

-ACT-

The following act of the Delhi Legislative Assembly received the assent of the President on the 22nd April, 1953, is hereby published for general information:-

THE DELHI NURSING HOMES REGISTRATION ACT, 1953
N.O .VI OF 1953.
22nd April, 1953.

An act to provide for the registration and inspection of Nursing homes in the state of Delhi and for certain purpose connected therewith.

Be it enacted as follows:-

- (1) Short title, extent and commencement (1) This Act may be called the Delhi Nursing Homes Registration Act, 1953.
 - (2) It extends to the whole of the union territory of Delhi.
 - (3) It shall come into force on such date as the Chief Commissioner may by notification in the official Gazetted appoint.
- (2) Definitions : In this act, unless the context otherwise requires.
- (i) 'Chief Commissioner' means the Chief Commissioner of the Union Territory of Delhi.
 - (ii) 'Local Authority' means a municipal committee, district board or other authority legally entitled to or entrusted by the Government with the control of management of a municipal or local fund;
 - (iii) 'Maternity Home ' means any premises used or intended to be used for the reception of pregnant women or of women in or immediately after child birth;
 - (iv) 'Nursing Home means any premises used or intended to be used for the reception of persons suffering from any sickness injury or infirmity and the providing of treatment and nursing for them and includes a maternity home, and the expression 'carry on nursing home means to receive persons in a nursing home for, any of the aforesaid purposes and to provide treatment or nursing for them.
 - (v) "Prescribed" means prescribed by rules made under this act.

(v)'qualified medical practitioner' means a medical practitioner registered in any state or Union Territory in India under a law for the registration of medical practitioners :

(vi) 'qualified midwife' means a midwife registered in any state or Union Territory in India under a law for the registration of midwives;

(vii) 'qualified nurse' means a nurse registered in any state or Union Territory in India under a law for the registration of nurses;

(viii) 'register' means to register under section 5 of this Act and the expression 'registered' and registration ' shall be construed accordingly;

(ix) 'rules means rules made under this Act;

(x) 'Supervising authority' means the person or authority appointed by the Chief Commissioner, by notification in the Official Gazette,

(xi) to perform all or any of the functions of the supervising authority under this Act.

3. *Prohibition to carry on nursing home without registration* - No person shall carry on a nursing home unless he has been duly registered in respect of such nursing home and the registration in respect has not been cancelled under section 7.

Provided that nothing in. this section shall apply in the case of a nursing home which is in existence at the date of the commencement of this Act, for a period of three months from such date or if an application for registration is made within that period in accordance with the provisions of section 4 until such application is finally disposed of.

4. *Application for registration* - (1) Every person intending to carry on a nursing home shall make every year an application for registration of the renewal of registration to the supervising authority.

Provided, that in the case of a nursing home which is in existence at the date of the commencement of this Act an application for registration shall be made within three months from such date.

(2) Every application for registration or the renewal of registration shall be made on such date and in such form and shall be accompanied by such fee, as may be prescribed.

5. Registration (1) subject to the provisions of this Act and the rules, the supervising authority shall on the receipt of an application for registration, register the applicant in respect of the nursing home named in the application and issue to him a certificate of registration the prescribed form;

Provided that the supervising authority may refuse to register the applicant if it is satisfied:-

(a) That the applicant, or any person employed by him at the nursing home, is not a fit person to carry in or to be employed at a nursing home of such a description as the nursing home named in the application; or

(b) That the nursing home is not under the supervision of a person who is a qualified medical practitioner and he or a qualified nurse is not resident in the home, or that there is not a proper proportion of qualified nurses among the persons having the superintendence of or employed in the nursing of the patients in the home; or

(c) That in the case of a maternity home it has not got its staff a qualified midwife and a qualified medical practitioner; or

(d) That for reasons connected with the situation, construction, accommodation, staff of equipment, the nursing home or any premises used in connection therewith is or are not fit to be used for a nursing home of such a description as the nursing home mentioned in the application or that the nursing home or premises is or are used or to be used for purposes which are in any way improper or undesirable in the case of such nursing home.

{2} A certificate of registration issued under the section shall, subject to the provisions of section 7, be in force and shall be valid until the 31st day of March next following the date on which such certificate was issued.

