

**GOVERNMENT OF ODISHA
HEALTH & FAMILY WELFARE DEPARTMENT**

NOTIFICATION

No.Sch-Med-512/2015 2721 IH, Dated 05.02.2016

It has been envisaged to protect good Samaritans from harassment on the actions being taken by them to save the road accident victims at all the hospitals run under Government or Private Sector / Public Sector.

Accordingly, a guideline protecting the Good Samaritans is hereby notified for information of the all Government Hospitals / Private Hospitals / Corporate Hospitals in the State of Odisha to follow.

1. A Bystander or Good Samaritan including an eyewitness of a road accident may take an injured person to the nearest hospital and the bystander or good Samaritans should be allowed to leave if he desires so and no question shall be asked to such Bystander or Good Samaritan by hospital staff.
2. The Bystander or Good Samaritan shall be suitably rewarded or compensated to encourage other citizens to come forward to help the road accident victims.
3. The Bystander or Good Samaritan shall not be liable for any civil or criminal liability.
4. A Bystander or Good Samaritan, who makes a phone call to inform the police or emergency services for person lying injured on the road, shall not be compelled to reveal his name and personal details on the phone or in person.
5. The disclosure of personal information, such as name and contact details of the bystander or Good Samaritan shall be made voluntary and optional including in the Medico Legal Case (MLC) Form provided by hospitals.
6. The disciplinary or departmental action shall be initiated by the Government concerned against public officials who coerce or intimidate a Bystander or Good Samaritan for revealing his name or personal details.
7. All registered public and private hospitals are not to detain bystander or good Samaritan or demand payment for registration and admission costs, unless the bystander or good Samaritan is a family member or relative of the injured and the injured is to be treated immediately in pursuance of the order of the Hon'ble Supreme Court in Pt. Parmanand Katara vs Union of India & Ors (1989) 4 SCC 286.

(Contd.....)

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8. Lack of response by a doctor in an emergency situation pertaining to road accidents, where he is expected to provide care, shall constitute "Professional Misconduct" under Chapter 7 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002 and disciplinary action shall be taken against such doctor under Chapter 8 of the said Regulations.
9. All hospitals shall publish a charter in Odia, Hindi and English at their entrance to the effect that they shall not detain Bystander or Good Samaritan or ask depositing money for them for the treatment of a victim.
10. In case a Bystander or Good Samaritan so desires, the hospital shall provide an acknowledgement to such bystander or good Samaritan, confirming that an injured person was brought to the hospital and the time and place of such occurrence and the acknowledgements being prepared in a standard format by Health & Family Welfare Department, Govt. of Odisha (Format enclosed) and disseminated to all hospitals in the State for incentivizing the Bystander or Good Samaritan.
11. All public and private hospitals shall implement these guidelines immediately and in case of non compliance or violation of these guidelines appropriate action shall be taken by the concerned authority.
12. The guidelines will be included as one of the topic for discussion in every induction training programme of doctors.
13. The implementation of the Guidelines will be monitored by head of hospital and a report to be furnished quarterly to Health & Family Welfare Department, Govt. of Odisha.
14. The Guidelines will be binding for all the registered public and private hospitals in Odisha.

By order of the Governor

Principal Secretary to Government

Memo No 2722 /H. dated 05-02-2016

Copy forwarded to the Director Printing Stationary and Publications, Odisha, Madhupatna, Cuttack for information and necessary action.

He is requested to publish this Notification in the Odisha Gazette and supply 100 copy of the same to this Department for further action.

Joint Secretary to Government.

Memo No 2723 /H. dated 05-02-2016
Copy forwarded to all Departments of Government for information and necessary action.

Memo No 2724 /H. dated 05-02-2016
Copy forwarded to all Collector & District Magistrates / all Chief District Medical Officers / CMO, RGH, Rourkela / CMMO, BMC Hospital, Bhubaneswar for information and necessary action.

Memo No 2725 /H. dated 05-02-2016
Copy forwarded to all Directors under Health & Family Welfare Department for information and necessary action.

Memo No 2726 /H. dated 05-02-2016
Copy forwarded to all Private Hospitals / Public Sector undertaking Hospitals functioning in the State of Odisha for information and necessary action.

Joint Secretary to Government.

