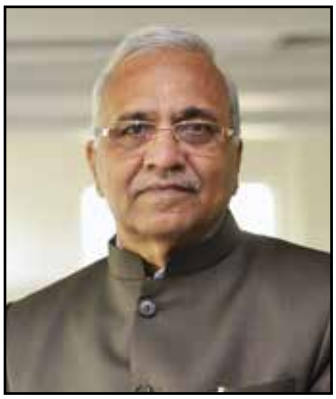
ASSOCIATION OF HEALTHCARE PROVIDERS INDIA

QUARTERLY NEWSLETTER

JULY - SEPTEMBER 2024

FROM THE DESK OF DIRECTOR GENERAL



I was hearing clip on US channel, which was describing India as fast emerging super power. We do not see such information or even a debate on our channels, which are occupied with politics. Economy is growing at decent rate @6.5% to be rated as 5th largest economy. India is already most populated country but with advantage of 65% population below 35-years of age. India today has more than 90,000 start-ups and low-cost workforce. All this is providing excellent platform to speed up our healthcare sector, which has so much of un-tapped potential. We need to more than double the number of hospital beds and therefore need to train healthcare personnels to manage our healthcare infrastructure. World is looking at India to supply healthcare personnels and we need to create credible way to provide assurance to global network. This will not only provide employment for our young population but also will add to the economy by way of remittance back to the families, by the exported manpower.

Association of Healthcare Providers (India) is actively working in skilling of allied health professionals for domestic as well as overseas market. We have created capacity through our member hospitals for on-job training of nursing staff as well as healthcare technicians. Our working committees have become active and are providing valuable content in their respective domains. Our state chapters are working closely with their respective governments to create much needed synergy in private public partnership. Recently held Leadership Summitt proved to be big success and has resulted in healthcare leaders joining AHPI Leadership Forum. This pool of experts would help AHPI and in the process our nation, in shaping policy direction to make India as VISHVA GURU in healthcare. In short, we are at that critical juncture, by which healthcare is destined to be largest employer on one hand and global healer in larger context.

Let us speed up our efforts through advocacy and capacity building and make AHPI truly driver of healthcare reforms.

Dr Girdhar J Gyani
Director General
AHPI

From the Editor's desk



Dear Readers,

As we reflect on the past quarter—from July to October—it's clear that AHPI has remained dynamic and forward-thinking, marked by impactful initiatives that exemplify our commitment to collaboration and advancement in healthcare management. I'm excited to share highlights from our recent activities, especially the successful **2nd AHPI Leadership Summit held in Chennai by AHPI TN Chapter.**

The summit brought together top leaders from the healthcare sector, along with prominent leaders from other industries to discuss the strategies for innovations, effective management, and leadership development and evolving challenges in healthcare management and develop strategies for improving healthcare outcomes across India. **Dr Pratap C Reddy**, the Founder Chairman of Apollo Group of Hospitals was awarded the "**Health Icon of the Century**" which was received on his behalf by Dr. Preetha Reddy, Executive Vice - Chairperson, Apollo Hospitals

In addition to the Leadership Summit, our quarter has been enriched by various advocacy initiatives aimed at strengthening our community and furthering our mission. We organized a series of trainings and educational workshops focusing on critical areas such as healthcare quality management, digital transformation, and leadership development. These sessions are designed to equip our members with the skills and knowledge necessary to thrive in an evolving landscape.

Our commitment to enhancing communication and engagement within our community has been unwavering. The contributions by **AHPI State Chapters** helped us spotlight the innovative work being carried out by our members and the significant impact it has on the healthcare sector. We have also grown in strength through our **individual Members, Fellows and Distinguished Fellows. AHPI Leadership Forum welcomes new members to its family.**

Our recent book launch for the book "**Lifestyle As Medicine**" has also been a notable highlight.

We have also been active in establishing **Memorandums of Understanding (MOUs) with various organizations including Dementia India Alliance, ISRO, 3M, Indian Institute of Science, Gujarat National Law University and CMC Vellore** which will enhance our collaborative efforts and expand our reach. These partnerships are vital for fostering a united approach to addressing the complexities of the healthcare landscape.

As we look to the future, it's essential that we build upon the momentum generated in recent months. Looking ahead, we have more exciting activities planned in the next quarter including **National Health Conclave** with the theme on **Healthy Lifestyle**. I encourage all of you to stay engaged, participate in our upcoming events, and continue sharing your insights and experiences.

I want to extend my heartfelt gratitude to each of you for your unwavering support and dedication to our mission. It is your passion that drives us forward, enabling us to effect meaningful change in the healthcare landscape. Let's continue striving for excellence and working collaboratively towards a brighter future for healthcare in India.

Thank you for being an integral part of AHPI family.

Warm regards,
Dr Sunil K Khetarpal
Editor, AHPI Newsletter

ADVOCACY

An AHPI Effort! - All citizens aged 70 & above to get Health Insurance cover under Ayushman Bharat PM JAY Scheme!

In AHPI's most recent effort, we have championed the cause of providing health insurance coverage under the Ayushman Bharat PM JAY Scheme for citizens aged 70 years and above irrespective of their financial status. This move represents a significant step towards improving the health security of India's elderly population, who often face significant healthcare challenges due to age-related conditions and limited financial resources.

AHPI has formally written to the National Health Authority (NHA), urging them to extend the benefits of the Ayushman Bharat PM JAY Scheme which currently provides coverage to economically vulnerable groups, to include senior citizens and finally the National Health Authority has issued an order addressing this pressing need.

This development marks a significant milestone in AHPI's long-standing efforts to lobby with the government on this issue.

- Letter to NHA regarding the feedback and suggestions on AB PM-JAY
- DO regarding extension of AB PM-JAY to senior citizens for 70 years and above

Kolkata Doctor Tragic Case!

AHPI Takes Firm Stand on Violence Against Medical Professionals

In light of the recent Kolkata Doctor Tragic Case, AHPI has intensified its efforts to address the rising concern of violence against medical professionals. AHPI has issued a public notice condemning such acts and reiterating the urgent need for ensuring the safety and security of healthcare workers.

As a part of its proactive response, AHPI has formed a specialized Task Force to develop a comprehensive Hospital Safety and Security Manual. This manual will serve as a guideline for hospitals to enhance security protocols and safeguard medical staff from potential threats.



VIOLENCE AGAINST MEDICAL DOCTORS

Association of Healthcare Providers (India), representing vast majority of private hospitals is deeply concerned with heinous crime committed against - a young female doctor who was brutally raped and murdered while on duty within the hospital premises at Kolkata.

This has not been isolated incidence (though very brutal) and there have been similar incidences from different parts of country. Partly this has been compounded by way of negative perception spread in the society about private sector, in-spite that more than 85% of tertiary care is rendered through private sector. Act of violence against doctors at times is handiwork of unsocial elements on various accounts. This has resulted in sense of fear among doctors in general and more so when dealing with complicated cases, where they are expected to be focussed on science of medicine.

Healthcare fraternity have been assured time and again by the authorities about various preventive measure including legal provisions but it has not happened. Governing Board of AHPI strongly supports initiative and stir by Indian Medical Association to have central ACT to have strict punitive action for violence against healthcare professionals and establishments. While we are aware that government is equally concerned on this issue and therefore, we along with IMA would like to continue lobbying until our demand is met and government of India, enacts the central ACT which will greatly be able to curb tendency for violence against doctors and healthcare establishments.

(Dr. Girdhar J Gyani)
Director General, AHPI

AHPI issued Public Notice on Violence against Medical Doctors.

AHPI Presents "Towards a Healthy India" – A Blueprint for Change

The Association of Healthcare Providers of India (AHPI), through its Policy & Advisory Advocacy Committee, has crafted a comprehensive document titled "Towards a Healthy India – AHPI's Blueprint For Change." under the leadership of Chair Dr.Atul Kapoor, Co chair and other members of the committee.

This document, recently submitted to the government, outlines a strategic vision aimed at transforming India's healthcare system.



