

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

UNSTARRED QUESTION NO:4534

ANSWERED ON:19.12.2014

TREATMENT TO ROAD ACCIDENT VICTIMS AND WOMEN IN LABOUR

Chavan Shri Ashok Shankarrao

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

- (a) whether the Government proposes to make it mandatory for all the hospitals and doctors to provide immediate primary medical treatment to road accident victims and women in labour;
- (b) if so, the details thereof;
- (c) whether the Government has consulted all the stakeholders in this regard and if so, the details thereof;
- (d) whether the Medical Council of India (MCI) has opposed the said move; and
- (e) if so, the details thereof and reasons therefor and the time by which a final decision is likely to be taken by the Government in this regard?

**Answer**

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA)

(a) to (e): 'Health' is a state subject and it is primarily the responsibility of the State Governments to issue any directive in this regard. However, this Ministry has circulated guidelines for referral of patients in emergency vide this Ministry's letter C.18018/12/2-14-H dated 31.7.2014 to All States/UTs and various Central Government Hospitals.

In addition, the Central Government has enacted the Clinical Establishments (Registration and Regulation) Act, 2010 and the Sub-section (2) of Section 12 of this Act stipulates that the clinical establishments shall undertake to provide within the staff and facilities available, such medical examination and treatment as required to stabilize the "emergency medical condition" of any individual who comes or is brought to such clinical establishments. "Emergency medical condition" has been stipulated in the Act as a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) of such a nature that the absence of immediate medical attention could reasonably be expected to result in-

- (i) Placing the health of the individual or, with respect to a pregnant women, the health of the women or her unborn child, in serious jeopardy; or
- (ii) Serious impairment to bodily function; or
- (iii) Serious dysfunction of any organ or part of a body;

This Act is applicable in Arunachal Pradesh, Himachal Pradesh, Mizoram Sikkim, Uttar Pradesh, Rajasthan, Bihar, Jharkhand, Uttarakhand and all Union Territories (except Delhi).

The Medical Council of India (MCI) has informed that it has always supported the Government proposal for providing primary medical treatment to Road accidents victims and women in labour without delay.