

PC

Paayalathin



ABSTRACT

The Transplantation of Human Organ Act 1994 (Central Act 42 of 1994) Adopted for implementation in Tamil Nadu - Reconstitution of Authorisation Committees - orders Issued.

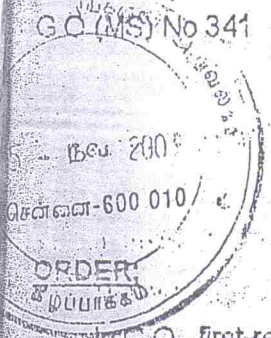
HEALTH AND FAMILY WELFARE (Z1) DEPARTMENT

GO (MS) No 341

81396

Dated: 29-10-2003

Read:



- 1) GO.MS.No.286/Health Deapartment, Dated: 5.5.1995
- 2) GO.MS.No.287, Health Department, Dated 5.5.1995

In G.O. first read above the Director of Medical and Rural Health Services has been appointed as Appropriate Authority for the entire State of Tamil Nadu for the purpose of implementation of the Transplantation of Human Organ Act, 1994. To give approval to the application for removal and transplantation of Human Organs, an authorisation Committee consisting of Director of Medical Education (Chairman), Director of Medical and Rural Health Services (Member) and Dean, Madras Medical College (member) has been formed as per orders issued in G.O. second read above. Based on the experience gained during processing of the application for giving permission to non-related donors for performing renal transplantation and also to reduce the difficulties faced by the Southern parts of people, the Director of Medical Education has proposed to introduce certain new guidelines and to decentralise the Authorisation committee by way of forming Authorisation Committees at Coimbatore and Madurai.

2. The Director of Medical Education has sent proposal to decentralise the Authorisation Committee by way of starting the Authorisation Committee at Madurai and Coimbatore in order to facilitate the southern parts of people in this state. The Director has also stated that after the surgery there is no follow up check up of the donor as to ascertain whether the Donor was actual subject to surgery. As such the Private Hospital may be insisted to produce donors 3 Months later to the authorisation Committee for Health check - up for assessing the health of the Donor. Besides this there are practical difficulties arise due to non - related donor. A Meeting was convened on 14.02.2003 to discuss the above issues posed by the Director of Medical Education under Transplantation of Human Organs Act 1994.

Handwritten notes and initials at the bottom left corner.

the proposal of the Director of Medical Education and the decision taken on 14.02.2003 the Government pass following orders.

Realisation:

- (i) To decentralise the Authorisation Committee, two more Authorisation Committees formed, at Madurai and Coimbatore with the following officials:
- (1) Dean of the Medical College
 - (2) Joint Director of Health Services
 - (3) Representatives from the Collectorate not lower than the rank of Deputy Collector RDO.

In addition to the above two Committees proposed, since an Authorisation Committee already functioning at Chennai, the approved hospitals be distributed region wise for approval Surgery in the respective Authorisation Committee. Orders in this regard will be issued to Appropriate Authority separately.

- (ii) The following notification will be published in the Tamil Nadu Government Gazette.

NOTIFICATION

In exercise of the powers conferred by clause(b) of sub-section (4) of section 9 of Transplantation of Human Organs Act, 1994 (Central Act 42 of 1994), the Governor of Tamil Nadu hereby constitutes two Authorisation Committees at Madurai and Coimbatore for the purposes of said section, consisting of the following members, namely:

1. Dean of the Medical College
2. Joint Directors of Health Services
3. Representative from the Collectorate not lower than the rank of Deputy Collector or RDO

II. FIXING RESPONSIBILITY ON THE APPROVED HOSPITALS.

Though it is already implied in the current rules, it is reiterated that it is the approved hospital which proposes the case before the Authorisation Committee for approval. The approved hospital must be responsible to verify the health condition of the recipient/donor and correctness of the address and identity of the recipient.

- a. Based on the proposals from the approved hospitals, the Authorisation Committee should verify the identity / nativity using attested xerox copy of Ration Card/Election Identity Card or any other approved photo identity document.

b. The possibility of commissioning independent third party NGO's to identify donors counsel them as well as for pre and post operative follow up will be explored by the Appropriate Authority.

c. In the case of recipients who are natives of other States or countries and non-resident in our State, any non relative donors should normally be from their State / country only and should bring clearance from the Authorisation committee governing their area

The tests for HLA matching should be done by a lab which is not attached or affiliated to the hospital where the transplantation is to be performed. The Appropriate Authority will take steps to empanel standard laboratories which are approved for this purpose. Standard parameters for ascertaining the health of the recipient / donor will also be prescribed by him which have to be produced before the Authorisation Committee.

d. After the surgery, the approved Private Hospitals should produce the donor between one to three months after the surgery, before the Authorisation Committee for health check up and for assessing the health condition of the donor.

e. A specialist may assist the Authorisation Committee in verifying the health condition of the donor. If the approved private hospitals do not produce the donor for health check up after 3 months, justification for failure to produce them should be stated (or) they may be produced to the Authorisation Committee of their own State failing which the registration of the hospitals is liable to be cancelled. ✓

III RECORD KEEPING:

The monthly report should be submitted by the approved Hospitals to the respective Authorisation Committee and the Appropriate Authority (Director of Medical and Rural Health Services) about the details of Transplantation done in their Hospitals. If they fail to comply with this obligation, the Appropriate Authority (Director of Medical and Rural Health Services) should take steps to cancel the approval given to them to do the transplantation.

The record maintenance system at the approved hospitals, Authorisation Committee and office of the Appropriate Authority should be developed in such a way that it is comprehensive and self contained. The Appropriate Authority should take up this activity and design the revised records to be maintained at each level before March 2004. The Appropriate Authority should periodically check up the details furnished by the hospitals with the details available with the Authorisation Committee.

3 sets photo
Labs.

CIV. COLLECTION OF FEE:

An amount of Rs.1000/- be collected from the patient for each case appearing before the Authorisation Committee and the amount so collected should be deposited in the bank account to be maintained either by the Dean or by the head of Authorisation Committee. The amount so collected shall be utilised for record maintenance and inspection purposes. Arrangement for opening of bank accounts will be made by the Appropriate Authority.

(By Order of the Governor)

GIRIJA VAI
Secretary to

To

The Director of Medical Education, Chennai-10
The Director of Medical and Rural Health Services, Chennai-6.
The Dean, Madras Medical College, Chennai-3
The Dean, Madurai Medical College, Madurai
The Dean, Coimbatore Medical College, Coimbatore.
The Director of Stationery and Printing, Chennai - 2
(for publication in the Tamil Nadu Government Gazette)
The District Collector, Coimbatore
The District Collector, Madurai
The Personal Secretary to Minister (Health)
The Personal Secretary to Secretary to Government, Health & Family Welfare Dept.
sf/sc

/forwarded by order/

SE