AHPI Policy Advocacy Committee Meeting at AHPI Office Delhi



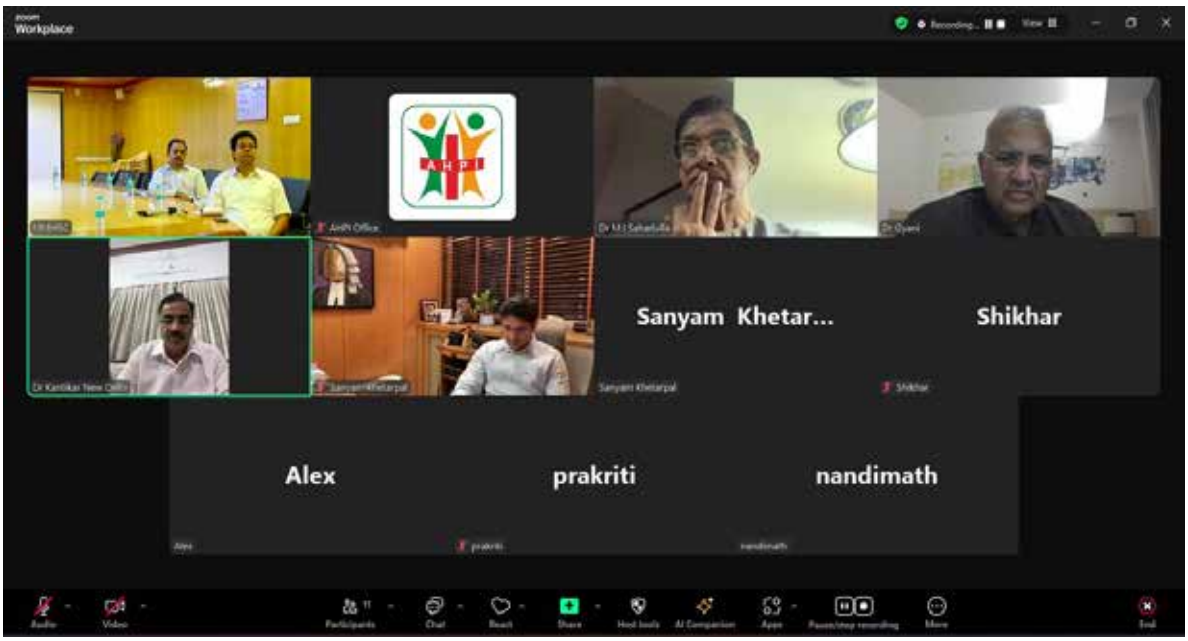
Prepared by AHPI Policy & Advocacy Committee, submitted to Government



AHPI Urges MOHFW to Exempt Doctors from Consumer Protection Act Following Supreme Court Deliberation

In light of the recent Supreme Court deliberations,verdict which exempted advocates from the purview of the Consumer Protection Act (CPA) for deficiency of services, the Association of Healthcare Providers of India (AHPI) has submitted a formal request to the Ministry of Health and Family Welfare (MOHFW) to extend the same exemption to doctors.

argument is based on the premise that doctors, like advocates, provide services that are professional in nature and involve a high degree of expertise, judgment, and unpredictability. Medical professionals often work under complex, high-pressure situations where outcomes are not always guaranteed, even with the highest standards of care.



A call with AHPI leadership, empaneled and expert lawyers including the Former Member of National Consumer Disputes Readdress Commission [NCDRC].

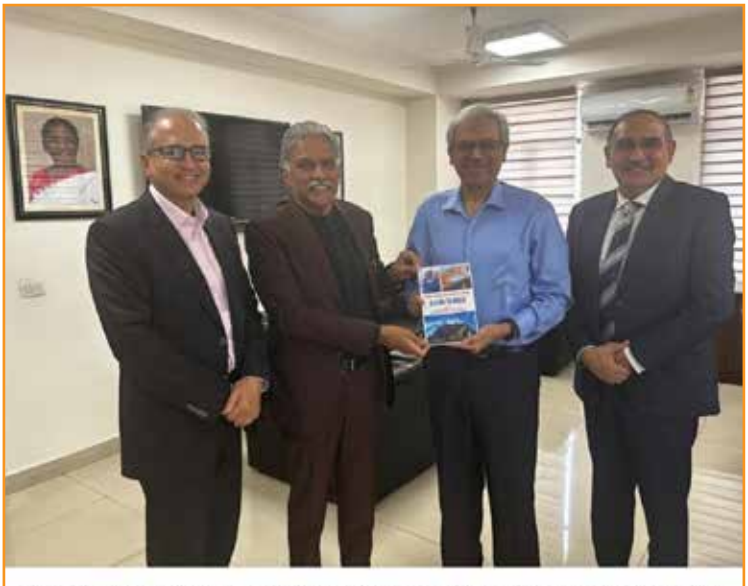
AHPI – Ministry of Finance

The Association of Healthcare Providers India (AHPI) has officially raised concerns regarding the insufficient allocation of the national budget to the healthcare sector by submitting a formal letter to the Union Finance Minister and Finance Secretary.

The letter emphasizes the growing challenges faced by the healthcare industry.

- Letter to Union Finance Secretary – Inadequate Allocation of Budget for Healthcare Sector
- Letter to Union Finance Minister – Reg Need to Enhance Budget Allocation for Healthcare

AHPI with ICMR



With Dr. Rajiv Bahl, Director General, Indian Council of Medical Research.

AHPI - Ministry of Chemicals & Fertilizers, GOI

The Association of Healthcare Providers India (AHPI) recently engaged in a productive dialogue with Secretary of the Department of Pharmaceuticals, Ministry of Chemicals & Fertilizers, on the crucial issue of rationalizing the pricing of drugs and medical devices. During the discussion, Dr. Chawla invited suggestions from AHPI members and healthcare stakeholders on how to make essential medicines and devices more affordable while ensuring quality and accessibility across the country.



AHPI Team led by Dr Sunil K Khetarpal, Director, AHPI with Dr. Arunish Chawla, Secretary, Department of Pharmaceuticals, Ministry of Chemicals & Fertilizers, GOI.

MOU

MoU with ISRO

AHPI & ISRO signed an MoU in the presence of Shri Somanath, Chairman, ISRO. The collaboration between ISRO and AHPI and its partners aims to focus on various important areas, including Climate Change, forecasting vector-borne diseases, enhancing skills in AI for healthcare, geo tagging healthcare facility information such as hospitals, labs, blood banks, emergency centers, and ambulances, as well as developing high-quality prosthetics at an affordable price. Additionally, the collaboration hopes to delve into the health aspects of the space program.









MoU with Dementia India Alliance [DIA]

AHPI collaborated with DIA to build awareness ,advocating dementia-related policies, promoting training and dementia-friendly practices in AHPI member hospitals improve the overall quality of life of elderly and those with dementia and benefit society at large.



Signing of MoU with Dementia India Alliance [DIA]



AHPI signed an MOU with 3M to collaborate in the area of capacity building of professionals in quality and educating the hospitals for NABH Standards and accreditation

- **MOU with IISc (Indian Institute of Science)**
  - To develop academic and educational cooperation, with both the organisations
- **MOU with Gujarat National Law University [GNLU]**
  - To collaborate on research initiatives that explore the intersection of healthcare, law, ethics, and policy.
- **MoU with CMC Vellore**
  - Regarding the National Health Conclave 2024 on Life Style Medicine at CMC Vellore

