(PART-III)
NOTIFICATION AND NOTICES BY THE HIGH COURT, BUILDINGS AND ROADS,
IRRIGATION, ELECTRICITY, AGRICULTURE, JAILS, EDUCATION, HEALTH
SERVICES, INDUSTRIES DEPARTMENT AND COMMISSIONER OF DIVISIONS
AND MISCELLANEOUS

PUNJAB HEALTHCARE COMMISSION

(Draft Licensing Regulations, 2014)

Lahore, the 8th July, 2014
NOTIFICATION

No. REG. Lic-1/2014. In exercise of the powers conferred under Section 40 read
with Sections 4, 13, 15 & 23 of the Punjab Healthcare Commission Act, 2010 (Act
XVI of 2010), the Commission is pleased to make the following regulations:-

CHAPTER I
INTRODUCTION

1. Short Title and Commencement:-(1) These Regulations may be called the
Punjab Healthcare Commission Licensing Regulations (Draft), 2014.

(2) These Regulations shall extend to the whole of the Punjab.

(3) These Regulations shall come into force at once.

2. DEFINITIONS:-(1) In these Regulations, unless there is anything
repugnant in the subject or context, the following terms shall have the
meanings given as under:-

(a) “Act” means the Punjab Healthcare Commission Act, 2010

(b) “Applicant” means a Healthcare Service Provider and / or a Healthcare
Establishment requesting a license or renewal thereof, as the case may
be.
(c) "Charter" means such Charter(s) as issued by the Commission from time to time, relating to the rights and responsibilities of patients/clients and others as well as that relating to the rights and responsibilities of the Healthcare Establishments.

(d) "Complaint Regulations" means the Punjab Healthcare Commission Complaint Management Regulations, 2014.

(e) "Directorate" means Directorate of Licensing & Accreditation as established under Regulation 3.

(f) "Employee" means and includes such service providers which are or have been rendering any kind of services at the Healthcare Establishment, including but not limited to doctors, consultants, nurses, paramedics and administrative staff, whether serving under written or un-written agreement(s) for service or of service.

(g) "Fee" means such amount of money which is fixed by the Board of the Punjab Healthcare Commission for the purposes of granting licenses to the Healthcare Establishments keeping in view factors, including but not limited to, the services to be rendered thereat, their bed strength as well as for the purposes of servicing the provisions of the Punjab Healthcare Commission Act, 2010 and includes such additional fee(s) as fixed by the Board, from time to time, for the particular purpose(s), specified herein.

(h) "Incident" means any or all of the following occurrences that must be reported to the Commission, within the indicated number of hours of discovery or occurrence:-

(i) Fires shall be reported within 24 hours as follows:-
   a) Fires requiring patient movement;
   b) Fires requiring patient evacuation; or
   c) Fires causing injury to a patient.

(ii) An emergency evacuation of patients from all or portions of a Healthcare Establishment shall be reported within 24 hours; &

(iii) A suspected violation of any law relating to the healthcare services shall be reported within 48 hours.

(i) "Licensee" means any person who holds a regular license issued by the Commission.

(j) "Licensing & Accreditation Sub-Committee of the Board of Commissioners" means Sub-Committee of the Board of
Commissioners or such other Sub-Committees as may be constituted by the Board, for such specific purposes and with such powers as may be deemed appropriate by it, from time to time, for the purposes of the Act and these Regulations.

(k) "Quality Assurance & Compliance Committee" means such a Committee as is established by a Healthcare Establishment and/or Healthcare Service Provider, as the case may be, and entrusted with the responsibility and capacity to ensure compliance with the governing law and the instructions, corrective orders issued by the Commission in accordance with the Act and the Regulations.

(l) "Reference Manual" means such Manuals as prepared by the Commission from time to time for achieving purposes of the Act, containing sets of guidelines for the Healthcare Establishments relating to implementation of the Standards.

(m) "Registration" means registration under Section 13 of the Act.

