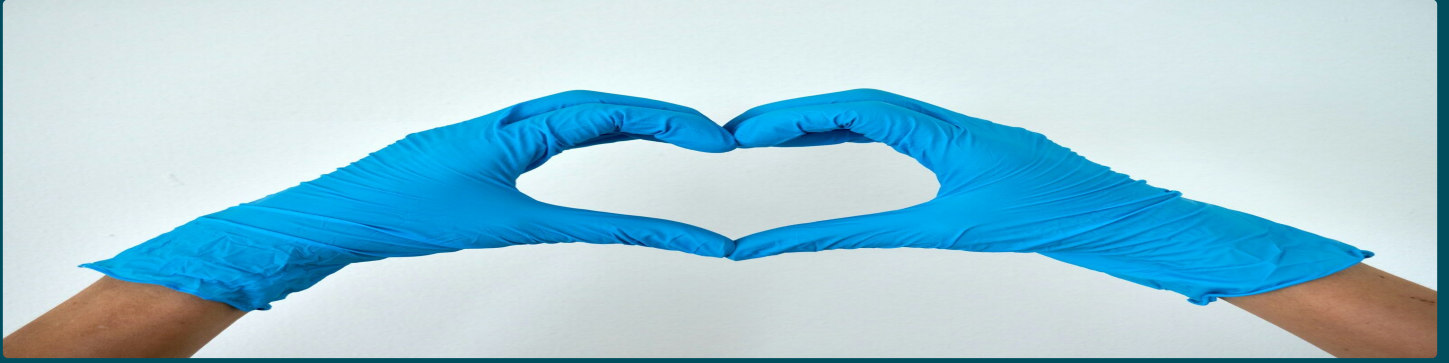




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Karnataka's proposed Good Samaritan and Medical Professional Protection Rules, 2026: A Comprehensive Legal Framework for Emergency Medical Assistance

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Introduction

The Government of Karnataka has taken a significant step towards enhancing emergency medical care and protecting Good Samaritans through the promulgation of comprehensive rules under the Karnataka Good Samaritan and Medical Professional (Protection and Regulation During Emergency Situations) Act, 2018. On 12th February 2026, the Health and Family Welfare Department issued Notification No. HFW 31 CGE 2025, publishing the draft Karnataka Good Samaritan and Medical Professional (Protection and Regulation During Emergency Situations) Rules, 2026.

The notification was issued in exercise of powers conferred by Section 23 of the Karnataka Good Samaritan and Medical Professional (Protection and Regulation During Emergency Situations) Act, 2018 (Karnataka Act 26 of 2018). Importantly, this notification supersedes the earlier notification bearing the same number (No. HFW 31 CGE 2025) dated 04.08.2025, indicating the government's commitment to refining and improving the regulatory framework.

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Public Consultation Process and Legal Framework

The draft rules have been published in accordance with the mandatory requirements of sub-section (1) of Section 23 of the Act, ensuring transparency and public participation in the legislative process. The government has provided a fifteen-day period from the date of publication in the Official Gazette for public consultation, during which objections and suggestions may be submitted to the Principal Secretary, Department of Health and Family Welfare, Vikas Soudha, Bangalore-560001.

The defined terms in the Rules provides essential clarity for interpretation and application. Rule 2(1)(a) defines 'Act' as the Karnataka Good Samaritan and Medical Professional (Protection and Regulation During Emergency Situations) Act, 2016, identified as Karnataka Act 26 of 2018. Rule 2(1)(b) clarifies that 'section' refers to sections of the principal Act. Rule 2(2) incorporates a standard provision stating that all other words and expressions not specifically defined in the rules shall carry the same meaning as assigned in the parent Act, ensuring consistency in interpretation.

Disciplinary Framework and Enforcement Mechanisms

Rule 3 establishes a comprehensive disciplinary framework by designating the Deputy Commissioner of the Revenue District as the authority to receive complaints under the proviso to Section 3(2) of the Act. This provision ensures that there is a clear, accessible mechanism for addressing grievances at the district level, bringing the authority closer to the affected parties.

The rule further establishes that disciplinary action for non-compliance with the Act's provisions, as contemplated under Section 10, shall be governed by the Karnataka State Police (Disciplinary Proceedings) Rules, 1965. This integration with existing disciplinary frameworks ensures consistency in enforcement procedures and uses established legal mechanisms for addressing violations.

Financial Architecture: Sources of the Good Samaritan Fund

Rule 4 establishes a strong financial framework through multiple funding sources for the Good Samaritan Fund. The rule identifies four primary sources of funding, creating a diversified and sustainable financial base. Voluntary donations and contributions from the general public, along with Corporate Social Responsibility (CSR) funds from corporations, form the first category of funding sources. This provision recognizes the important role of public participation and corporate responsibility in supporting emergency medical care.

The second source comprises aided donations and contributions from registered associations and institutions, acknowledging the role of organized entities in supporting the fund. Grant-in-aid from the Karnataka Road Safety Authority and other government schemes or authorities constitutes the third source, ensuring government support and inter-departmental coordination. The fourth source allows for eligible loans with prior government approval from appropriate authorities, providing flexibility for meeting urgent financial requirements.

Hospital Reimbursement Mechanism

The rules establish a reimbursement mechanism for hospitals through the Suvarna Arogya Suraksha Trust (SAST). Rule 4(2) provides that hospitals unable to recover expenses under sub-section (4) of Section 11 of the Act may submit claims to SAST within one month from the date of treatment. SAST is empowered to sanction approved expenses from its budget allocated by the State Government for the Ayushman Bharath Arogya Karnataka (ABArK) Scheme.