AHPI COMMITTEES

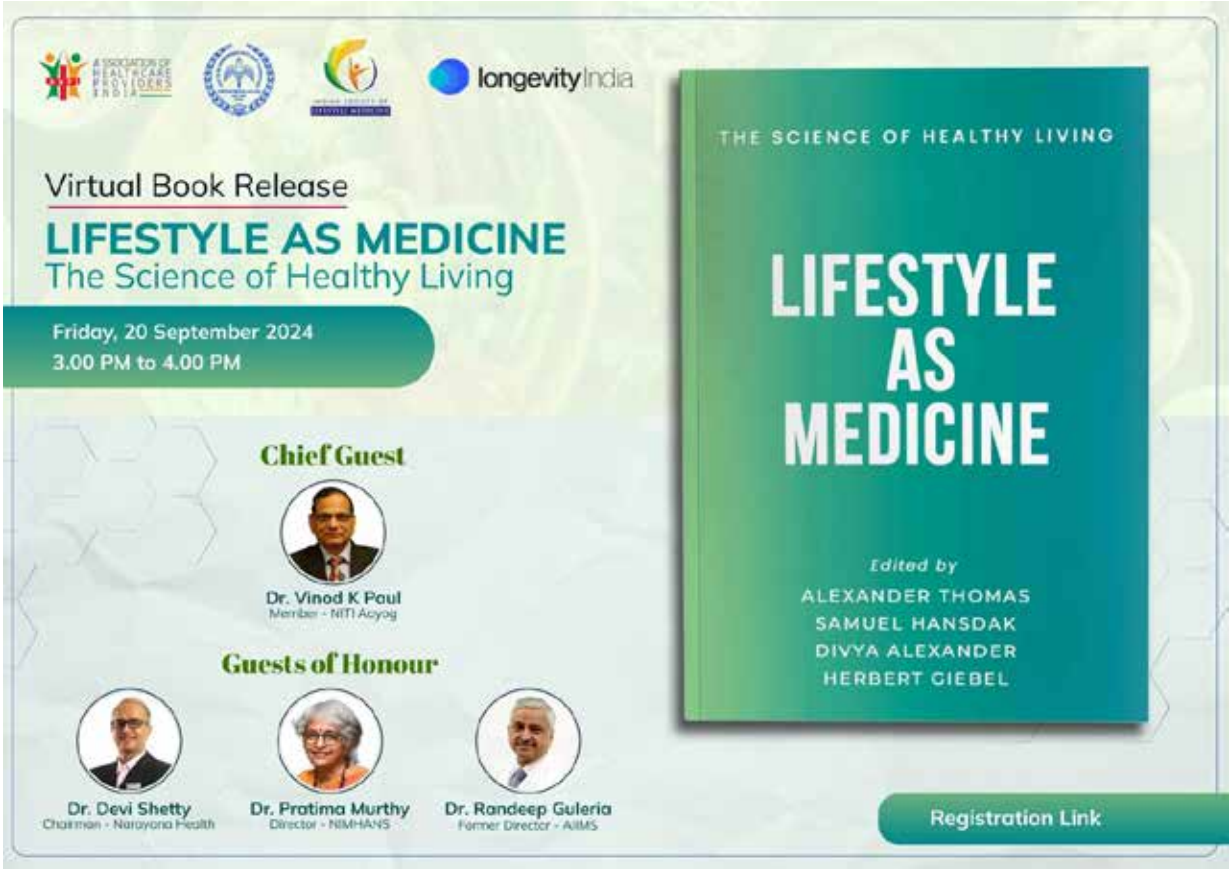


AHPI Scientific Committee meeting with Co opted members for Stroke, AMR, Geriatric Care.

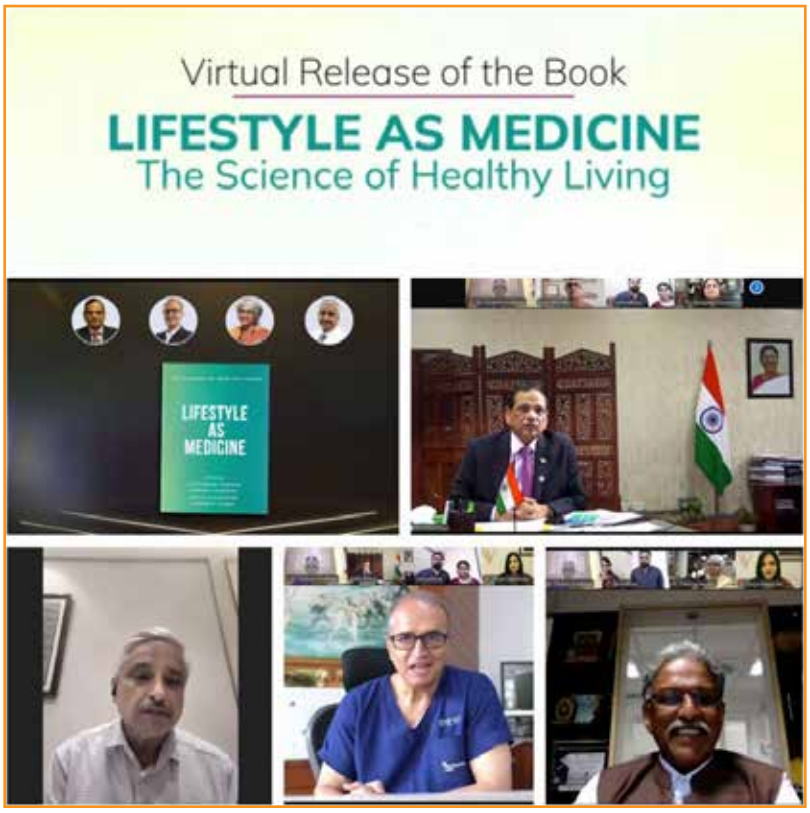


AHPI Policy & Advocacy Committee Meeting at Delhi office.

BOOKS



AHPI and Christian Medical College (CMC) Vellore proudly hosted the virtual release of their much-anticipated book, edited by Dr. Alex Thomas and other esteemed contributors. The event was graced by Dr. Vinod Paul, Member of NITI Aayog, as the Chief Guest, who commended the efforts behind this valuable contribution to healthcare literature.The virtual ceremony also featured insightful addresses by renowned leaders in the healthcare sector, including: Dr. Devi Shetty, Patron, AHPI,.Dr. Pratima Murthy, Director, NIMHANS, Dr. Randeep Guleria, Former Director, AIIMS Delhi and others.This book, a comprehensive guide on healthcare practices, is now available as open access to all readers, providing a valuable resource for healthcare professionals, educators, and policymakers alike.



Book - Communicate Care Cure - 4th edition

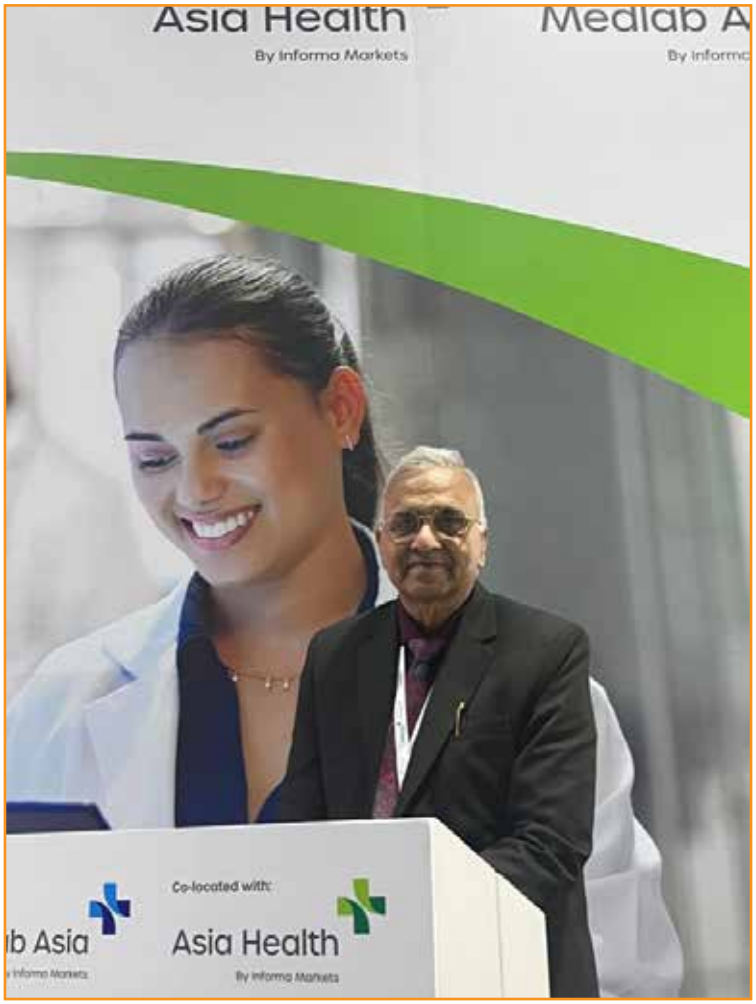
AHPI is excited to announce the commencement of preparations for the 4th edition of the highly acclaimed book Communicate Care Cure - A Guide to Healthcare Communication edited by Dr. Alex Thomas.