(n) "Regulations" means the Punjab Healthcare Commission Licensing Regulations, 2014.

(o) "Standards" include Minimum Service Delivery Standards (MSDS).

(p) "Standard-level deficiency" means a deficiency at the standard level when there is non-compliance with any single indicator or several indicators within a particular standard that is/are not of such character as to substantially limit a Healthcare Establishment's capacity to furnish adequate care, or which would not jeopardize or adversely affect the health and or safety of patient(s) if the deficient practice and or procedure reoccurred.

(q) "Substantial Compliance" means for the purposes of these Regulations that the Healthcare Establishment has either:

(i) No deficiencies; or

(ii) Standard-level deficiencies.

(2) All other words and expressions used in these Regulations but not defined herein shall have the same meanings as are assigned to them in the Act, Standards, Reference Manual or guidelines for the Healthcare Establishments and/or such other instructions or orders including but not limited to any other directives relating to the improvement of healthcare services and/or healthcare service delivery systems, as prepared and issued by the Commission, from time to time, for achieving the purposes of the Act.
CHAPTER II
DIRECTORATE OF LICENSING & ACCREDITATION

3. Licensing & Accreditation Management System. (1) The Commission shall have an internal Licensing & Accreditation Management System under the Directorate of Licensing & Accreditation for receiving, managing applications for registration and issuance of licenses and accreditation and performing such other tasks for the purposes of ensuring that the healthcare services are rendered in accordance with the provisions of the Act, Regulations, Standards, Reference Manuals and corrective orders etc.

(2) All Healthcare Establishments/Healthcare Service Providers, as the case may be, shall establish their own Quality Assurance & Compliance Committees for the purposes of interacting on their behalf with the Commission and shall be responsible for all steps involved in the process of being registered and obtaining the requisite license.

(3) The Quality Assurance & Compliance Committee may consist of one Member or more, as deemed appropriate, keeping in view the size and capacity of the Healthcare Establishment/Healthcare Service Provider. Such a Committee shall be duly authorized to undertake and / or commit to the Directorate/Commission, as the case may be, for ensuring compliance with the Act and these Regulations, on behalf of the said Healthcare Establishment/Healthcare Service Provider.

4. Decisions by the Board. All decisions under the Act and these Regulations regarding any penalties, suspension and or revocation of licenses shall be made by the Board in its meetings.

5. Decisions by the Licensing Management Sub-Committee of the Board of Commissioners. Except for the matters as specified in Regulation 4, all other matters shall be placed before the Licensing Management Sub-Committee of the Board of Commissioners for its decision or instructions as the case may be.

CHAPTER III
REGISTRATION AND ENFORCEMENT

6. Responsibility for compliance. It shall be the responsibility of every Healthcare Service Provider to apply to the Commission through the Directorate for registration.

7. Unregistered Healthcare Service Provider. An unregistered Healthcare Service Provider shall be liable to pay a fine, which may extend to Rupees
Five Hundred Thousand (Rs. 5,00,000/-), if found to be providing healthcare services without having applied for Registration or not having a valid Certificate of Registration, as the case may be.

8. **Certificate of Registration not transferable.** A Certificate of Registration issued under these Regulations shall neither be assignable nor transferable, unless a written permission is granted by the Commission, in accordance with these Regulations.

9. **Certificate of Registration to be posted.** A Certificate of Registration issued by the Commission shall be conspicuously posted in the Healthcare Establishment where it is visible to the public.

10. **Application for Registration:** (1) Every existing Healthcare Service Provider shall apply for registration with the Commission in accordance with the Form as prescribed by the Commission from time to time.

(2) Every new Healthcare Service Provider shall, either prior to the commencement of operations as a Healthcare Establishment or as soon as such a provider is registered with Pakistan Medical & Dental Council, Council for Tibb, Council for Homeopathy or Nursing Council, as the case may be, apply for registration with the Commission, in accordance with the Form prescribed by the Commission.

