

(111)

Government of Rajasthan

Parliamentary Affairs Department

No. F7(1) Sansad/2010

Jaipur, dated 9-11-10

NOTIFICATION

In exercise of the powers conferred by section 11 read with sub-section (2) of section 4-A of the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956 (Act No. 6 of 1957), the State Government hereby makes the following rules, namely :-

1. Short title and commencement – (1) These rules may be called Rajasthan Legislative Assembly Ex-Members and Family Pensioners (Medical Facilities) Rules. 2010. (Amendment Rules 2020)

(2) They shall be deemed to have come into force on and from the @30 Dec. 2021.

2. Definitions.– In these rules, unless the subject or context otherwise requires,-

- (a) “Act” means the Rajasthan Legislative Assembly (Officers Members Emoluments and Pension) Act, 1956 (Act No. 6 of 1957);
- (b) “Assembly” means the Rajasthan Legislative Assembly;
- (c) “Authorised Shops” means shops recognized under the 10 for the purpose of supplying medicines to the Ex-Members;
- "(c-a) "e-Pharma stores/Pharma stores" means the medicine shops run by the CONFED/Rajasthan Sahkari Upbhokta Sangh, Ubhokta wholesale Bhandar, Kraya Vikraya Sahkari Samiti, Jan Ausadhi Kendra or chain of e-pharmacy stores empan-elled in the RGHS;"
- (d) “Ex-Member” means a person who is entitled to pension under section 4-A of the Act;

@ F7(1) Sansad/2021 dated 30.12.2021

(112)

- (e) “Family” means ex-member’s wife/husband if wholly dependent upon the ex-member, and his dependent children. Wife/husband will be regarded as wholly depended upon the ex-member if she/he normally resides with the ex-member. Unmarried son upto the age of 25 years, and unmarried daughter, till she gets married, will be regarded as dependent children. In case the ex-member has a son or unmarried daughter suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living, he or she will be regarded as a mem-ber of family for the purpose of medical facility available under these rules;”
- * (f) “Family Pensioner” means ex-members wife/husband and who is entitled to Family pension under Section 4-e of the Act;
- "(f-a) "Fund" means the Rajasthan Government Health Scheme Fund;
- (f-b) "RGHS" means the Rajasthan Government Health Scheme;
- (f-c) "RGHS Card" means card issued to the pensioner under the Rajasthan Government Health Scheme; and"

#(g) "Principal Secretary" means the Secretary, Rajasthan Legislative Assembly and includes any officer of the said Assembly, specially empowered by the Speaker to perform the functions of the Secretary under these rules.

"3. Medical Attendance and Treatment.- An ex-member and his family and family pensioners shall be provided cashless medical facilities at Health Care Network Provider (HCNP) i.e. Government hospitals, Approved Hospitals, Hospitals under Public Private Partnership arrangement, Referral Hospital, However, indoor treatment can also be taken in a private unapproved/unrecognized hospital within or outside the State in case of emergent circumstances and reimbursement for such treatment shall be admissible as are admissible to State Government servant under the Rajasthan Civil Services (Medical Attendance) Rules, 2013 through RGHS portal. These medical facilities will be subject to following limits:-

F7(2) Sansad/2021 dated 30.12.2021

(113)

(a) Allopathic drugs, medicines, vaccines, sera, other therapeutic substances not ordinarily available in Government Hospitals free of charge can be taken from pharma store/e-pharma store recognized under the RGHS in case of outdoor treatment upto the cost ceiling of Rs. 20,000/- per annum. The tests (pathological, bacteriological, radiological and other) can be taken upto Rs 5000/- per annum after NAC from Government hospitals, if cashless test/lab tests is not available in Government hospitals:

Provided that medicines to the indoor patient shall be made available irrespective of the cost ceiling.

(b) The claim of test charges shall be submitted online through RGHS portal as per procedure, if Non Available Certificate form the Government hospital has been obtained or charges paid in the Government hospital, if any.

(c) No reimbursement will be allowed to RGHS Card holder, where cashless treatment is available. However, reimbursement can be taken by the RGHS Card Holder for medical treatment taken in grave emergency in un-approved hospital and in other exceptional circumstances, In such circumstances, the claim will be reimbursed only after submitting the bills through RGHS Portal.

(d) The Ex-member and his family/family pensioner shall be entitled for the free accommodation and reimbursement as admissible to class-I officers of the State Government under rule 13 of the Rajasthan Civil Services (Medical Attendance) Rules, 2013."

"4. Relaxation in cost ceiling under rule 3.- (1) The Secretary may extend the cost ceiling for medicines specified in rule 3 upto Rs. 1,00,000/- per annum in all deserving cases and in respect of treatment of cancer, kidney failure and renal disease upto limit of Rs. 2,00,000/- per annum through RGHS portal on the recommendation of the committee consisting of the following and after obtaining second medical opinion where it is felt necessary, namely:-

1. Principal Secretary President

2. Medical Officer of the Government Hospital of Member
the Rajasthan Vidhan Sabha

(114)

3. Financial Adviser / Chief Accounts Officer /

Senior Accounts Officer

Member Secretary

(2) The State Government may grant further relaxation in cases of severe and persistent diseases through RGHS portal after being forwarded by the Secretary, Rajasthan Legislative Assembly."