Building on the success of previous editions, this new volume will continue to explore the critical importance of effective communication in healthcare settings, offering practical guidance and insights for healthcare professionals.



First meeting of the Expert Committee including CEO, NABH, Patron, AHPI , SG, CAHO and others.

INTERNATIONAL



Dr. Girdhar Gyani, DG, AHPI talking on Value Based Care at Asian Health Summit at Bangkok

Director General, AHPI at the Hospital Management Asia Awards 2024 at Bali, Indonesia





COLLABORATIONS



A high-level meeting has been scheduled with the Honorable Health Minister of Karnataka and senior officials to discuss a strategic plan addressing two critical issues: Antimicrobial Resistance (AMR) and Climate Change Awareness within healthcare facilities across the state.



Meeting with Additional Director, National Health Authority [NHA] to support NHA initiatives



Meeting with Director NABL for Exploring possible Collaboration



Launch of the Vayah Vikas and organization for Elders [founder members AHPI] Nodal Centre in collaboration with Sree Renga Hospital in Chengalpattu, Tamil Nadu





Attending Brain Storming Session on "Making India a Standard Based Economy "organised for Technical Committee member of Bureau of Indian Standards [BIS]

AHPI with Welsh Government Life Sciences organised a round table for collaboration between the Welsh Life Science ecosystem and AHPI industry members



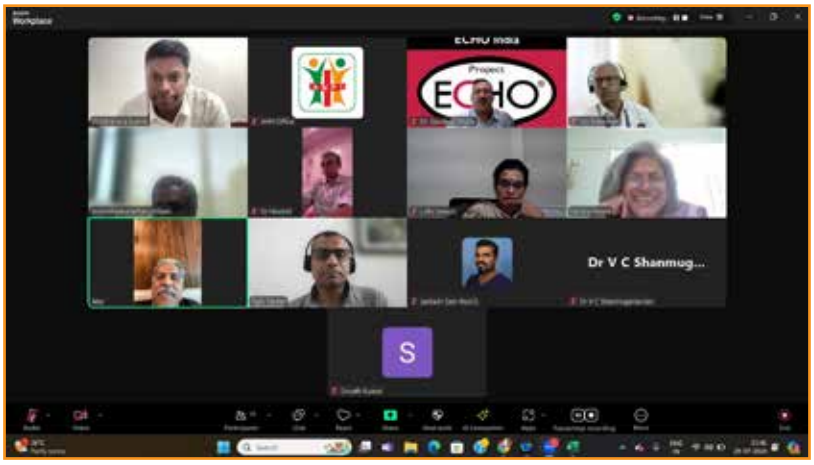




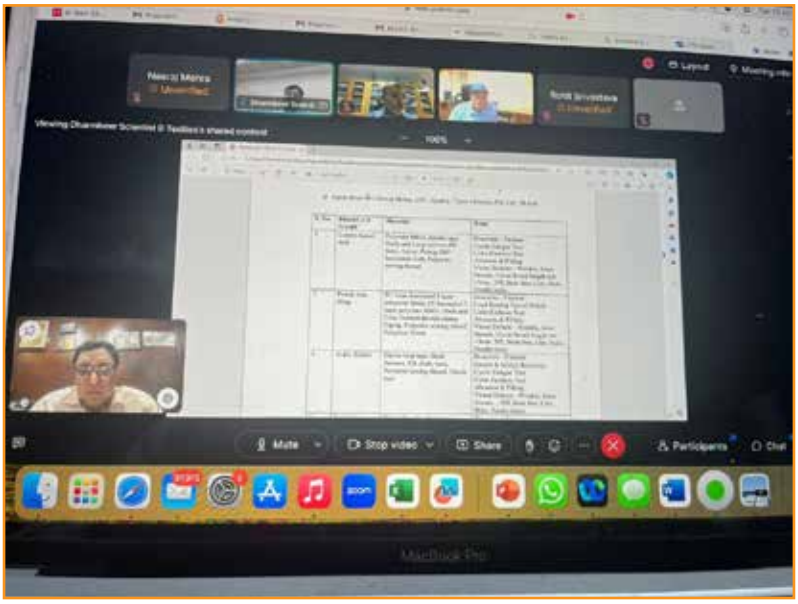
AHPI – ISRO First Programme Review and Advisory Committee's (PRAC) Committee Meeting to discuss on the ongoing projects and their way forward.



Meeting with Scientific Secretary, ISRO & AHPI



Meeting with the AHPI Coordinators for the On going Projects of AHPI with ISRO and their way forward.



AHPI - Member Technical Committee for Technical Textiles for Medtech Applications

Launch of Centre of Alliance for Collaborative Health[COACH] - Consortium of AHPI, CAHO & ANBAI.

Launch of COACH was held on the 14th of September 2024 at Delhi. a galaxy of representation from both the Government and Medical fraternity was involved and The Union Health Minister also appreciated and blessed COACH.

Also, the three organizations were appreciated for the initiatives they bring in for the healthcare system in our Country.



The shared leadership among ANBAI, AHPI, and CAHO has fostered successful informal collaborations on various initiatives.

Primary goal is to formalize this collaborative approach and foster continuous improvement in healthcare delivery.

By uniting the strengths through the Centre of Alliance for Collaborative Health (COACH), ANBAI, AHPI, and CAHO will be able to advance patient safety, enhance quality standards, and improve regulatory practices. Together, COACH can become a powerful force in advocating for quality healthcare delivery, ensuring that it is accessible to all citizens.

Virtual Launch of COACH – AHPI, ANBAI & CAHO





Exploring Further Research Collaboration with IISc, INSTEM & Bangalore Baptist Hospital



AHPI with Vayah Vikas on World Senior Citizens Day



Dr. Sunil K Khetarpal, Director AHPI, Guest of Honour at 13th Convocation Ceremony of IIHMR DELHI and Awarding the young Achievers!!







AHPI at the ANBAI Teacher Par Excellence & NBE Gold Medalists Award Ceremony, Bengaluru



AHPI at the Inauguration of Max Group's Antara Senior Care care home in Bengaluru



AHPI with Dr. Pratap C. Reddy, the visionary founder and chairman of the Apollo Group of Hospitals!



AHPI with Quality Austria Central Asia



AHPI with Global Nurse Force



AHPI with Ingram Micro – to enhance technology infrastructure of Healthcare



AHPI with Medotil Global Healthcare Services Pvt. Ltd.to explore possibilities of Medical Tourism



AHPI as DIstinguished Jury at BusinessWorld Healthcare 40 under 40 Awards..



TRAINING & COURSES

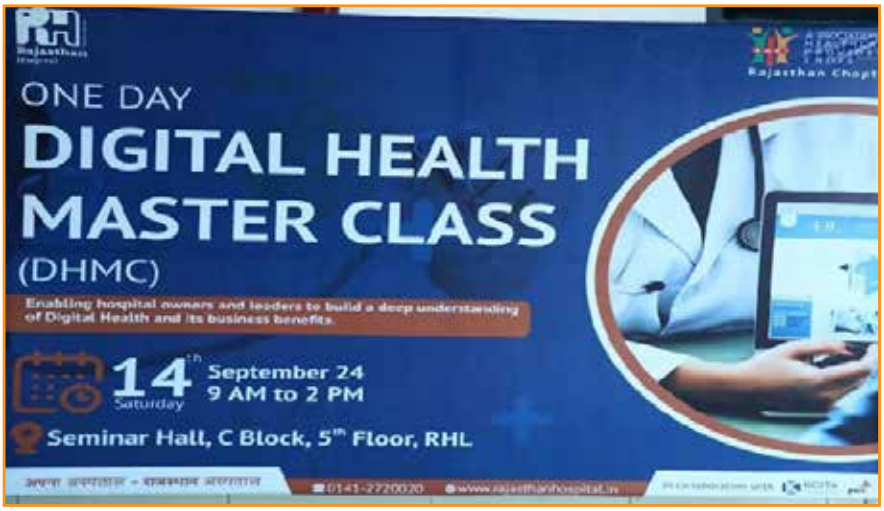
Workshop on Infection Prevention and Control Practices in Hospitals was organized by Sehgal Neo Hospital in association with AHPI and Dettol Pro Solutions.