(3) The Commission shall issue a Certificate of Registration within 14 days to the Applicant who fulfills all the requirements as detailed in the prescribed Form. In case the Certificate of Registration is not issued within the said time limit, then the Healthcare Service Provider shall be considered as having been provisionally registered.

(4) The Commission may reject the application for registration if, despite Notice issued by the Directorate, the Healthcare Service Provider fails to provide the requisite information and/or supporting documents or other particulars required for the registration, within the time fixed by the Commission, in this regard.

(5) An Applicant whose application has been rejected may re-apply for registration after complying with all the requisite particulars, as prescribed by the Directorate.

(6) The Directorate shall maintain a register of all the Healthcare Service Providers, providing healthcare services in the Province of Punjab containing such details and information as deemed necessary by the Commission.
CHAPTER IV
LICENSING AND ENFORCEMENT

11. **Initial Licensing to be phased.** For the purposes of licensing the Commission shall lay down criteria for the initial licensing of the Healthcare Establishments and may also classify them into different groups for the said purposes, keeping in view the ground realities regarding availability of trained human resource, improvement of existing human resource and all other allied factors.

12. **Responsibility for compliance.** It shall be the responsibility of every Healthcare Establishment, either in the capacity of being an Applicant or a Licensee, as the case may be, to apply for license in accordance with the provisions of the Act and these Regulations.

13. **Unlicensed Healthcare Establishments.** No person, including but not limited to association of persons, authority, body, company, corporation, firm, individual, partnership, proprietorship or other entity, nor any Government, or Local Government shall establish, operate, conduct and/or maintain, as the case may be, in the Province of Punjab, any Healthcare Establishment for human beings without a license issued by the Commission in accordance with the criteria laid down by the Commission for the initial licensing.

14. **License not transferable.** A license issued under these Regulations shall neither be assignable nor transferable, unless a written permission is granted by the Commission, in accordance with these Regulations.

15. **License to be posted.** A license issued by the Commission shall be conspicuously posted in the Healthcare Establishment where it is visible to the public.
(c) Regular License.

(2) A Provisional License shall be issued by the Commission to such an Applicant whose application is complete in all respects, in accordance with the provisions of Sections 15 & 16 of the Act and these Regulations.

(3) A Conditional License shall be issued by the Commission to such an Applicant who has already been granted a Provisional License and has achieved overall compliance level of 60% or more (aggregated score of the grading score) provided no indicator score is less than 50%.

(4) A Regular License shall be issued by the Commission to such an Applicant whose application is accepted by the Commission for the reason that it fully complies with the provisions of the Act, Regulations as well as the Standards.

17. Term of Licenses. (1) The term of a Provisional License shall be for a period of six (6) months.

(2) The term of a Conditional License shall be for a maximum period of six (06) months within which the Applicant shall be responsible to become fully compliant with the Act, Regulations and the Standards and the necessary orders passed by the Commission in this regard.

(3) For the purposes of issuing a regular license to a Healthcare Establishment holding a Conditional License as many as maximum of three (3) inspection shall be allowed within a period of six (6) months and if it fails to obtain a regular license as reported to the Commission by the survey team, the Conditional license shall be withdrawn and the said Healthcare Establishment shall be deemed to have a provisional license. The Commission in such a situation may also pass such directions or guidelines to it as deemed appropriate regarding the Healthcare Services being rendered therein.

(4) The term of a Regular License shall be for a fixed period of five (05) years from the date of issuance. The Applicant, to whom a Regular License has been issued, shall apply for its renewal six (06) months prior to the expiration of the term of the existing license.

(5) While renewing the License if the Commission concludes that the requisite Standards have not been met, it may issue a Conditional License as deemed appropriate, to the Applicant. Upon renewal of the Regular License, its term shall again be for a period of five (05) years from the date of renewal.

(6) The renewal application shall be submitted to the Commission by every Healthcare Establishment holding a Regular License, as provided for in Sub-Regulation (4).
18. **Issuance of a License.** The License issued by the Commission shall only be in relation to the premises identified in the application.