(3) The certificate of registration issued in respect of "a nursing home" shall be kept affixed in a conspicuous place in the nursing home.

6. *Penalty for non-registration* - whoever contravenes the provisions of section 3 shall, on conviction, be punished with fine which may extend to five hundred rupees, or in case of, a second or subsequent offence, with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

7. *Cancellation of registration*-- Subject to the Provision of this Act, the supervising authority may at any time cancel the registration of a person respect of an nursing home on any ground which would entitle it to refuse an application for the registration of a person in respect of that home, or on the ground that the person has been convicted of an

offence, under this Act or that any other person has been convicted of such an offence in respect of that home.

8. Notice of refusal or of cancellation of registration:

(1) Before making an order refusing an application for registration or an order cancelling any registration, the supervising authority shall give to the applicant or to the person registered, as the case may be, not less than one" calendar months notice of its intention to make such an order; and every such notice shall state the grounds on which the supervising authority intends to make the order and shall contain an intimation that if within a calendar month after the receipt of the notice the applicant or person registered informs the authority in writing that he desires so to do, the supervising authority shall, before making the order give him (in person or by a representative) an opportunity of showing cause why the order, should not be made.

(2) If the supervising authority after giving the applicant or the person registered an opportunity of showing cause as aforesaid, decides to refuse the application for registration or to cancel the registration, as the case may be, it shall make an order to that effect and shall send a copy of the order by registered post to the applicant or the person registered.

(3) Any person aggrieved by an order refusing an application for registration or cancelling any registration may, within a calendar month after the date on which the copy of the order was sent to him appeal to the Chief Commissioner against such order of refusal. The decision of the Chief Commissioner on any such appeal shall be final.

(4) No such order shall come into force until after the expiration of a calendar month from the date on which it was made or, where notice of appeal is given against it, until the appeal has been decided or withdrawn.

9. Inspection of nursing Home-

(1) The supervising authority or any officer empowered by it in this behalf may, subject to such general or special orders as may be made by the Chief Commissioner, enter and inspect any premises which are used or which the supervising authority or the officer empowered by, it has reasonable cause to believe to be used, for the purpose of nursing home, and inspect any records required to be kept in accordance with the provisions of this Act.

(2) If any person refuses to allow the supervising authority or the officer empowered by it to enter or inspect any such premises as aforesaid or to inspect any such records as aforesaid or obstructs the supervising authority or the officers empowered by it in the execution of the powers under this section, he shall be guilty of an offence, under this Act.

10. *Credit of fee and fines*- Any fees received or fines paid under this Act shall be credited to the Consolidated Fund of the state.

11. *Expenses of Supervising authority* -- All expenses incurred by the supervising authority under and for the purpose of this act and the rules made there under may be paid out of the consolidated Fund of the State.

12. *Penalty for offences under the Act* - Whoever contravenes any of the provisions of this Act or of any rules shall, if no other penalty, is elsewhere provided in this act or the rules for such contravention, on conviction, be punished with fine which may extend to hundred rupees and in the case of continuing offence to a further fine of 25 rupees in respect of each day on which the offence continues after such conviction.

13. *Offences by Corporations* - If the person contravening any of the provisions of this Act is a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the Company, as well as the company shall, be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this section shall render any such person liable to any punishment provided, in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

14. *Court competent to try offences under this Act* - No court inferior to that of a Magistrate of the first class shall try any offence punish under the Act.

15. *Protection of action taken in good faith* - No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or of any rules made there under.

16. *Power to make rules*

- (1) The Chief Commissioner may, by notification in the official Gazette, make rules to carry out a11 or any of the purposes of this Act.
- (2) Without prejudice to the generality of the forgoing power, such rules may provide for a11 or any of the following matters namely:-
 - a) The form of the application to be made under section 4, the date on which such application is to be made and the fees to be paid for such registration or renewal of registration;

- b) the form of the certificate of registration to be issued under section 5;
- c) the records to be kept of the patients received into a nursing home, and in the case of the maternity home of miscarriages, abortions or still births occurring in the nursing home and of the children born therein and of the children so born who are removed from the home otherwise than to the custody or case of any parent, guardian or relative.
- d) The notification required to be given of any death occurring in the nursing home;
- e) The power to make rules under this section shall be subject to the condition of previous publication in the official gazette.