Digital Health Master Class Workshop at Rajasthan Hospital, Jaipur*

The Digital Health Master Class (DHMC) workshop, developed by PwC and the Koita Foundation in collaboration with the Association of Healthcare Providers India (AHPI), was held on Saturday, September 14, 2024*.





The workshop aimed to equip hospital owners, leaders, and senior healthcare professionals with a comprehensive understanding of Digital Health, specifically Health Management Information Systems (HMIS) and Electronic Medical Records (EMR)* .

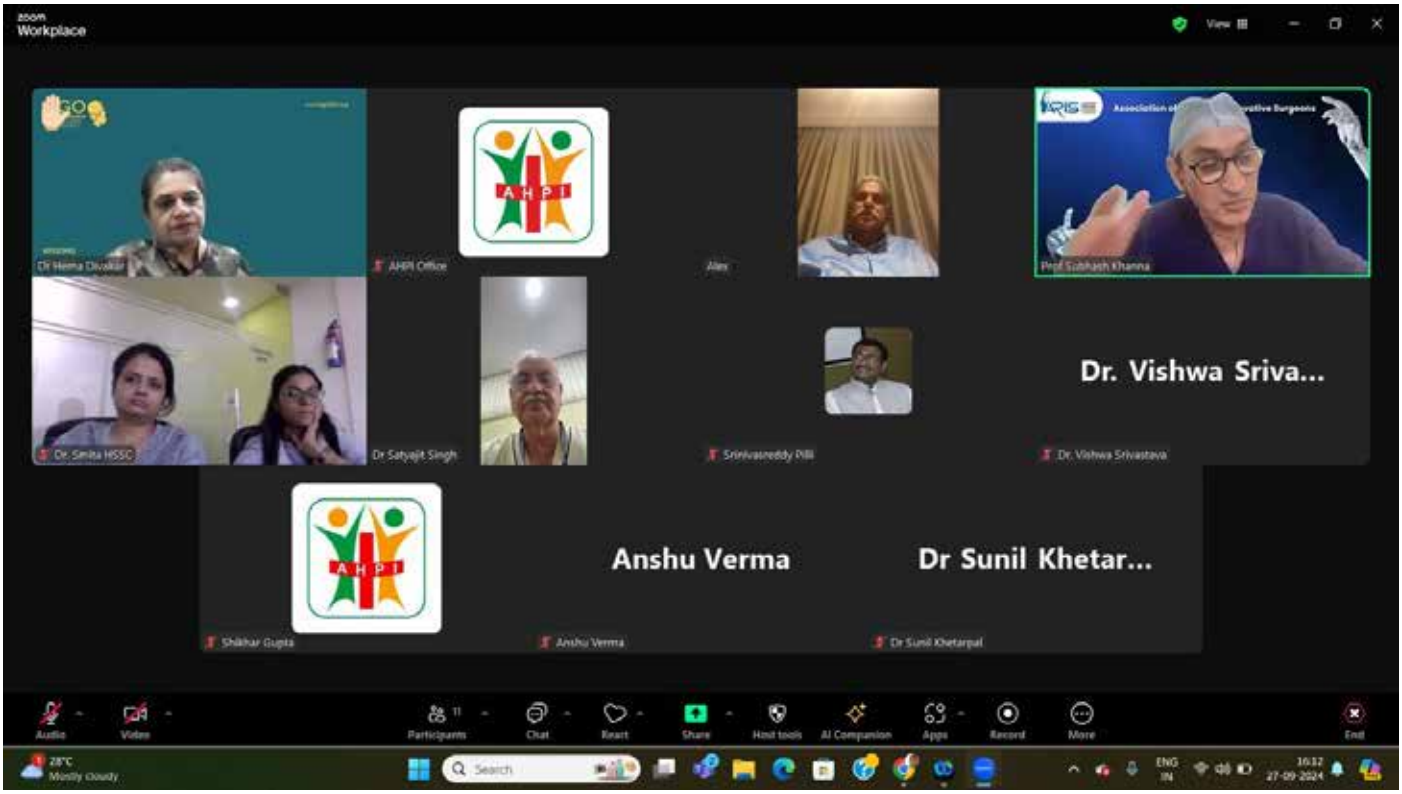












First meeting with experts to explore possibilities on conducting a course on Robotic Surgery

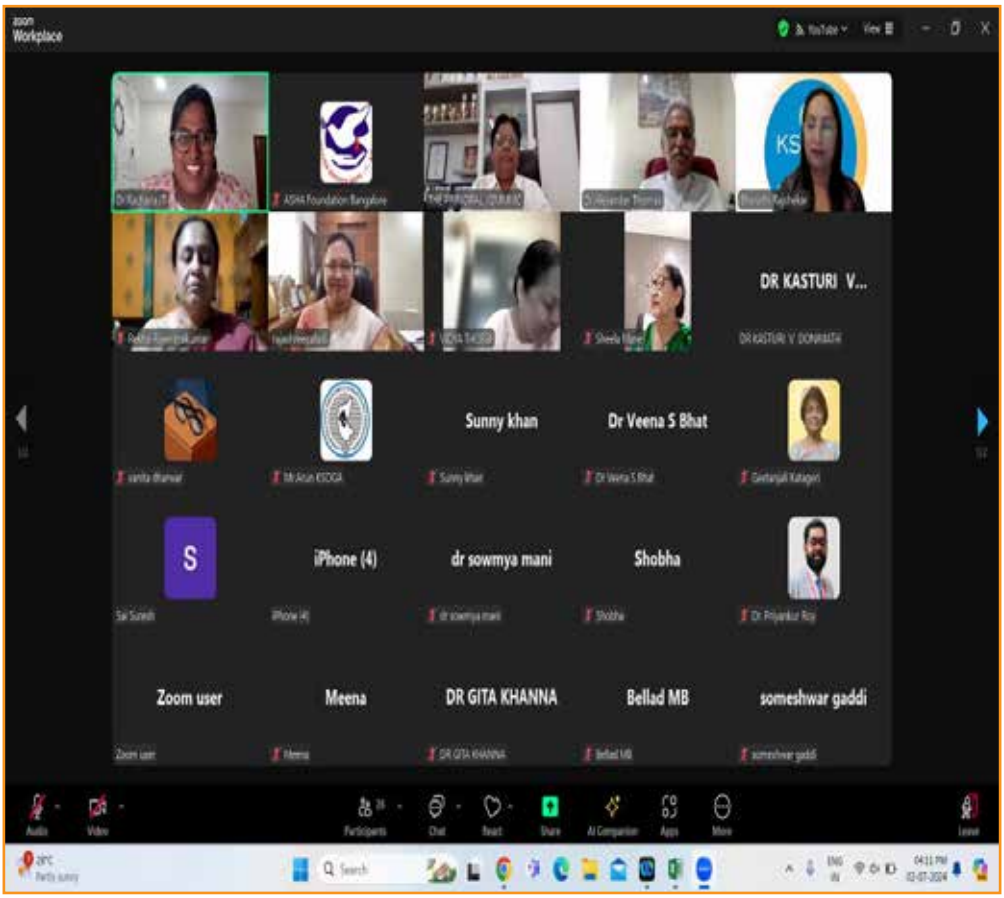
CONCLAVES/WORKSHOPS/WEBINARS



Webinar organised by AHPI on "Mental Health and Well-being of Healthcare Providers" on Doctors' Day



AHPI Jury at the India IVF Summit Awards 2024



AHPI Chief Guest at the Doctors Day Programme Organized by Karnataka State Obstetrician & Gynecology Association [KSOGA], 2024.