19. **Specifications of a License.** (1) Any kind of License must specify the following:
   (i) the name of the Healthcare Establishment;
   (ii) the name(s) of the owner;
   (iii) the location and address of the building(s);
   (iv) the total number of beds;
   (v) the effective date, kind and term of the License;
   (vi) the identification of services being rendered at the Healthcare Establishment.

20. **Distinct parts.** (1) Healthcare Establishments operated by the same Applicant or Licensee on different grounds shall have separate licenses which are to be applied for separately.
   (2) When the Applicant or Licensee has separate facilities located in physically separated structures on the same grounds, one license shall be issued.

21. **Changes in licensing information and or Capacity.** (1) No change in the licensed capacity, including but not limited to, services being rendered at any Healthcare Establishment, shall be implemented without the Applicant or the Licensee having prior written approval, permission and or the requisite License for the same from the Commission, as the case may be.
   (2) Any change in the construction or new construction, additions or alterations in any manner, as the case may be, shall get approved by the competent authority and notified to the Commission. This does not apply to minor alterations which do not affect the primary functional operations or the number of beds, or to routine maintenance and repairs.
   (3) Any Change of owner, manager, incharge or the Chief Executive Officer, Administrator as the case may be, must be reported to the Commission as early as possible but within maximum of 30 working days.
   (4) An amended license shall be issued on the application in this regard to the Commission on the acceptance of the same, on such terms and conditions as deemed appropriate by the Commission, including but not limited to the payment of such additional fee(s) as fixed by the Commission, for the said particular purpose(s), from time to time.
CHAPTER VI

LICENSING PROCESS

22. Application for initial License and Renewal:-(1) Either prior to the commencement of operation of a Healthcare Establishment, or six (06) months prior to the expiry of the existing license, the Applicant must file an application for a license or renewal thereof, as the case may be, on the Forms prescribed by the Commission. An application other than by an individual, must be made by any two officers or by its managing agent, as the case may be, on the basis of due authorization to be attached with the application. Applicants must demonstrate satisfactory evidence of compliance with all the laws, rules and regulations as applicable in this regard, from time to time.

(2) The applicant shall retain a copy of the application and its attachments as submitted to the Directorate.

(3) The application for the license must be submitted to the Commission within thirty (30) days of issuance of the Certificate of Registration, subject to the categories and timelines laid down by the Commission for the initial licensing. On receipt of the application, complete in all respects, the Commission shall issue a provisional license to the Applicant.

(4) A regular license shall be issued to the Healthcare Establishment by the Commission within thirty (30) days from the date of acceptance of the application.

(5) The Commission may reject the application for license or its renewal, as the case may be, if, despite Notice issued by the Directorate, the Applicant fails to provide the requisite information and/or supporting documents required by the Directorate, within the timeline given by it.

(6) An Applicant whose application has been rejected may re-apply after complying with all the requisite particulars, as prescribed.

(7) Subject to the categories and timelines for the initial licensing as laid down by the Commission, an unlicensed Healthcare Establishment shall be liable to pay a fine, which may extend to Rupees Five Hundred Thousand (Rs. 5,00,000/-), if found to be providing healthcare services without having applied for the requisite license or without having a valid license, as the case may be.

(8) The Directorate shall maintain a register for the Healthcare Establishments, providing healthcare services in the Province of Punjab containing such details and information as deemed necessary by the Commission.

23. Verification by the Commission. (1) Before issuing a regular license, the
Commission shall verify or require the verification of the following:-

(i) validity of Certificate of Registration;
(ii) approvals regarding construction documents;
(iii) approvals/certifications by the other related authorities, including but not limited to fire and environment etc, as the case may be;
(iv) application to be complete in all respects;
(v) deposit of full License Fee;
(vi) compliance with the instructions issued after the on-site survey conducted by the Commission or the Inspection Team, as the case may be;
(vii) compliance and implementation of the Charters; &
(viii) compliance with the Act, Regulations, Standards, any instructions and or corrective orders passed by the Directorate or the Commission, as the case may be, while processing and or considering the Application keeping in view the survey and or the inspection report, as the case may be.