(17) *Savings* - Nothing in this Act shall apply to -

- (i) any nursing home carried on by Government or a authority; and
- (ii) any asylum for lunatics or patients suffering from mental diseases, within the meaning of the Indian Lunacy Act (IV of 1912).

No.F.32(9)/53-MT & CE:- In exercise of the powers conferred by Section 16 of the Delhi Nursing Homes Registration Act,1953 (V-I of 1953) the Chief Commissioner, Delhi is pleased to make the following rules the same having been previously published with his notification No.F.7(253)/51-MT&CE, dated the 22nd September, 1953.

RULES

I. GENERAL

Short title :- These rules may be called the Delhi Nursing Homes Registration Rules, 1953.

Definitions :- In these rules, unless there is anything repugnant in the subject or context.

- a) Act means the Delhi Nursing Home Registration Act, 1953.
- b) Form means a form appended to these rules.
- c) Infectious Diseases means a disease, which a registered medical practitioner is required to notify to the medical officer of health of his area under the law for the time being in force.
- d) Keeper of Nursing Home means a person who has been duly registered by the supervising authority in respect of a nursing home under Section 5 of the Act and whose registration has not been cancelled under section 7 of the Act.
- e) 'Section' means a section of the Act.

3.Register:- The supervising authority shall maintain a register in form 'a' showing the name or persons registered under section 5 of the Act.

4. Application for registration:- Any person intending to carry on a nursing home shall make an application to the supervising authority in Form 'B' at least one month before the date on which he intends to carry on such nursing home. Such applications shall be accompanied by a fees prescribed under sub rule (1) of rule 7.

5. Grant of certificate of registration: - The supervising authority shall, if satisfied that there is no objection to registration, register the applicant and issue to him, a certificate of registration in form 'C'.

6. Renewal of registration: -

(i) An application for the renewal of registration shall be made every year in advance in form 'B' in the month of January and shall be accompanied by the fee prescribed in sub-rule(2) or rule

ii) On receipt of an application made under sub-rule(1)the supervising authority shall if satisfied that the application is in order, issued a fresh certificate of registration in Form 'C'.

7. (a) Fees for registration en-d renewal of registration:-

The fees to be paid for registration and renewal of registration shall be charged as under:

- 1) Rs. 30/- in respect of a nursing home having not more 10 beds.
- 2) Rs. 50/ -in respect of a nursing home having more than 10 beds but less than 25 beds.
- 3) Rs .100/ -in respect of a nursing home having 25 beds and over.

b) Failure to deposit fee in time as required under rule 6 of Delhi Nursing Homes Registration Rule, 1953 i.e. by 31st January, a penalty of Rs. 10 p.m. or part thereof shall be charged.

8.Transfer of ownership etc. of Nursing home: - Immediately after the transfer of the ownership, proprietorship or arrangement of a nursing homes, the transfer and transferee shall jointly communicate the transfer affected to the Supervising Authority and the transferee shall make the application for registration in accordance with the previous Rule.

9. Change of address:- A keeper of the nursing home, shall communicate to the supervising authority and change in his address or in the situation of the nursing in respect of which he is registered not later than three days after such change.

10. Change in staff :- Changes in the Medical Nursing or midwifery staff together with the dates on which such changes have taken place shall be communicated to the supervising authority immediately and in any case not later than three days of such changes.

11. Loss of Certificate : In the event of the certificate of registration being lost or destroyed, the holder may apply to the supervising authority for a fresh certificate and the supervising authority, if it thinks fit, issue such certificate upon payment of a fee of Rs.5/-. A certificate issued under this rule shall be marked duplicate.

12. Record of patients admitted or children born, in the nursing home -
(I) The keeper of a nursing home shall keep:-

(a) In the Form 'D' appended to these rules a register of patients admitted into the nursing home.

(b) A correct alphabetical index of the names of the patient admitted in the nursing home.

(c) Record of health of every patient containing the following information in admission to any other information, that may be required by the supervising authority:-

- i) Year.
- ii) Registration No.
- ii) Name, S/o, D/o
- iii) Occupation
- iv) Sex
- v) Caste
- vi) Age
- vii) Date of Admission.
- viii) Date of Discharge
- ix) Disease
- x) Result
- xi) Date
- xii) History and Treatment, Diet.