Rule 4(3) creates a differentiated reimbursement structure based on hospital empanelment status. For hospitals empanelled under the Ayushman Bharath Arogya Karnataka Scheme, charges for both priority and non-priority households are reimbursed by SAST in full at scheme rates. For non-empanelled hospitals, SAST may sanction expenditure at rates admissible under the ABArK Scheme or the latest Health Benefit Package (HBP) rates under the Pradhan Mantri Jan Arogya Yojana (PMJAY), whichever is higher.

The rules provide for an Expert Committee constituted under the Karnataka Private Medical Establishment (KPME) Act to decide rates for procedures not included in the latest HBP rates. An important explanation clarifies that cases covered under clauses (f) and (l) of Section 2 of the Act fall under a separate 4B category as defined under the ABArK scheme.

Appeals Process for Hospital Reimbursement

Rule 4(4) establishes an appellate mechanism for hospitals where expenditure exceeds the reimbursed amount. Hospitals may appeal to the Commissioner, Health and Family Welfare, within thirty days of the reimbursement decision. The Commissioner, after examining the appeal, has the discretion to sanction additional expenditure from the Good Samaritan Fund or reject the appeal. Rule 4(5) declares that orders issued under this sub-rule are final, providing closure to the appeals process.

Travel Expenses and Remuneration for Good Samaritans

Rule 5 addresses the practical challenge of ensuring Good Samaritans are not financially disadvantaged when appearing as witnesses. When a Good Samaritan must travel from a distant place or village and the daily expenses and remuneration exceed one hundred rupees, the court may, after examining relevant documents, order payment of the excess amount under Section 14 of the Act. Such expenses are paid from the Good Samaritan Fund by remittance to the court, ensuring that financial constraints do not prevent Good Samaritans from participating in legal proceedings.

Authority Structure: Appropriate and Complaining Authority

Rule 6 establishes a clear authority structure by designating the Deputy Commissioner of the concerned revenue district as the Appropriate Authority under Section 12 of the Act. This same official is also the prescribed Authority for lodging complaints under Section 21(2) of the Act. This dual designation ensures consistency in handling matters while maintaining accessibility at the district level.

Appellate Authority Framework

Rule 7 establishes the appellate structure by designating the Additional Chief Secretary, Principal Secretary, or Secretary to Government in the Health and Family Welfare Department as the Appellate Authority for purposes of Section 22 of the Act. This high-level designation ensures that appeals receive appropriate attention and expertise while maintaining the hierarchical structure of government administration.

Reporting Requirements: Annual Report

Rule 8 mandates that the Commissioner, Health and Family Welfare Department, submit an Annual Report to the State Government for each financial year as required under Section 25 of the Act. The report must be submitted as soon as possible after 1st April but not later than May each year, ensuring timely reporting and accountability.

Financial Accountability: Books of Accounts and Annual Statement

Rule 9 establishes comprehensive financial accountability measures. The Commissioner, Health and Family Welfare Department, must maintain seven specific types of books of accounts: receipt books for grant-in-aids, loans and revenues of the Appropriate Authority; payment books for all expenses from the Good Samaritan Fund; receipt books for public donations and contributions; grant-in-aid books from the Road Safety Authority; contingency expenditure books of the Appropriate Authority; receipt and payment accounts of the Fund for each financial year; and travel expenses and reimbursement records for Good Samaritans attending as witnesses.

The Commissioner must also prepare an Annual Statement of Accounts as specified in Rule 9(2). Rule 9(3) ensures compliance with existing financial regulations by requiring adherence to the Manual of Contingent Expenditure, Budget Manual, Departmental Manual, and standing orders in all financial operations including account preparation, fund withdrawal, expenditure, account maintenance, and billing.

Recognition Framework: Good Samaritan Awards

Rule 10 establishes a formal recognition system for Good Samaritans. The Commissioner, Health and Family Welfare Department, is responsible for recommending eligible persons for Good Samaritan awards. The Government has committed to presenting these awards annually on 26th January (Republic Day), considering recommendations from the Appropriate Authority. The Commissioner must follow government orders and instructions regarding application forms, selection methods, award procedures, award amounts, and mementos.

Conclusion

The Karnataka Good Samaritan and Medical Professional (Protection and Regulation During Emergency Situations) Rules, 2026, represent a comprehensive and well-structured approach to protecting and supporting Good Samaritans and medical professionals during emergency situations. The rules successfully balance the need for protection and encouragement of emergency medical assistance with appropriate regulatory oversight and financial sustainability.

The notification demonstrates the Karnataka Government's commitment to creating an enabling environment for emergency medical care while ensuring proper accountability and resource management. The multi-layered funding mechanism, comprehensive reimbursement system, clear authority structure, and strong financial accountability measures collectively create a framework that should encourage more citizens to act as Good Samaritans without fear of legal or financial consequences.

The public consultation process embedded in the notification reflects democratic governance principles and ensures that the final rules will benefit from diverse stakeholder input. The integration with existing schemes like ABaK and PMJAY demonstrates policy coherence and efficient use of existing infrastructure. The annual recognition system through Good Samaritan awards provides positive reinforcement for humanitarian behavior, potentially encouraging more citizens to assist during medical emergencies.

These rules, when implemented effectively, have the potential to significantly improve emergency medical response in Karnataka while protecting those who choose to help others in times of crisis. The comprehensive nature of the framework, covering everything from funding mechanisms to appeals processes, suggests that the government has carefully considered the practical challenges of implementing Good Samaritan protection and has crafted rules designed to address these challenges systematically.

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