(2) The Commission may issue a regular license to include two or more buildings if the Applicant:-

(i) meets the requirements listed above in (1);
(ii) operates the buildings as an integrated system with:-
   (a) governance by a single authority over all buildings or portions of buildings;
   (b) a single medical staff for all healthcare establishment facilities; &
   (c) use of same policies and procedures for all facilities and departments.
   (iii) arranges for safe and appropriate transport of patients between all facilities and buildings.

(3) The Commission shall also review the Annual Healthcare Establishment Update Information documentation and on its acceptance, issue the regular license.

(i) Details of all the employees who are and / or have been rendering services at the Healthcare Establishment during
the last one year from the date of the application for issuance of the license.

(ii) Any other information relating to the working of the Healthcare Establishment, as deemed necessary or appropriate by the Directorate for the purposes of enhancing clinical governance.

(4) The Commission may deny to issue or renew a license when it finds that the Applicant has failed or refused to comply with the provisions of the Act and / or these Regulations, as the case may be, for the purposes of obtaining the said license.

(5) The Commission may modify a license on the application of a Healthcare Establishment in this regard, for reasons to be recorded in writing and where it deems appropriate and necessary, after the required inspection, including but not limited to, situations where the owner of the Healthcare Establishment has changed and / or the address of the Healthcare Establishment has changed, etc. payment of such additional fee(s) as fixed by the Commission, for the said particular purpose(s), from time to time.

24. **Amending, modifying, or refusing to renew a license.** The Commission may amend, modify or refuse to renew a license in conformity with the Act, Regulations, Standards, Reference Manual and / or instructions or directions issued by the Commission, as the case may be.

25. **Grounds for suspension and / or revocation.** The Commission may revoke and / or suspend a license in accordance with the provisions of of the Act.

26. **Emergency suspension of Service(s).** Whenever, on inspection by the Commission, conditions are found to exist that, in the opinion of the Commission, amount to immediate jeopardy to the health and or safety of patients at the Healthcare Establishment, or create an emergency, the Commission by its duly authorized agents may, issue orders for emergency suspension of such services or facilities as deemed appropriate by the Commission.

27. **Voiding a conditional license.** Failure to meet, within the timelines laid down by the Commission, any of the conditions, directions, instructions etc. issued by the Commission or the undertaking given to it in writing, immediately voids the Conditional license upon personal service of written notice to the Applicant, or, if the Applicant cannot be reached for personal service, by personal service to the person in charge.

28. **Opportunity of Hearing before passing Orders.** Before passing any order regarding the voiding of a conditional license or relating to a regular license,
the Healthcare Establishment shall be given an opportunity of being heard.

29. **Building lease.** The lease for any building or buildings not owned by the Applicant or Licensee that are used in connection with the provision of rendering healthcare services to a patient, must show clearly in its context which party to the agreement is responsible for the maintenance and upkeep of the property. The Commission shall be notified at least 72 hours in advance of any changes in the lease that may impact responsibilities for maintenance and upkeep, and compliance with these Regulations.

30. **Building plans.** A set of plans and specifications for each building used in the provision of healthcare services, drawn to scale, must be provided to the Commission. These plans must identify the source of utilities and method of waste disposal. Plans and specifications drawn to scale for proposed changes in the Healthcare Establishment, its physical environment or its utilities that materially affect patient care must be got duly approved by the Competent Authority and submitted to the Commission prior to implementation of proposed changes. Submission of plans and specifications are not required for routine maintenance and repair of the Healthcare Establishment.

31. **Beds.** The applicant or licensee must identify the number of beds defined for each of the service rendered or to be rendered, as the case may be.