(d) a record of every maternity case admitted into the nursing home and of every child delivered.

(e) A record of all the miscarriages, abortions and still births occurring in the nursing home.

12. Where the register referred to clause (a) of sub rule (I) relates to a woman who has been admitted for delivery and where a child born to such woman is removed with the consent of a keeper of a nursing home and of the parents, or mother or near relative, the keeper of such nursing home shall in addition to the particulars specified in sub-rule (I) also specify in the register the names and address of such person and the date on which and the consideration for which the child was so removed.

13. Intimation of death occurring in nursing home:- If any death occurs in the nursing home, the keeper of the nursing home shall within twenty four hours from the occurrence of the death furnish the following information in respect of such death to the supervising authority together with any other information that may be required by it and to the Medical Officer of Health having jurisdiction over the area in which nursing home is situated.

- i) Date of the Death.
- ii) Name of deceased (in block letter).
- ii) Name of father or of husband of the deceased (in block letters).
- iii) Male or female.
- iv) Age of the deceased.
- v) Occupation of the deceased.
- vi) Cause of death.

FORM 'D' See rule 12

Register of patients admitted to Nursing Home.

S.No.	Reference no. of patient	Full Name and address of patient	Nature of disease at the time of admission	If the patient suffered from an infectious disease during his stay in the home, the nature of such disease and action taken
1	2	3	4	5

Additional Particulars to be filled in respect of maternity cases

Date & Hour of delivery miscarriage or abortion as the case may be	Sex of the child whether born alive or dead	The name & address of persons attending to delivery	Method of feeding each child in the home & the period.
7	8	9	10

In case of death of patient or child the date and hour of death	Date of discharge of the patient from the home.	Remarks
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STANDARD FOR A NURSING HOME, MATERNITY HOME

1. BUILDING :-

The building must comply with the municipal Bye laws. The floor space available for patients should be 120 sq. ft. per bed. There should be one lavatory for 1-5 beds.

There should be disinfections and storage arrangements for bed pans.

Isolation arrangements should be immediately available for septic and infectious cases.

A nurses duty room should be available with facilities for the nurses to carry on her duties efficiently.

There should be one bath room for 1-5 beds.

2 . EQUIPEMENT & LINEN

A maternity home should have a proper labour room fitted with all the necessary instruments with a separate room for sterilisation.

A Nursing Home where surgical operations are performed must have a well-equipped operation Theatre with a separate room for sterilisation. The following essential equipment must be available in every nursing/maternity home.

- (a) High Pressure sterilizer and an instrument sterilizer.
- (b) Oxygen cylinder.
- (c) Intravenous apparatus.
- (d) Modern equipment as is considered essential for essential for running a nursing home/maternity home.

Every nursing home admitting surgical cases should have at least one follow up bed.

Every surgical nursing home should have a properly equipped operation theatre with separate sterilisation room. Bed in the nursing home should be either iron spring beds or iron frames with Niwar.

3. LINEN

Linen should be provided in the following scale.

Bed Sheets	6 Sheets per bed plus 25% reserve
Mattress	1 per bed plus 10% reserve.
Pillows	2 per bed plus 10% reserve
Blankets	1 per bed plus 10% reserve
Draw sheets	6 per bed plus 25% reserve
Pillow cases	6 per bed plus 25% reserve.

4. MEDICINES Poison Box should be kept under lock and key.
5. STAFF As per Act.
6. NURSES One nurse for 3 beds with a minimum of 2 nurses in a nursing home/maternity home of 10 beds.
7. MIDWIVES 2 midwives for 1 to 10 beds in case of maternity home only.
8. Fees FOR REGISTRATION AND RENEWAL OF REGISTRATION

The fees to be paid for registration and renewal of registration shall be charged as under :

- (i) Rs.30/- in respect of a nursing home having not more than 10 beds.
- (ii) Rs. 50/- in respect of a nursing home having more than 10 beds but less than 25 beds.
- (iii) Rs.100/- in respect of a nursing home having 25 beds and over.