AHPI at Pushpanjali Medicon 2024



ASG meeting on Medical Value Travel

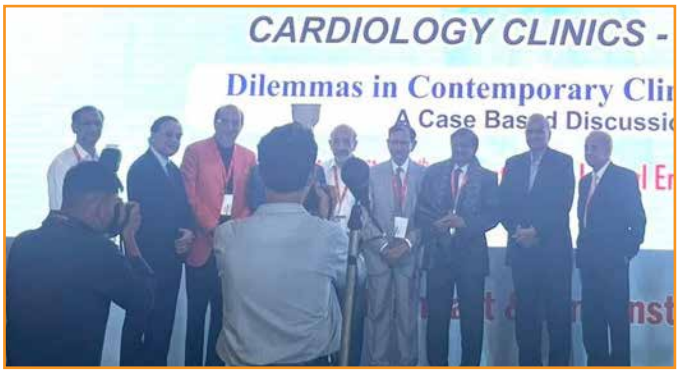


Dr Indu Bhushan addressing at India Global Forum



AHPI at the Annual Conference of Delhi Heart & Lung Institute (DHLI) 2024







AHPI talking on Ethical Considerations in AI



Speaking on Role of Public Education in Food Safety organized by Dainik Jagran

AHPI as a Jury at the Business Healthcare Summit





At GS1 Conference on Navigating the Future of Healthcare – Vision to Reality

AHPI emphasized the transformative power of digital health initiatives in enhancing operational efficiency, accessibility and patient safety. Dr. Khetarpal advocated for barcoding in healthcare, noting its role in improving accuracy, recall management, and real-time tracking.







AHPI as a partner at the FICCI Webinar on Organ Donation



At the Medical Research Summit and Black Buck Awards organised by Medical Dialogues



AHPI at the Indian Cardiac Care Innovation Summit as a knowledge partner toTimes Group - ET Edge



AHPI as distinguished Jury at the Economic Times Healthcare Awards



AHPI at the Webinar on Patient Safety hosted by Apollo Hospitals



AHPI at the Indian Cardiac Care Innovation Summit as a knowledge partner toTimes Group - ET Edge



STATE CHAPTER ACTIVITIES

BIHAR



Executive Committee Meeting Bihar chapter meeting

BIHAR CHAPTER



A seminar on "World Patient Safety Day" was organised for two days 17th &!18th September under banner of IMA, AHPI and CAHO

DELHI NCT CHAPTER



Workshop on World Patient Safety Day at Neo Sehgal Hospital

Gujarat Chapter - AHPI MOU with GNLU for G-HELP



AHPI Signing of MOU with GNLU for G-HELP

KARNATAKA



Webinar by AHPI Karnataka Chapter on "Closing The Gaps And Supporting Breastfeeding" (South Asian scenario)

KARNATAKA



NE 1 [Assam, Sikkim, Meghalaya, Tripura]



Submission of Memorandum to CEO, AAA to release pending dues.

First North East Healthcare Management Conclave hosted by NE 1 & NE 2 Chapter

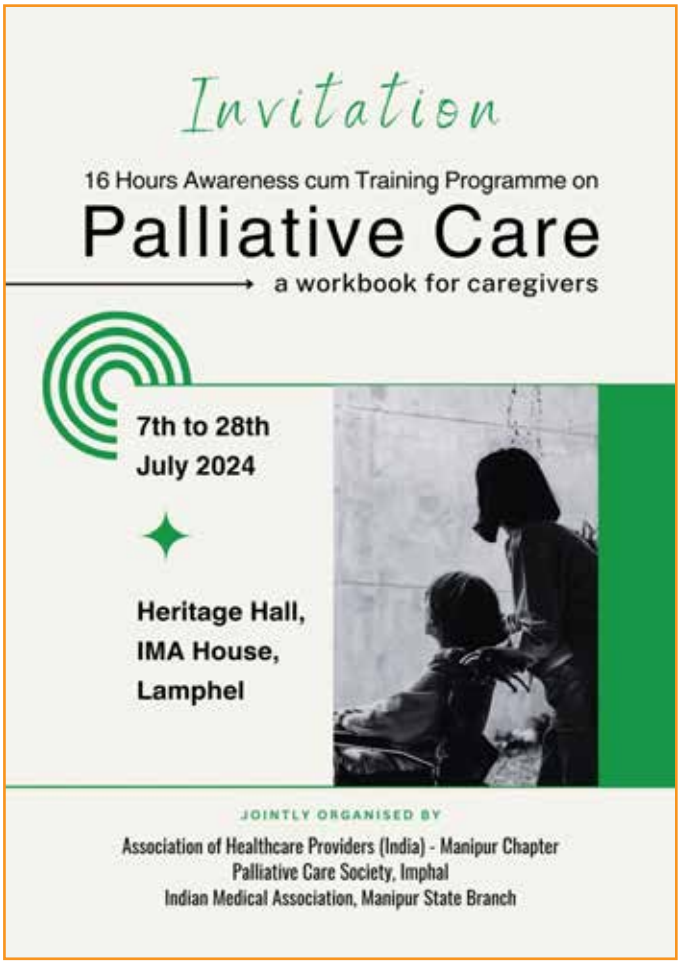






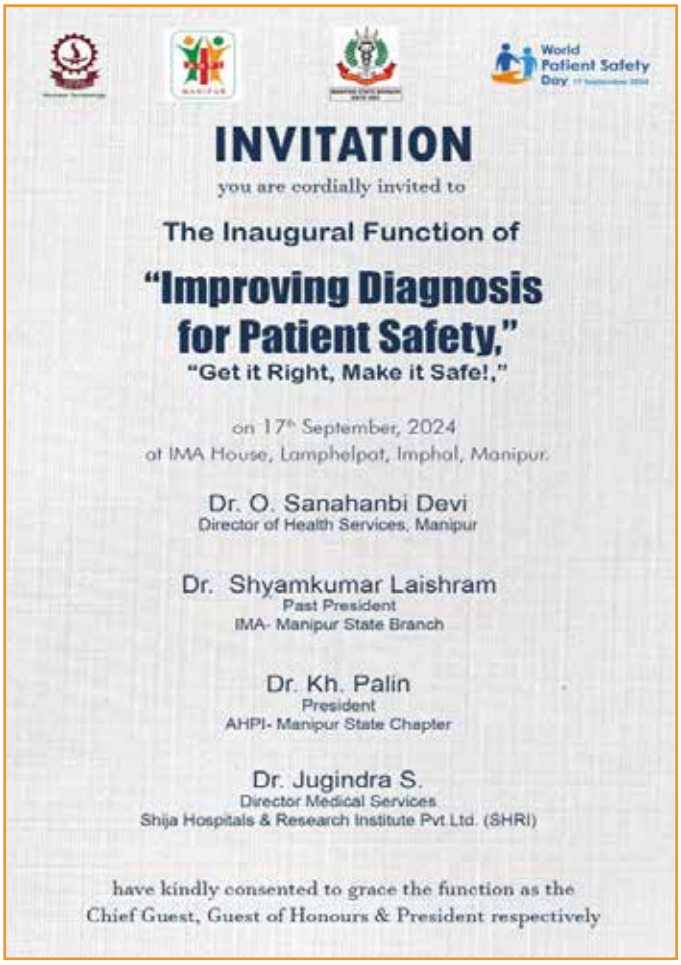


NE 2 Chapter [Manipur, Mizoram, Nagaland & Arunachal Pradesh]



Training programme on palliative care organised by NE2 Chapter

NE 1 Chapter



Celebrating World Patient Safety Day - Improving Diagnosis of Patient Safety

Madhya Pradesh Chapter



Webinar hosted by AHPI and Johns Hopkins Centre for AIDS on Mpox symposium.

Odisha



Tamil Nadu Chapter





Nursing Skill Development Programme hosted by TNEI & TN AHPI Chapter at Dr. Mehtas Hospital

Tamil Nadu Chapter



EC Meeting

Telangana



Meeting with Hon'ble Chief Minister of Telangana to invite him for the GSPARC initiative where AHPI is a partner, especially to tackle the challenges of AMR and infectious diseases.