32. **Fire safety inspection.** Prior to the issuance of a regular license, and annually thereafter, the Commission must receive a written statement, signed by the DG Rescue 1122, Civil Defence Officer or the proper municipal official designated to make fire safety inspections, to the effect that the premises comply with fire safety provisions.

33. **New services.** In order for a license to extend to a new service or other applicable project, a separate application, as prescribed by the Commission, may be submitted for modification in the license by a Healthcare Establishment.

34. **Plumbing, water supply and sewage disposal.** The applicant or licensee must provide evidence that the facility complies with all applicable laws, rules and regulations relating to plumbing, water supply and sewage disposal.

35. **Fees.** (1) The License fee(s) shall be as prescribed by the Board of Commissioners from time to time, and shall be nonrefundable.

(2) The License fee is to be submitted along with the application for a Regular License and shall be for a fixed period of five (05) years.

(3) The additional fee(s) may be charged for every change(s) and or amendments to a license(s) as prescribed by the Commission from time to time.
36. **Laws and codes.** The Applicant must provide evidence from the appropriate municipal or other relevant authorities, indicating compliance with all laws and or codes, as the case may be, relating to the type of Healthcare Services for which the license is being applied for. This requirement is necessary upon initial licensure and/or whenever a change occurs.

37. **Accreditation reports.** A copy of the latest accreditation Certificate by an accrediting body, for any purpose, must be on file with the Commission, if the Applicant/Licensee has been so accredited.

38. **New application.** (1) After the phased licensing has been completed a new application for a regular license may be considered for acceptance by the Commission after the conditions set forth in the Act, Regulations, Standards, Reference Manual and / or by the Commission, as the case may be, at the time of the issuance of the Temporary or Conditional license, as the case may be, have been met and the Commission is satisfied, in view of the evidence of the same, as furnished to it.

(2) After the phased licensing has been completed, all other Regulations herein shall apply mutatis mutandis to all the new applications for regular licenses.

(3) **Refusal to issue a license.** The Commission may refuse to issue a license to the Applicant if it finds misrepresentation, materially incorrect or insufficient information on the application, or if the premises do not meet the requirements for issuing a license.

39. **Appeals.** Any person who is aggrieved by any decision of the Commission, as provided in Section 31 of the Act, may file an appeal accordingly.

### CHAPTER VII

**INSPECTIONS**

40. **Inspections.** (1) All inspections shall be carried out as provided under the Act, particularly, under Chapter V and the Punjab Healthcare Commission Complaint Regulations, 2014.

(2) All Licensed Healthcare Establishments shall be inspected at least once in every three (3) years, unless otherwise decided by the Commission or in cases of complaint against them.

(3) All inspections shall be carried out without any notice to the concerned Healthcare Establishment in response to a complaint or suspected violation of the Act, Regulations, Standards, Reference Manual, any other instructions or orders passed by Commission. The Commission may in circumstances
requiring immediate action and or emergency get the inspection carried out through an Inspection Team or any other Executive Authorities, for violation of any other laws relating to buildings, fire etc., or for other purposes, including but not limited to the licensing process.

(4) The Commission may engage such other non-profit organizations for the purposes of carrying out inspections which have adequate technical know-how and or experience in the relevant field or have such human resource as is required for effectively carrying out the same, for the purposes of the Act.

(5) **Change in accreditation.** The Applicant or the Licensee must notify the Commission of any change in accreditation status within ten (10) days of its occurrence.

(6) **Statement of deficiencies.** A statement of deficiencies shall be issued by the Commission as a result of a determination that a deficiency, omission or violation of the Act, Regulations, Standards, Reference Manual, any other instructions or orders, including but not limited to a plan of correction, passed by it has occurred. The Commission shall also issue a timeline to comply with the same.

(7) **Corrective action.** The Commission may, in the event of default by the Applicant/Licensee, as the case may be, issue directions to implement its plan of correction, or take additional corrective action as specified by it.

