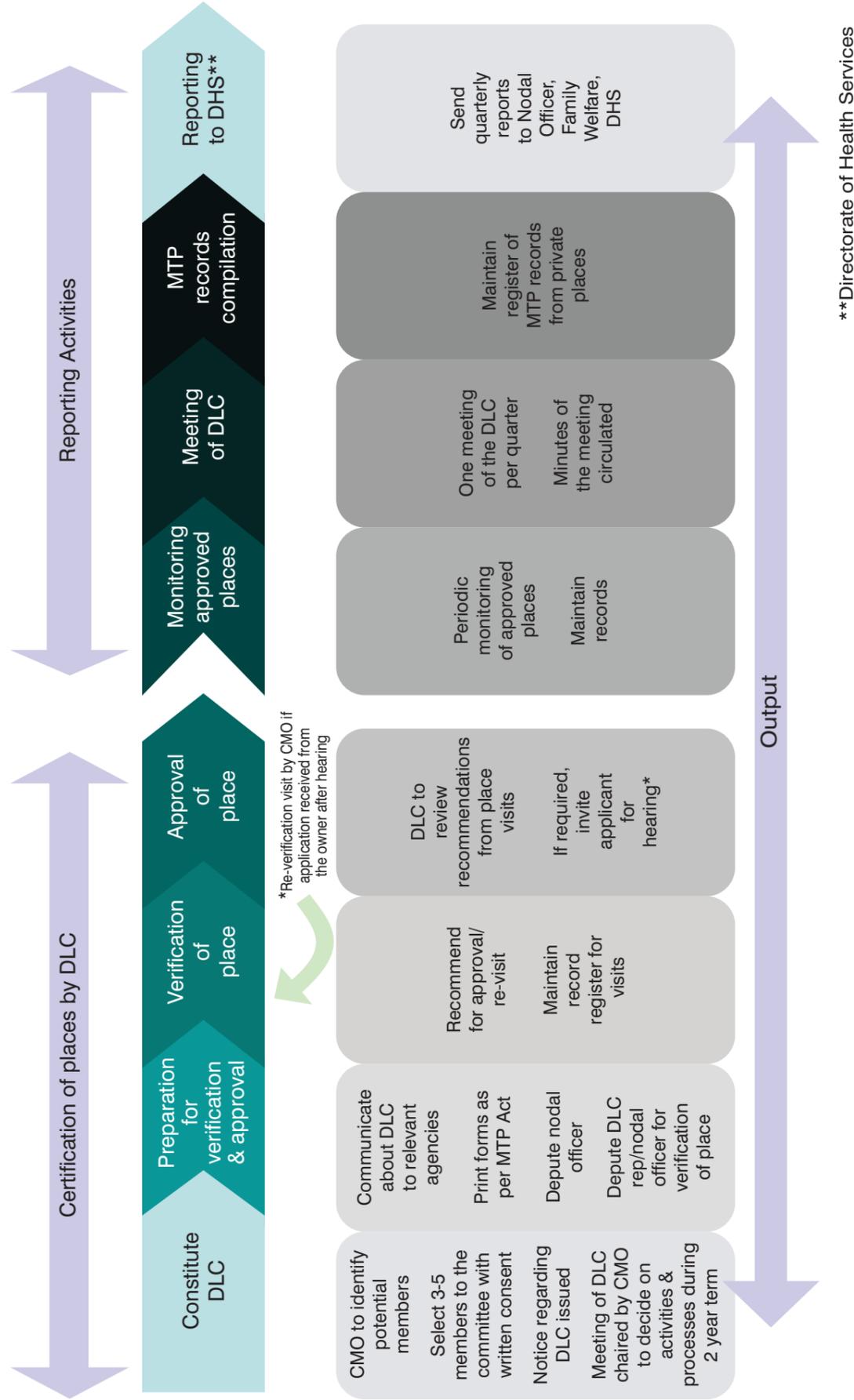


Schematic Flowchart on Operationalizing and Functioning of District Level Committee



CMO to identify potential members
 Select 3-5 members to the committee with written consent
 Notice regarding DLC issued
 Meeting of DLC chaired by CMO to decide on activities & processes during 2 year term

Communicate about DLC to relevant agencies
 Print forms as per MTP Act
 Depute nodal officer
 Depute DLC rep/nodal officer for verification of place

Recommend for approval/re-visit
 Maintain record register for visits

DLC to review recommendations from place visits
 If required, invite applicant for hearing*

Periodic monitoring of approved places
 Maintain records

One meeting of the DLC per quarter
 Minutes of the meeting circulated

Maintain register of MTP records from private places

Send quarterly reports to Nodal Officer, Family Welfare, DHS

*Re-verification visit by CMO if application received from the owner after hearing

QUICK REFERENCE TOOLKIT

for Operationalizing District Level Committees under the MTP Act



This toolkit is disseminated by Ipas as part of our ongoing efforts to improve quality of comprehensive abortion care services for women in India.