PUBLIC HEALTH

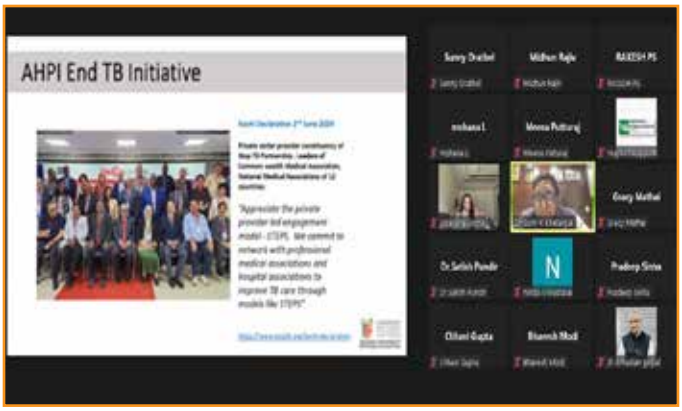
AHPI supporting NTEP (National TB Elimination Programme)AHPI presented on 'STEPS' (System for TB Elimination by Private Sector) for Enhancing Quality of TB Care in Private Hospitals with 'AHPI End TB Initiative' in a webinar organized by TB PPM (TB Public Private Mix) Global Learning Network on July 8, 2024.

During the panel discussion, Dr Sunil Khetarpal, Director, AHPI gave a brief on how Private Hospitals can stand together with systems like 'STEPS' to support the Nation's efforts in tackling TB. More than 27% of the global TB Incidence is from India as per the global TB report 2023. The private healthcare sector in India plays a pivotal role in healthcare delivery, serving as the first point of contact for approximately 70% of the population. Moreover, about 50% of TB cases are diagnosed within this sector, underscoring its critical influence on public health outcomes.

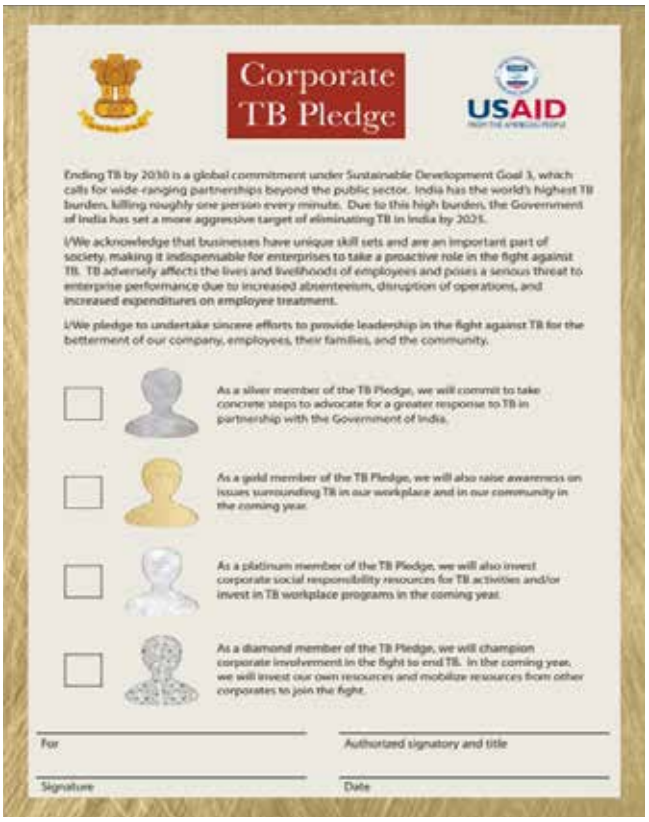
The webinar was also addressed by leaders from private Healthcare sector such as Dr Upasana Arora, MD, Yashoda Super Speciality Hospitals Kaushambi, Ms Gracy Mathai, CEO Baby Memorial Hospitals, Dr Sunny P Orathel, Medical Superintendent, Rajagiri Hospitals, and Dr Rakesh PS, Deputy Director of Programs, The UNION . They shared their experience and insights on implementing STEPS for enhancing quality of TB care. The webinar was moderated by Dr Meena Putturaj, Team Lead for TBPPM LN, India Chapter.

The webinar saw participation from key stakeholders and TB elimination enthusiasts from various countries representing key organisations.





AHPI – USAID – UNION – CTB (MoHFW)



With an aim to intensify engagement of India's Private Healthcare towards the Nations Fight against TB, AHPI has launched one week campaign (from 17th to 24th September,2004) under - AHPI End TB Initiative.

As a campaign mode, 22 AHPI Members from different state took the pledge and signed the Corporate TB Pledge Sheet as a Gold Member. This initiative was well-appreciated by Dr Jyoti Jajoo, Programme Director, The UNION, India.

Taking the pledge as a Gold Member means that these hospitals are with the nation in the fight against Tuberculosis, and will raise awareness about TB in their workplace and in their community*.



AHPI speaking at "Let`s Talk TBPPM" a Webinar on TB Elimination efforts by Private Hospitals through STEPS (System for TB Elimination by Private Sector) initiative organised by TB PPM Learning Network' India Chapter.



AHPI with Dr Sanjay Mattoo Addl Deputy Director General, Central TB Division, NTEP, MoHFW

EVENTS

First Organizing Committee of the Annual Global Conclave 2024 at Kerala





2nd AHPI Leadership Summit at Chennai



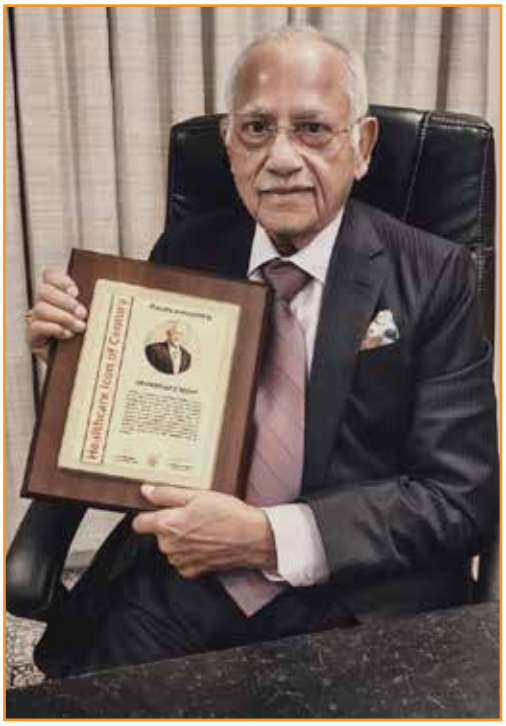


AHPI 2nd LEADERSHIP SUMMIT

AHPI TN Chapter successfully hosted the 2nd AHPI Leadership Summit 2024 at the Hilton Hotel in Chennai on 29th September 2024. The summit brought together top leaders from the healthcare sector, along with prominent leaders from other industries to address the evolving challenges in healthcare management and develop strategies for improving healthcare outcomes across India. Dr. Kiran Bedi, Former Lt. Governor of Puducherry was the chief guest for the event. Notable attendees included Dr. J. Radhakrishnan, IAS, Additional Chief Secretary, Government of Tamil Nadu; Dr. Preetha Reddy,Executive Vice Chairperson of Apollo Hospitals; Lt. Gen. Dr. Madhuri Kanitkar, Vice Chancellor, MUHS and Dr. Mohamed Rela, Chairman &Managing Director of Rela Hospital. The organizing chair included Dr. Venkat Phanidhar, Medway hospitals and Ms. Sandhya Cherian, Frontier Lifeline hospital as the organising secretary.

Dr. Prathap C Reddy, Founder Chairman of Apollo Hospitals was awarded the "Health Icon of the Century" which was received on his behalf by Dr. Preetha Reddy, Executive Vice Chairperson, Apollo Hospitals. Prof. (Dr.) Achyuta Samanta, Founder of KIIT University, KISS and KIMS was awarded the "Iconic Healthcare Leader" and Dr. Davinder Kaur, an exemplary leader with dedication towards advanced nursing practice, was awarded the "Role Model in Nursing Leadership" award. The Summit was attended by the World-renowned Cardiac Surgeon Dr. KM Cherian, CEO of Frontier Lifeline Hospital & Dr KM Cherian Heart Foundation and also leaders from various prominent hospitals across the city.

