

GOVERNMENT NOTICE NO. 821 published on 2/10/2020

THE MEDICAL, DENTAL AND ALLIED HEALTH PROFESSIONALS ACT,

(CAP.152)

REGULATIONS

(Made under section 64)

THE MEDICAL, DENTAL AND ALLIED HEALTH PROFESSIONALS
(SUPERVISORY OFFICERS) REGULATIONS, 2020

PART I
PRELIMINARY PROVISIONS

- Citation **1.** These Regulations may be cited as the Medical, Dental and Allied Health Professionals (Supervisory Officers) Regulations, 2020.
- Application **2.** These Regulations shall apply in the appointment, functions and duties of supervisory officers in the regional, district level and health institutions.
- Interpretation **3.** In these Regulations, unless the context otherwise requires-
- Cap. 152 “Act” means the Medical, Dental and Allied Health Professionals Act;
 “medical, dental or allied health practitioner” means a person who is registered, enrolled or enlisted under the Act;
 “minor transgression” has the meaning ascribed to it under the Medical Council of Tanganyika (Inquiry) Rules, 2020;
 “council” has the meaning ascribed to it under the Act;
 “Head of Health Institutions” means Medical Officer in charge or director of facilities;
 “district medical officers” includes town medical officers, municipal medical officer and city medical officers;
 “supervisory officers” means persons appointed by the Council to perform its functions under these Regulations;

“health institution” means medical, dental and allied health universities, health training colleges, research centers, hospitals, health centres, dispensaries, Non-Governmental Organizations and any other organization which has medical, dental or allied Health Professionals and practitioners.

**PART II
CONDUCTS AND STANDARD OF PRACTICE OF SUPERVISORY
OFFICERS**

Appointment
of supervisory
officer

4.-(1) Pursuant to section 15 of the Act, the Council may appoint Regional Medical Officer to be supervisory officer.

(2) Subject to subregulation (1) the supervisory officer shall be the representative of the Council in all matters relating to medical, dental and allied health services in the Region.

Qualification
of supervisory
officer

5. A person shall qualify to be a supervisory officer if he has-

- (a) been fully registered by the Council;
- (b) valid practicing license or retentions; or
- (c) no record of professional disciplinary or criminal conviction for the past three years.

Functions of
supervisory
officer

6. The functions of supervisory officers is as follows:

- (a) overseer of medical, dental and allied Health professional and practitioners in the region;
- (b) ensure medical, dental or allied health professionals and practitioner comply with the code of professional ethics and conducts;
- (c) ensure all medical, dental or allied health professionals in their respective areas are registered;
- (d) receive complaints on behalf of the Council, against any allegation of misconduct or incapacity of a Medical, Dental or Allied Health Practitioner;
- (e) conduct preliminary investigation on charges or complaints and consequently submit the report to the Council for further determination;
- (f) notify the complainant on the decision of the Council;
- (g) refer issues that needs council decisions;
- (h) dispatch certificates of registration and practicing license in the Region;

(i) submit quarterly report of status of registered and unregistered practitioners to the Council;

(j) submit to the Council the report of the registered medical, dental or allied health professionals and practitioners who have ceased to practice;

(k) conduct dissemination on issues of registration, continuous professional development, disciplinary, law and its regulations; and

(l) any other function that may be introduced by Council in relation to its functions.

(2) The report under subregulation 6(j) shall state the names of professionals and practitioners who have ceased to practice due to following reasons-

(a) death;

(b) unfit to practice;

(c) criminal conviction;

(d) abscondment; or

(e) any other reason.

Duties of district medical officer and head of institution

7. District Medical Officers and head of health institutions shall have the duty to report to the supervisory officer:

(a) issues of professional misconduct and unfit to practice;

(b) matters of minor transgressions within seven days after determination;

(c) all practitioners and professionals who have valid practicing license and retention;

(d) report number of medical, dental and allied health professionals and practitioners located in the private Health facilities in their respective areas of practice;

(e) dispatch certificates of registration and practicing license in the district;

(f) conduct dissemination on issues of registration, continuous professional development, disciplinary and the law and its regulations;

(g) any other duties that may be introduced by the Council in relation to its functions.

Handling of complaints

8.-(1) Supervisory officers shall receive professional complaints and forward them to the Registrar.

(2) Notwithstanding the provisions of subregulation (1)

GN. NO. 821 Conted

supervisory officer may on his own motion conduct preliminary investigation against any medical, dental, or allied health professional in any matter relating to professional misconduct.

(3) Where the complaints are matters of minor transgression, the supervisory officers may have powers to make determination and shall forward the decision in writing to the Registrar within fourteen days after determination for record purpose.

Confidentiality

9. Without the consent of the Council or in compliance with the law, the supervisory officer, District Medical Officers or head of health institutions shall not divulge any matter or information concerning the practitioners, which shall come to his knowledge in the course of or incidental to discharge of his duties.

Code of ethics

10.-(1) Supervisory officer, District Medical Officers or head of health institutions shall ensure all professionals and practitioners discharge their duties in accordance with the code of professional conduct and ethics.

(2) The supervisory officer, District Medical Officers or head of health institution, shall not conduct himself/herself in such manner as to put the medical, dental or allied health profession or Council reputation into disrepute.

**PART III
MISCELLANEOUS PROVISIONS**

Duties of professional association

11. Professional associations has the duties to report issues of professional misconduct to the council, sensitize on matters of registration and continuous professional development.

Conflict of interest

12.-(1) The supervisory officer, head of health institution and District Medical Officer shall refrain from any undertakings that may occasion to a conflict of interest.

(2) The supervisory officer, head of health institution and District Medical Officer shall make a formal disclosure of any matter that is likely to occasion the conflict of interest.

Dodoma,
19th September, 2020

UMMY A. MWALIMU
*Minister for Health, Community Development,
Gender, Elderly and Children*