Rules Governing District Level Committee (DLC)

The amendments to the Medical Termination of Pregnancy (MTP) Act in 2002 decentralized the process of approval of a private place/clinic (mentioned as place hereafter) to offer abortion services to the district level. The District Level Committees (DLC) are empowered to approve a private place for offering MTP services. Public sector facilities are approved by default to offer MTP services and do not require approval from DLC.

The MTP Rules 2003 allow for a private place to be approved by the DLC to offer MTP services either in the first trimester, i.e. up to 12 weeks of gestation; for both first and second trimester, i.e. up to 20 weeks. The DLC's role is also to monitor the approved places and ensure that services are provided under safe and hygienic conditions. However, in many states, the DLCs have either not been constituted or are non-functional. As a result, the process of approving private places for offering MTPs is restricted. This toolkit has been designed to facilitate the process of operationalizing DLCs by the relevant authorities and may be referred to in conjunction with The MTP Act (as amended in 2002).

The MTP Rules 2003 and the DLC

The MTP Rules 2003 specify the composition and tenure of the DLC and the process for inspection and approval.

Composition and Tenure of District Level Committee

The DLC should include 3-5 members including the chairperson i.e. the Chief Medical Officer or District Health Officer. The profile of the members as prescribed in the MTP Rules 2003 is as below:

- One member shall be a Gynecologist/Surgeon/Anesthetist
- Other member/s should be from the local medical profession, non-governmental organization and Panchayati Raj Institution of the district
- At least one member of the Committee should be a woman

The tenure of the Committee shall be for two calendar years and the tenure of the NGO member shall not be for more than two terms.

Requirements for Approval of a Place

As per the provisions under The MTP Rules 2003, a DLC is empowered to approve a private place for offering abortion services under two categories: (a) places that offer first trimester MTPs i.e. upto 12 weeks of gestation and (b) places that offer both first and second trimester MTPs i.e. up to 20 weeks.

- *A place can be approved for terminating pregnancies up to 12 weeks, if it has the following facilities:*
 - Gynecology examination/ labor table
 - Resuscitation equipment
 - Sterilization equipment
 - Drugs and parenteral fluids for emergency use, notified by Government of India from time to time
 - Back-up facilities for treatment of shock
 - Facilities for transportation

- *For terminating pregnancies up to 20 weeks, the place should have the following facilities:*
 - Operation table
 - Instruments for performing abdominal or gynecological surgery
 - Anesthetic equipment
 - Resuscitation equipment
 - Sterilization equipment
 - Drugs and parenteral fluids for emergency use, notified by Government of India from time to time

Medical Methods of Abortion (MMA)

The amendment to the MTP Rules 2003 allow a registered medical practitioner(RMP) to offer medical methods of abortion up to 49 days of gestation. RMPs can prescribe the drugs (mifepristone and misoprostol) for a pregnancy upto seven weeks at their place, provided they have access to a place approved for MTP. This certificate of affiliation is required to be displayed at the RMPs place. Under the MTP Act, approval is not required for a place where MMA drugs are prescribed.

Process of Approval for Private Place

Application- The application for approval for the place to conduct MTP on **Form A** [Refer sub-rule (2) of rule 5] should be submitted by the owner of the private place to the Chief Medical Officer (CMO) of the district. The CMO may depute a nodal officer for undertaking site visits, maintaining records of applications, approvals, cancellations and rejections and proceedings of the DLC and ensure that he/she is kept updated on the progress.

Inspection- The place shall be inspected by the CMO or a representative within two months of the receipt of application and certificate of approval may be issued within next two months or if there is any deficiency noted, within two months of the deficiency being rectified by the applicant.

Recommendation by CMO- The CMO shall verify information provided in the application or inspect the place to satisfy himself/herself that the termination of pregnancies will be performed under safe and hygienic conditions. If the CMO is satisfied after verification, enquiry or inspection, he/she recommends the place to the DLC for approval.

Approval- The Committee after considering the application and the recommendations of the CMO may approve the place and issue a certificate of approval on **Form B** [Refer sub-rule (6) of rule 5].

Cancellation or Suspension of Certificate of Approval- The CMO or representative may inspect the approved place as often as may be necessary to verify that MTPs are being performed under safe and hygienic conditions. If the CMO has reason to believe that there has been death of or injury to a pregnant woman at the place or that the termination is not being done under safe and hygienic conditions, he/she can seek any information or seize any article, medicine, admission register or other documents.

If the CMO, after inspection, is satisfied that the facility is not being maintained properly and termination cannot be made in safe and hygienic conditions, he/she shall report this fact to the committee. The DLC may suspend or cancel the approval after giving the owner an opportunity for making a representation.

Review- The owner of the private place, whose approval has been suspended or cancelled, may apply again within 60 days for approval after making additions or improvements. The DLC, after giving the owner an opportunity of being heard, would confirm, modify or reverse the order for approval.