire about the status of my application?

The applicant is requested to login regularly and check their dashboard. On successful registration a message will be shown under “Approved” box.

56. What is the next step once I submit the application?

Once online application form is submitted, its status shows pending till District Registration Authority approves and once it is approved, download pdf format of Provisional registration Certificate.

57. Does one need to give details of all the staff in the Human Resource template?

Details of only clinical staff need to be given.

58. What can be done if an establishment uploads a wrong certificate?

The application will be returned specifying the reason of return and the necessary changes should be made within 15days. If not uploaded within the given time, the application will be rejected.