

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

UNSTARRED QUESTION NO:7023

ANSWERED ON:08.05.2015

CODE OF ETHICS FOR DOCTORS

Birla Shri Om;Hemamalini Smt. ;Kamaraaj Dr. K.;Raju Shri Gokaraju Ganga;Rao (Avnithi) Shri Muthamsetti Srinivasa;Vanaroja Smt. R.

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

- (a) the rules/guidelines formulated by the Government to regulate medical ethics and conduct for the doctors and the mechanism put in place to ensure their compliance and enforcement;
- (b) whether certain instances of unethical practices and misconduct by the doctors including promotion /prescription of branded medicines instead of generic medicines and private practices have come to the notice of the Government;
- (c) if so, the details thereof and the action taken/proposed to be taken by the Government against the erring doctors during each of the last three years and the current year, State/UT-wise;
- (d) whether any delay has been observed in enforcement of punishment to the erring doctors by State Medical Councils, if so, the details thereof along with the corrective measures being taken by the Government in the matter; and
- (e) whether the Government has taken note of doctors using social networking sites as a forum to show case their medical achievements by uploading the pictures of patients without their consents, if so, the details thereof and the corrective measures being taken by the Government to curb such trend?

Answer

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

(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.

(b) to (d): 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 for doctors, such complaints are referred by MCI to the concerned State Medical Councils where the doctors/medical practitioners are registered. The MCI is an Appellate Authority. The MCI has received the following number of complaints/appeals on medical negligence and professional misconduct during the last three years:-

Year	Complaints Received	Appeal Received (Till date)
2013-2014	168	65
2014-2015	229	90
2015-2016	4	5

As reported by MCI appeals are decided on case to case basis on merits of each case.

(e): The Medical Council of India received two complaints with regard to advertisement of medical professionals in the year 2013-2014. These complaints were considered by the Ethics Committee of the MCI and the decision taken by the Ethics Committee are as under:-

I. The Ethics Committee considered a complaint letter dated 17.05.2013 received from Prof. Sri Ram Khanna, Deptt. of Commerce, Delhi School of Economics, University of Delhi against advertisement given by doctors of Nova Orthopedics & Spine Hospital, Nehru Enclave dated 15th May, 2013 in Hindustan Time. On the directions of MCI, Chairman and Medical Superintendent of NOVA Orthopedics & Spine Hospital, Nehru Enclave appeared before the Ethics Committee. He accepted responsibility for release of the advertisement and expressed the view that it was ethically wrong. He tendered unconditional apology and stated before the Committee that they will be putting an advertisement to the Newspaper for withdrawal of the advertisement. On submission of proof of withdrawal of advertisement published in the newspaper, the apology of the Hospital was accepted by the Ethics Committee. Accordingly, the matter was disposed off by MCI.

II. The Ethics Committee considered a Newspaper Clipping published in the Times of India dated 23.08.2013 with regard to Saket City Hospital, New Delhi. The Medical Director of Saket City Hospital, Saket, New Delhi appeared before the Ethics Committee on

behalf of Chairman. He apologized for the advertisement given in the newspaper and stated before the Committee that they will be putting an advertisement to the Newspaper for withdrawal of the advertisement. On submission of proof of withdrawal of advertisement published in the newspaper, the apology of the hospital was accepted by the Ethics Committee. Accordingly, the matter was disposed off by MCI.