

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

STARRED QUESTION NO:410
ANSWERED ON:21.02.2014
MEDICAL ETHICS AND CONDUCT
Patil Shri Sanjay Dina ;Virendra Kumar Shri

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the existing rules/guidelines laid down by the Government to regulate medical ethics and conduct to be followed by the doctors along with the mechanism put in place to ensure their compliance and enforcement in the country;
- (b) whether certain instances of unethical practices and misconduct by the doctors including promotion and prescription of branded medicines instead of generic names/compositions have come to the notice of the Government;
- (c) if so, the details thereof and the action taken/proposed by the Government against the erring doctors during each of the last three years and the current year;
- (d) the steps taken/proposed by the Government to ensure larger prescription of drugs with generic names by the doctors and curb promotion and advertisement of branded drugs/medical products by the doctors in connivance with the pharmaceutical companies in the country; and
- (e) the other measures taken/proposed by the Government to make generic medicines available to the patients at affordable/free of cost in the Government hospitals in the country?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABIAZAD)

(a)to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 410 FOR 21ST FEBRUARY, 2014

(a) In order to regulate the conduct of doctors, the Medical Council of India (MCI), with the prior approval of the Central Government, has notified Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002. These Regulations prescribe various acts of commission and omission on the part of a physician, which are construed as misconduct and unethical.

(b)&(c) MCI or the appropriate State Medical Councils have been empowered to take disciplinary action against a doctor for violation of the provisions of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002. As and when complaints are received against the violation of code of ethics of doctors, MCI conducts inquiry into such violations and takes action against violators. As per information furnished by MCI, the details of complaints received during the last three years and the current year and action taken thereof are as under:

Sl. No.	Category	2010-11	2011-12	2012-13	01.04.2013 to 31.12.2013
1.	Total Complaints appeal received	824	561	623	149
2.	Referred to State Medical Council / State Govt.	468	357	484	102
3.	Disposed	350	197	105	01
4.	Registration Temporarily removed among disposed	10	3	52	06
5.	Warning given among disposed	4	1	7	01
6.	Under Consideration	6	7	34	46

(d) MCI's "Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002" has a provision which stipulates that "every physician should, as far as possible, prescribe drugs with generic names and he/she shall ensure that there is a rational prescription and use of drugs".

(e) For making available quality generic medicines at affordable prices to all, the Government has launched "Jan Aushadhi" Campaign in November, 2008 by way of opening up of Jan Aushadhi Drug Stores. Since, November, 2008, 162 Jan Aushadhi Stores have been opened in various parts of the country out of which 83 are functional. A New Business Plan has been approved, by the Department of Pharmaceuticals, particularly to address the shortcomings and challenges identified in scaling up the activities.