RULES

REGISTERED NO.D.1620 GOVERNMENT OF INDIA DELHI ADMN.
DELHI GAZETTE PUBLISHED BY AUTHORITY

No. 2 Thursday, June 2, 1966 Jyaishta 12, 1888

NOTIFICATION OF DEPARTMENTS OF THE DELHI ADMINISTRATION
OTHER THAN NOTIFICATIONS INCLUDED IN PART-I.
DELHI ADMINISTRATION, DELHI the 16th May, 1966

No.F.7(2)/63-M&PH. In exercise of the powers conferred by section 16 of the Delhi Nursing Homes Registration Act, 1953(VI of 1953) the Chief Commissioner, Delhi is pleased to make after previous publication, the following rules to amend the Delhi Nursing Homes Registration Rule, 1963, namely:-

1. *Short title* -These rules may be called the Delhi Nursing Home Registration (Amendment)Rule,1965.

2. *Amendment of rule 2* - In rule 2 of the Delhi Nursing Home Registration Rules, 1953 hereinafter referred to as (the said Rules), after clause (d), the following new clause shall be inserted, namely:-

" (dd)" ' Schedule ' means the schedule appended to these rules"

3. *Substitution of rule 7*- For rule 7 of the said rules following rule shall be substituted, namely:-

7 Fees for registration and renewal of registration. The fees to be paid for registration and renewal of registration shall be charged as under:-

- 1) Rs.50/- in respect of a nursing home having not more than 10 beds.
- 2) Rs. 100/- in respect of a nursing home having more than 10 beds but not more than 30 beds.
- 3) Rs.200/- in respect of a nursing home having more than 30 beds.

4. *Addition of new rule 14*- After rule 13 of the said rules, the following new rule shall be added, namely:-

"14. Every nursing home shall comply with the requirements mentioned in the schedule".

Provided that the nursing homes already registered on the date from which the Delhi Nursing Homes Registration (Amendment) Rule, 1965 come into force shall comply with these requirements within a period of 90 days from the said date".

5. Addition of Schedule - To the said rules, the following schedule shall be appended, namely:-

DELHI GAZETTE DELHI ADMINISTRATION: JUNE 2, 1966/SAYISTHA .
12, 1888.

(See rule 14)

1. Requirements Nursing Home:-

(a) Location and surroundings:- The Nursing Home shall " be situated in a place having clean surroundings and shall not be adjacent to an open sewer, drain or public lavatory or to a factory omitting smoke or obnoxious odour.

(b) Buildings:-

(i) The building used for the nursing home shall comply with the relevant municipal by laws in force from time to time.

(ii) The rooms in the nursing home shall be well ventilated and lighted and shall be kept in clean and hygienic conditions. Arrangements shall be made for cooling them in summer and heating them in winter.

(iii) The walls of the labour room and operation theatre upto a height of four feet from the floor, shall be of such construction as to render it water proof. The flooring shall be such as not permit retention or accumulation of dust. There shall be no chinks or crevices in the walls or floors.

iv) Aseptic conditions shall be maintained in labour room and the operation room.

(v) Adequate arrangements shall be made for isolating septic and infectious cases.

C. (i) Space accommodation for the patients etc. :- The floor space in the nursing home shall be 120 sq. ft. for single bed and additional 80 sq. ft. for every additional bed in single room.

(ii) A Labour/operation theatre shall be provided with, minimum floor space of 180 sq.ft.

(iii) A duty room shall be provided for the "nursing staff on duty.

(iv) Adequate space for, storage of medicines, food articles equipments etc. shall be provided.

d) Water supply:- The water used in the nursing home shall be pure and of drinkable quality.

2. Health Clothing and sanitary requirements of staff:

vii) The staff employed shall be free from contagious disease ,and shall be provided with clear uniforms suitable to the nature of their duties.

viii) The workers shall be medically examined at the time, of employment and periodically so examined thereafter. The worker shall be vaccinated against on smallpox and inoculated against enteric and cholera.

