

## PRESIDENTIAL ADDRESS

# Evolving legal standards in Tamil Nadu's healthcare, data protection, and public safety

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## Overview

This presidential address summarizes the key legal frameworks, standards, and recent developments impacting healthcare, data protection, and public safety in Tamil Nadu. It covers clinical establishment regulations, mental health standards, digital data protection, and public safety measures such as CCTV requirements.

## Key legislations and regulations

### Tamil Nadu Clinical Establishments Regulation Rules (TNCEA), 2018

- **Objective:** Registration and regulation of clinical establishments based on minimum standards.
- **Scope:** Infrastructure, equipment, human resources, record-keeping, and treatment protocols.
- **Establishments covered:** General hospitals, clinics, nursing homes, and diagnostic centers (excluding Armed Forces establishments).
- **Registration renewal:** Every 5 years; apply 90 days before expiry.
- **Competent authority:** District committee chaired by the Joint Director of Medical and Rural Health Services.

### Mental Healthcare Act (MHCA), 2017 and State Mental Health Authority (SMHA)

- **Objective:** Protect rights and regulate care for persons with mental illness.
- **Mental Health Establishments (MHEs)** include allopathic and AYUSH establishments for mental healthcare (excludes family residences).
- **Audit:** Every 3 years for compliance with minimum standards.
- **Competent authority:** District Mental Health Review Board, chaired by a retired district judge.

### Digital Personal Data Protection Act (DPDP), 2023

#### Key definitions

- **Data fiduciary:** Determines purpose and means of processing personal data.
- **Data principal:** Individual to whom the data relates.
- **Data processor:** Processes data on behalf of the data fiduciary.
- **Sensitive personal data:** Includes health, biometric, and financial information.

#### Obligations

- Erase data upon withdrawal of consent unless retention is required by law.

- Obtain verifiable consent for processing data of children and persons with disabilities.
- Right to correction, completion, updating, and erasure of personal data.

### Tamil Nadu urban local bodies (installation of CCTV units in public buildings) rules, 2012

- **Requirement:** CCTV in public buildings (including hospitals/clinics with  $\geq 500$  m<sup>2</sup> floor area).
- **Installation rate:** One unit per 300 m<sup>2</sup> of floor area.
- **Purpose:** Surveillance of public movement in corridors, reception, and common areas.

### Minimum standards: clinical vs. mental health establishments

Refer to [Table 1](#) for additional information.

### Staffing requirements

#### Clinical establishments: TNCEA

- One qualified doctor per 30 beds.
- On-call doctor for up to 30 beds at night; 24/7 duty doctor for 30 beds.

#### De-addiction centers TNSMHA

- **Comprehensive centers:** A psychiatrist examines all inpatients daily; an MBBS doctor is on call 24/7.
- **Rehabilitation centers:** A psychiatrist visits weekly; MBBS doctor examines patients daily.

- **Support staff:** Psychologist (1/50 beds), Social Worker (1/50 beds), Attendant (1/20 beds/shift), only female attendants for female patients.

### Equipment requirements

#### Comprehensive de-addiction centers

- Vital signs monitors, ECG, pulse oximeters
- Emergency drugs and equipment (crash cart, oxygen, suction, Ambu-bags)
- Diagnostic and infection control supplies
- Comfort and safety equipment (bedrails, wheelchairs)

#### Rehabilitation centers for SUD

- Basic monitoring (BP apparatus, stethoscopes)
- Emergency drugs and IV supplies
- Weighing scales, wheelchairs

### Medical record maintenance

Refer to [Table 2](#) for additional information.

**Computerization:** Efforts mandated by both IMC and NMC to digitize records for quick retrieval and security, with a 3-year deadline for full digitization under NMC 2023.

### Penalties

#### TNCEA

- Contravention: Fine ₹5,000–₹50,000.
- Willful disobedience/withholding info: Up to ₹30,000.

**TABLE 1** | Comparison of requirements as per Tamil Nadu Clinical Establishments Regulation Rules (TNCEA) and State Mental Health Authority (SMHA) rules.

Area	TNCEA (clinical)	TNSMHA (de-addiction centers)
Wards	Spacious, ventilated, fans for every two beds	1 m between cots, lockers, pest control, ventilation
Clothing/linen	Daily linen change	Separate linen, toiletry kit, nursing station
Cleaning	Daily swabbing with antiseptic	Daily cleaning
Water/food	Potable and hot water, food safety	Safe water, certified food, proper serving
Toilets	Clean with water	Adequate toilets/bathrooms, and water ensured
Waste disposal	Pollution control board guidelines	Safe biomedical waste disposal
Fire safety	ISI-marked equipment, evacuation provisions	Not specified
Medical records	Admission/discharge, case sheets, referrals	Multiple registers (admission, drugs, injuries, etc.)
CCTV	Not specified	Required in entrances, exits, common areas

**TABLE 2** | Mandatory data retention periods.

Regulation	Retention period	Requirements
IMC	3 years	Indoor patient records
TNCEA	10 years	All clinical records OP and IP
State Mental Health Authority (SMHA)	5 years (case sheets)	Multiple registers (see above)

## MHCA/SMHA

- Unregistered MHE: ₹5,000, ₹50,000 (1st), ₹50,000 (2nd), ₹25 lakh (subsequent).
- MHP working in unregistered facilities: Up to ₹25,000.
- Violating Act/Rules: Up to 6 months imprisonment or a ₹10,000 fine for the 1st, up to 2 years or ₹50,000 and ₹5 lakh (subsequent).

## Data protection and digital health sensitive personal data it rules, 2011

Health, biometric, financial, and medical records are classified as sensitive.

## Rights under DPDP, 2023

- Correction, completion, updating, and erasure of personal data.
- Right to nominate another individual for data rights in case of incapacity or death.

## Digital health ecosystem

- **Ayushman Bharat Digital Mission (ABDM):** Connects digital health solutions nationwide, and registration is voluntary.

- **National Health Authority (NHA):** Oversees digital infrastructure, privacy, interoperability, and regulatory oversight.

## Display requirements

- **TNCEA:** The registration certificate must be displayed prominently.
- **MHCA:** Contact details of the concerned board to be displayed.
- **IMC:** The physician's registration number must be displayed in the clinic and on all documents.

## CCTV in healthcare

- Mandatory for public buildings with  $\geq 500$  m<sup>2</sup> floor area.
- One unit per 300 m<sup>2</sup>; must cover corridors, reception, and public movement areas.
- For teaching hospitals, livestreaming and surveillance are required for monitoring education and patient care facilities.

## Proposed and supporting frameworks (DISHA draft, 2018)

- Aims to standardize digital health data privacy, security, and reliability.
- Proposes the National Electronic Health Authority (NeHA) for enforcement.

## National Healthcare Providers Registry (NHPR)

Repository of registered healthcare professionals and facilities across all systems of medicine.

This Presidential address was delivered on 13 July, 2025 at the Lions convention center, Yercaud, Salem, Tamil Nadu.