@5. Deleted.

"6. Ex-Member's RGHS Card.- The RGHS card shall be issued to every Ex-Members/family pensioners through RGHS portal."

"7. Procedure for claiming cashless facility or Medical reimbursement.- (1) Procedure for claiming cashless facility or medical reimbursement for the treatment taken in Government Hospital and Approved Hospitals, if cashless facility is not provided, will be such as provided in the RGHS portal;

Provided that in grave emergency treatment taken in un approved hospital reimbursement will be admissible to the RGHS Card holder through RGHS portal for medicines purchased from outside.

"8. Fixed medical allowance to Ex-Members/family pensioner.- Where an ex-member/family pensioner does not want to avail the medical facility under these rules and opt to take a fix medical allowance amounting to Rs 300/- per month an option may be given by such Ex-member/family pensioner either to get fixed medical allowance for 10 years @ Rs 300/- x12x10 i.e. Rs 36,000/- as life time fix allowance or to get registered under the RGHS for availing the fixed monthly medical allowance. The option once given shall be final. No recovery shall be made from life time fixed medical allowance given under this rule. The Project Director, Rajasthan Government Health Scheme shall make pay-ment through RGHS Portal after receiving proposal from the Secretary, Rajasthan Legislative Assembly in this regard."

@9. Deleted.

@ F7(2) Sansad/2021 dated 30.12.21

(115)

10. Recognition of Authorised shops for supply of medicines.- (1) All Cooperative Medical Stores organised and run by Rajasthan Sahakari. Upbhokta Bhandar shall be authorised shops for supply of medicines to the ex-members on the basis of prescription by authorized medical attendant under these rules.

"(2) The State Government may empanel pharma stores/e-pharma stores for cashless supply of medicine."

##(3) Medicines prescribed by the Authorised Medical Attendant can also be purchased from the shops run by the Rajasthan Medicare Relief Society.'

"11. Supply of medicines through pharma stores/e-pharma stores.- The RGHS card holder shall get supply of medicines through pharma stores/e-pharma stores as per procedure laid down in RGHS portal.

12. Availability of medical facility.- (1) An ex-member and his spouse may avail medical facility under allopathic, Ayurvedica, Unani and Homeopathic system of treatment under these rules and no option shall be necessary.

(2) In case the ex-member and his spouse take medical attendance and treatment in a hospital other than Government hospital/approved hospital, reimbursement of medical claim shall not be admissible.

"13. Misuse of RGHS Card.- (1) In cases where it is found that a ex-member / Family Pensioner has misused any of the concessions allowed under the RGHS, he shall be permanently debarred from availing of the concessions under the RGHS.

(2) If the Speaker of Rajasthan Legislative Assembly is satisfied that an ex-member/Family Pensioner has misused the concession allowed under these rules then he shall be competent to pass an order under sub-rule (1)."

(116)

***14. Medical Facilities to the Family Pensioners-** Every family Pensioner shall be provided free medical attendance and treatment as admissible to ex-member. All other provisions of these rules shall mutatis mutandis apply for the purpose to grant free medical attendance and treatment facility to the family pensioner (w.e.f. from 1st April, 2012)

"14A. Transitional provision.- Notwithstanding any thing contained in these rules, until the RGHS Cards are issued or RGHS becomes fully operational, the provisions of the Rajasthan Legislative Assembly Ex-Members and Family Pensioners (Medical Facilities) Rules, 2010, as exists prior to commencement of the Rajasthan Legislative Assembly Ex-Members and Family Pensioners (Medical Facilities) (Amendment) Rules, 2021 shall apply to provide the Medical Attendance to a Ex-Member/Family Pensioner.

14B. Power to remove difficulties.- If any difficulty arises in giving effect to the provisions of these rules due to implementation of the RGHS, the State Government may, by order, make such provisions as may appear to it necessary for removing such difficulty."

***15. Savings. -** Nothing in these rules shall be deemed to prevent the Government from granting to a ex-member of Rajasthan Legislative Assembly any concession relating to medical treatment and attendance and traveling allowance for any journey perferred by him which is not authorized by these rules. (w.e.f. 9th November, 2010)

F7(2) Sansad/2021 dated 30.12.21

F7(2) Sansad/2021 dated 30.12.2021.

* F7(2) Sansad/2021 dated 30.12.2021.

(117)

@14. Deletion of Form-I, Form-2, Form-3, Form-4 and Form-5.- The existing Form-1, Form-2 Form-3, Form-4 and Form-5 appended to the said rules shall be deleted.

@ Deleted by No. F.7(1)/Sansad/2021 dated 30.12.2021