3. The equipment and Lines etc : The nursing home shall provide and maintain :- .

i) Adequate number of commodes, bedpans and slop sinks, with flushing arrangements.

ii) High Pressure sterilizer and instrument sterilizer.

iii) Oxygen cylinder and necessary attachment for giving oxygen.

iv) Apparatus for transfusions.

v) Adequate equipments, instruments and apparatus.

vi) Adequate quantity ,of bed sheets , mattresses, pillows, Blankets, row sheets and other linens, and

vii) an almirah under lock and key for poisons.

4. Food:- If the nursing home provides diet to the patients it shall be prepared and served in hygienic conditions.

5. Nursing Staff:- One nurse shall be on duty at all times, for every ten beds or a fraction thereof in the nursing home. Provided that a part of nursing staff may be substituted with the prior approval of the supervising authority by other trained staff like midwife, pharmacist, dressers etc according to the specific needs of the nursing home.

6. Records:- Separate stock registers shall be maintained by the nursing home for

(a) equipment

(b) instruments and

(c) Linens.

- BY ORDER D.S. FAUJDAR
Under Secretary (Medical & Public Health)
Delhi Administration, Delhi

MEDICAL & PUBLIC HEALTH DEPARTMENT
NOTIFICATION
Delhi, the 1st May 1992.

No.F. 39(109)/86-M&PH/516 – In exercise of the power conferred by Section 16 of the Delhi Nursing Homes Registration Act, 1953 (VI of 1953), the Lt. Governor of the Union Territory of Delhi after previous publication is pleased to make the following rules further to amend the Delhi Nursing Homes Registration Rules, 1953 namely: -

RULES

1. Short title and commencement :-

(i) These rules may be called the Delhi Nursing Homes registration (Amendment) Rules 1992-

(ii) These shall come into force with immediate effect.

2. Substitution of Rule 7 –

For Rule 7 of the Delhi Nursing Homes Registration Rules, 1953- (here in after referred to as the principle rules), the following shall be substituted .

'7 Fee for registration and renewal of registration : The fee to be paid for registration and renewal of registration shall be charged as under:-

- (a) Rs .500/- in respect of Nursing Homes having not more than 10 beds.
- (b) Rs .1000/- in respect of Nursing Homes having more than 10 beds but not more than 30 beds. "
- (c) Rs .2000/- in respect of Nursing Homes having more than 30 beds.

2. Amendment of Schedule appended to the Rules in the Schedule appended to the Principal Rules: -

(i) In item at Serial No. I (Requirement of Nursing Homes):

(a) in clause (b) entitled 'Building' for sub clause(i) the following sub-clause shall be substituted, namely:

- (i) The building used for the Nursing Homes comply with the relevant Municipal bye-law as in force and such guidelines as may be framed by the Lt. Governor from time to time and the use of the premises shall conform to the land use prescribed under relevant law(S).

(b) In clause (c) entitled 'Space accommodation etc., for sub clause (ii), the following sub-clause shall substituted, namely:

(ii) A separate labour room and a separate operation theatre shall be provided with minimum floor space of 180 sq. ft. each.

(iii) In item at Serial No. 5 (Nursing staff), the following shall be inserted at the end, namely ' In nursing homes providing Intensive Care Units facilities there shall be at least four nurses provided exclusively for four such beds or fraction thereof.

(iv) After item at serial no. 6 the following new items shall be inserted namely :-

7. Doctor : There shall be one qualified doctor holding a degree recognised by the medical Council of India or the medical Council of a State, round the clock for every 20 beds or fraction thereof, in the nursing home. In case of Nursing Homes providing intensive care facilities, there shall be at least two doctors exclusively for intensive care.

8. Provision of Co-operation at the time of Natural Calamity or disaster : In case of any natural calamity or disaster,

(i) the owner or the keeper of every Nursing Home shall , on being requested by the supervising authority, co-operate and provide such reasonable assistance and medical aid as may be considered essential by the supervising authority at the time of natural calamity or disastrous situation.

9. Provision of display of charges. The owner and/or the keeper of the Nursing Home shall ensure that the charges levied by the Nursing Home for the various services available in the Nursing Home are permanently displayed.

10. Provision of stand by generator: The owner and/or the keeper of the Nursing Home shall ensure the provision of stand by generator in case of the power failure in the nursing home.

By order and in the name of
The Lt. Governor of the Union
Territory of Delhi.

Mrs. Shailaja Chandra, Secretary (Medical).