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Title: The Minister of Health and Family Welfare made a statement regarding collusion between Doctor –Pathological laboratory/Diagnostic centers collusion defrauding the patient/consumer as revealed through sting operation titled "Operation Jonk" aired by News Nation TV channel on July 21, 2014.

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. HARSH VARDHAN): Sir, I wish to make a Statement on the floor of the House regarding collusion between Doctor-Pathological Laboratory/Diagnostic Centres for defrauding patients/consumers as revealed through a sting operation titled "Operation Jonk" aired by News Nation TV Channel on July 21, 2014.

Sir, on Monday, July 21, 2014 the Hindi TV Channel, News Nation, aired a programme titled "Operation Jonk" which sought to expose the secret deals struck between some dishonest medical practitioners and the managements of pathological laboratories and diagnostic centres in the National Capital of Delhi.

The over two-hour-long programme appeared to employ classical sting operation techniques to rouse public consciousness on the allegedly unregulated state of affairs in an important segment of the medical economy. The ease with which some doctors are suggested as collecting 30-50 per cent commission on magnetic resonance imaging (MRI), CT Scans, Ultra Sound, routine pathological tests, etc., was captured through surreptitiously filmed conversations.

Some reputed diagnostic centres of Delhi, including its oldest standing one, were shown as involved in this nefarious racket.

The Ministry of Health and Family Welfare does not accept a broad-brush depiction of the medical community as guilty of such malpractices. However, it is felt that some individuals who are indulging in such unethical conduct should be identified and disqualified from practicing the noble profession of the physician.

The three most important revelations of the programme are:

1. The racket is suggestive of an all pervasive, at least in the context of the national capital. Though doctors are not individually named, it should not be difficult to get to the facts because the programme has revealed that the commissions are paid through the issuance of monthly or weekly cheques.
2. The racket is leading to unjustified profit margins. This is apparent from the rate of commissions paid. In quite a few parts of the sting operation, the staff of the diagnostic centres reveal that they pay referring doctors as much as 50 per cent commission on expensive tests like MRI. This indicates that even after paying the huge rate of commission these clinics report good profits.
3. A kind of cartelisation has resulted insofar as this aspect of the medical economy of Delhi is concerned. All the private laboratories and diagnostic centres charge roughly the same amounts for pathological tests and clinical examinations. Patients have no option but to pay up the exorbitant fees. They are also subjected to unnecessary tests by the doctors who are guided by the lure of commissions. This exacerbates their physical and mental agony.

The Ministry of Health & Family Welfare, Government of India, accepts that the patients/consumer of the medical economy needs protection from such nefarious practices that have come to thrive under conditions created by lack of implementation of existing laws/rules/codes and insufficient governmental oversight.

The Secretary, Ministry of Health and Family Welfare has been asked to conduct an impartial inquiry into the facts brought out by the TV programme. News Nation Channel has been requested to submit a DVD and a copy of the script to facilitate the inquiry.

The President of Medical Council of India, an autonomous body under the Ministry has been asked to summon an emergency meeting of its Ethics Committee and post the minutes of the said meeting on its website.

I have also written to the President of MCI today pointing out that the practice of accepting commissions is in clear violation of MCI's Code of Ethics, 2002 under "Regulations on Professional Conduct, Etiquette and Ethics for registered medical practitioners."

Reiterating that the vast majority of medical practitioners of India maintain the highest standards of ethics and professionalism, the Ministry feels it is time to check the retrogressive tendencies that have crept into sectors of the medical economy, thereby leading to the thriving of corrupt clusters and affecting the image of the community. For this, it is necessary to bring under some degree of oversight the trade practices employed by pathological laboratories/diagnostic centres.

In addition, the Ministry has decided to take a long term view of the outstanding question of giving the consumer's interest the rightful focus in the medical economy. The *laissez faire* spirit that dominates this business in India works to the disadvantage of the consumer and needs correction.

It is acknowledged that extant civil laws governing medical negligence do not explicitly cover the aforementioned practices. The patient/consumer's right to transparent and rational prescriptions, including referral to justified clinical/diagnostic examinations need to be codified in new legislations.

Accordingly, the Ministry is drawing up a panel of reputed medical practitioners and consumer law experts to suggest measures for introducing greater transparency and accountability in medical practices as a natural corollary of Health for All.