



GOVERNMENT OF KERALA

Abstract

Disaster Management Department – Surge in COVID 19 cases during the current second wave – Denial by private laboratories in the State to conduct RTPCR tests for the detection of COVID 19 at the revised rate for RTPCR testing fixed by Government/Charging in excess – Sufferings caused to the public and attempt to derail the State’s ‘track- test- treat’ strategy for the containment of the COVID 19 pandemic - Stringent action warranted – Orders issued

DISASTER MANAGEMENT(A)DEPARTMENT

G.O.(Rt)No.393/2021/DMD Dated,Thiruvananthapuram, 01/05/2021

Read GO(Rt)No.980/2021/H&FWD dated 30/04/2021

ORDER

The State is witnessing an unprecedented surge in COVID 19 cases. All stakeholders (public and private) must act in a responsible and coherent manner to contain the COVID 19 pandemic. Inter alia, the State has been following a time-tested ‘track-test-treat’ strategy to contain the spread of disease and to detect cases at the earliest. Timely testing is hence a key pillar in decreasing mortality, early isolation of contacts and containment.

The Government had recently revised (lowered) the rate that can be charged by private laboratories for Real Time Polymerase Chain Reaction (RTPCR) tests for the detection of COVID 19 vide Government read above. This was done after a thorough analysis of the cost of inputs and prevailing market conditions and also with a view to improve the traction and access to testing facilities in private laboratories so that more people take to testing when the test positivity rate is increasing. Real Time PCR test is the gold standard test for the laboratory diagnosis of COVID 19, as per ICMR guidelines. As time is crucial, more and early testing and detection of positives will lead to better treatment outcomes, check mortality and also slow disease progression when combined with isolation, contact tracing and quarantine. There is no time to be lost.

Now, it has come to the knowledge of the Government that, after the revision of rate for RTPCR, some private laboratories are denying tests (especially RTPCR) and turning away people who wanted to get tested for COVID 19. Charging in excess, beyond the rates fixed by Government for COVID 19 tests is also reported. This amounts to irresponsible conduct by such private laboratories, more so, while there is an emergent need to put up a united fight against the surge. This is a brazen challenge to the State's strategy for disease control and disaster management during the surge. Also people who want to get tested for their needs associated with non-COVID medical care/ travel/ complying COVID 19 regulations, are also left to suffer. This is an act against the State and the people during these extraordinary times of distress and disease.

Therefore, in exercise of the powers conferred under section 20 read with sections 24 and 65 of the Disaster Management Act, 2005, the undersigned, in the capacity as the Chairman, State Executive Committee of the Kerala State Disaster Management Authority, in the interest of containment of COVID 19, disaster management and reducing mortality during the surge, hereby issue the following orders with immediate effect:

1. The private laboratories shall perform RTPCR tests for the detection of COVID 19 at the revised rate (Rs 500 per test) fixed by Government of Kerala without turning away any person seeking to undergo RTPCR test for COVID19. The prevailing rate, as revised from time to time by the Government of Kerala shall be adhered to.
2. No private laboratory in the State shall charge in excess for any of the tests to detect COVID 19 beyond the rates fixed by the Government of Kerala from time to time, in that respect.
3. The rates chargeable by private laboratories for various tests to detect COVID19 fixed by Government of Kerala shall be effectively publicised from time to time by the Health Department for the knowledge of all stakeholders, including the people at large.
4. Any private laboratory that denies RT PCR Testing/any of the other tests for Covid 19 at the rates fixed by the Government of Kerala or that charges in excess of the rates fixed by the Government of Kerala shall be deemed to have committed offences under the provisions of the Disaster Management Act, 2005, the Kerala Epidemic Diseases Ordinance, 2020 and other relevant provisions in law and action shall be initiated against such laboratory accordingly. The District Disaster Management Authority, Police and other agencies including health involved in regulating the affairs of such Private

Laboratories shall initiate stringent, lawful steps for the same.

(By order of the Governor)

DR. V P JOY
CHIEF SECRETARY

To:

The Commissioner, Land Revenue, Thiruvananthapuram

The Commissioner, Disaster Management, Thiruvananthapuram

All District Collectors

All District Police Chiefs

The Mission Director, National Health Mission, Kerala

The Director of Health Services

The Member Secretary, Kerala State Disaster Management Authority

Health Department

I&PRD(Web &New Media)

Stock file/office copy

Copy to:-PS to Chief Minister

PS to all Ministers

Special Secretary to Chief Secretary

PA to Principal Secretary (Revenue&DM)

Forwarded /By order

Section Officer