(8) **Informal Conference.** Within ten (10) days of receipt of the Statement of Deficiencies, the Applicant or the Licensee, as the case may be, may request an informal conference to provide evidence to dispute the findings of the Inspection Team, if the Applicant/Licensee disagrees with the Statement of Deficiencies by the Commission.

41. **Right of entry.** (1) An application for a license or its renewal pursuant to these Regulations would constitute a permission for complete acquiescence to any entry or inspection for which the license is sought in order to facilitate verification of the information submitted on, or in connection with, such an application.

(2) The Commission and/or any duly designated representative shall have the right to enter upon and into the premises of the Applicant or a Licensee, as the case may be, pursuant to these Regulations at any time without threat of injury, verbal abuse or harassment and in the spirit of mutual cooperation in order to determine the status of compliance with the Act, Regulations, Standards, Reference Manual, any other instructions or orders passed by it.

(3) Right of entry shall afford Commission and/or its authorized personnel full access to all relevant records, documents and reports at the said premises, as required for the purposes of these Regulations or other applicable law.
Right of entry gives the Commission authorization to copy records documents and reports either manually or by photocopy unless otherwise protected by law, at no expense to the Commission.

42. **Construction and renovations.** (1) Any construction of new buildings for occupancy as a Healthcare Establishment and or additions, renovations, alterations or repairs of existing buildings must comply with the local laws and the copies of the relevant record in this regard shall be properly maintained by the Healthcare Establishments.

(2) **Documentation.** Upon completion of the project and prior to occupancy, the following information must be received by the Commission before a license is issued:

(a) Architect’s letter of certification, as applicable, that construction conformed to the certified drawings and specifications that were prepared according to sanction granted for the same by the Competent Authority;

(b) Approval from the Fire Department;

(c) All such documentation evidencing that the requirements under the Act, Regulations, Standards, Reference Manual, any other instructions or orders passed by Commission have been fulfilled; &

(d) Copies of policies and procedures, contractual agreements, staffing plans or materials necessary to determine compliance with these Regulations, as applicable.

(3) A physical walkthrough may also be conducted by the Commission or caused to be so conducted, to determine compliance with Act, Regulations, Standards, Reference Manual, any other instructions or orders passed by Commission.

**CHAPTER VIII**

**MISCELLANEOUS**

43. **Protection of Whistleblowers.** (1) Each Healthcare Establishment shall prominently and conspicuously post for display in a public area of the Healthcare Establishment that it is readily visible to patients, residents, employees and visitors, a statement that non-employees, employees and staff are protected from discrimination or retaliation for reporting a violation of the governing laws including the Act, Regulations, Standards, Reference Manual and or any orders or instructions passed by the Commission. The statement shall be in English and such other language(s) as is appropriate to the demographic makeup of the community being served.
(2) Discrimination relating to employee reporting a violation of the governing law etc. A Healthcare Establishment may not suspend or terminate the employment of, discipline, or otherwise discriminate against an employee for reporting in utmost good faith to the employee's supervisor, an administrator of the Healthcare Establishment, the regulatory agency, and or the healthcare Service Provider, the Commission or any other law enforcing agency, as the case may be, a violation of the governing law including the Act, Regulations, Standards, Reference Manual and or any orders or instructions passed by the Commission. For the purposes of this Sub-Regulation, a report is not made in utmost good faith if there is not a reasonable factual or legal basis for making the report.

(3) Retaliation relating to a non-employee reporting a violation of the governing law etc. A Healthcare Establishment may not retaliate against a person who is not an employee for reporting a violation of the governing law including the Act, Regulations, Standards, Reference Manual and or any orders or instructions passed by the Commission.

(Dr. Muhammad Ajmal Khan)
Chief Operating Officer
Punjab Healthcare Commission

Note:
Comments are invited on the above stated draft regulations within fifteen days of publication of this notification. General public, doctors and other health professionals can send their comments to the office of the Punjab Healthcare Commission within stipulated period by post or email.