The AHPI Leadership Summit 2024 reinforced the need for strong leadership and collaboration across sectors to achieve the vision of "Universal Health Coverage" and India's aspiration to become a global leader in healthcare by 2047. Industry leaders emphasized the importance of innovation, effective management, and leadership development in ensuring the long-term success and sustainability of India's healthcare sector.



Healthcare Icon of the Century



National Health Conclave 2024 by AHPI & CMC Vellore Life Style Medicine: Empowering Communities, Transforming Lives at CMC Vellore 15th & 16th of October 2024



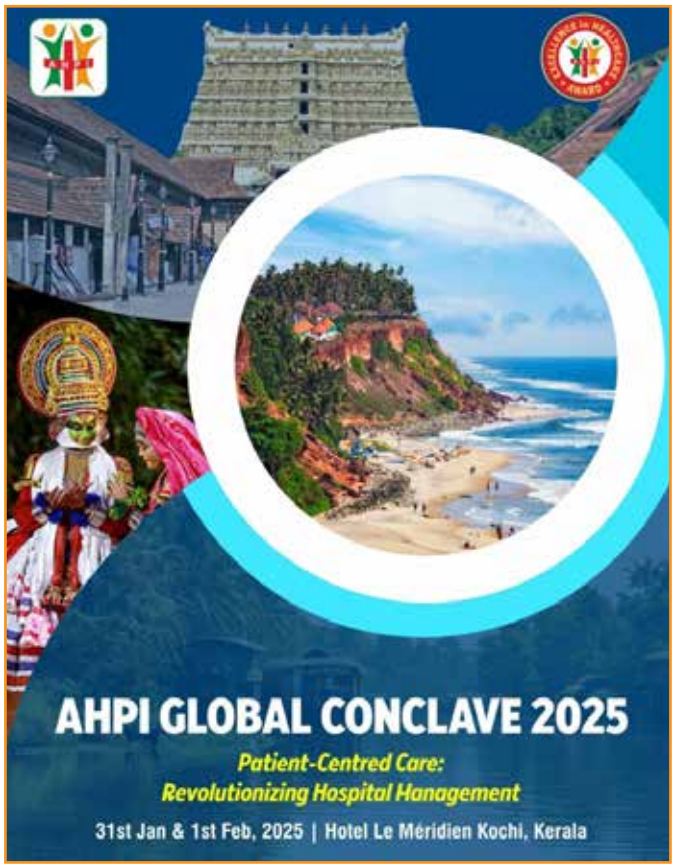






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NEWS AND MEDIA






DECCAN HERALD
Friday
August 16, 2024

Medical liability: Time to clarify accountability

NANDIMATH OMPRAKASH V AND ALEXANDER THOMAS

In 1986, the landmark Indian Medical Association (IMA) vs V P Shantha case, which was decided by a divisional bench of the Supreme Court comprising three judges, set a pivotal precedent by affirming that doctors are encompassed within the purview of the Consumer Protection Act (CPA). This ruling also signalled a significant shift in the understanding of the Act, implying that other professionals, such as those in the legal profession, could also potentially be impacted and brought under the ambit of the CPA. The National Consumer Commission held that legal professionals do come under the CPA, based on the findings of IMA vs V P Shantha.

However, the recent judgement of the Supreme Court (Justices Bela Trivedi and Pankaj Mithal) in BCI & Others vs D K Gandhi emphasised that lawyers would not be held liable under the Consumer Protection Act, 2019 (CPA) for any alleged deficiencies in providing their professional services while representing clients. It was argued that, unlike the medical profession, where scientific standards exist to decide the standard of care, there is no universal standard of care or objective test that exists or can be prescribed as the threshold in the case of the legal profession to adjudicate upon the question of abdication of duty of care.

This case once again renews the ongoing debate within the medical community: should medical doctors be equated with other service providers, such as carpenters, bankers, plumbers, and so on, under consumer protection laws? While standard treatment guidelines are in place, the intricate nature of medicine, known for its lack of exact science, poses unique challenges in each patient's case. Even with the application of the best standards of care, desired outcomes may not always be achieved. Medical professionals are trained to provide optimal care ethically, with outcomes largely dependent on the patient's condition.

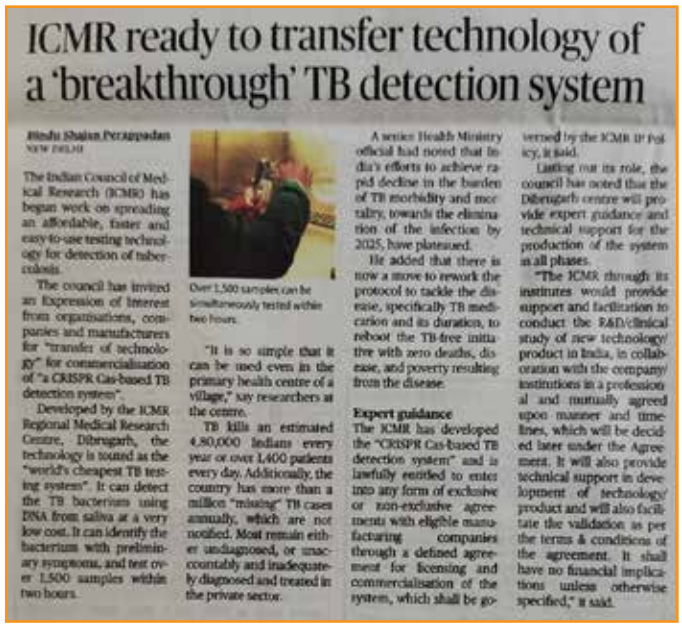
The Supreme Court focused on legislative intent and whether the legislature ever intended to include professionals within the purview of the CPA. In answering this question, the court observed that "professionals could not be called businessmen or traders, nor could clients or patients be called consumers."

It is also required to bear in mind that the terms 'business' or 'trade' having a commercial aspect involved cannot be used interchangeably with the term 'profession' which normally would involve some branch of learning or science. The very purpose and object of the CPA, 1986, as re-enacted in 2019, was to provide protection to consumers from unfair trade practices and unethical business practices only. There is nothing on record to suggest that the legislature ever intended to include professions or professionals within the purview of the Act.

The court went further and examined whether the legal profession is distinct from other professions, even when considered in light of the V P Shantha case logic, and concluded that the legal profession cannot be compared with any other profession, and particularly not with the medical profession. In this context, one of the judges categorically observed that the V P Shantha case be re-examined by the constitutional bench for its correctness. The second judge, Justice Pankaj Mithal, compares the Indian consumer protection law with many comparable laws from other jurisdictions. From that comparative analysis, he states that "in India, the services of professionals, more particularly those of lawyers, have to be excluded from consumer protection law." The submission to the Chief Justice of India for revisiting the P Shantha judgement merely made as an orbiter by one of the judges deciding the case raises the technical point of whether the CJI is obliged to constitute the constitutional bench in disregard of whether it is only an observation.

The ongoing debate regarding the accountability of medical professionals under consumer protection laws highlights important considerations, especially amidst the increasing practice of defensive medicine, which leads to higher costs. The essential trust between doctors and patients is gradually diminishing. At this juncture, it may be appropriate to re-evaluate the current framework to strike a balance between safeguarding consumer rights and fostering a medical environment that prioritises patient welfare and trust.

(Omprakash is Professor of law, National Law School of India University, Bengaluru, and Thomas is Founder and Patron, Association of Healthcare Providers India)



ICMR ready to transfer technology of a 'breakthrough' TB detection system

Hindu Shaion Peragapadan
NEW DELHI

The Indian Council of Medical Research (ICMR) has begun work on spreading an affordable, faster and easy-to-use testing technology for detection of tuberculosis.

The council has invited an Expression of Interest from organisations, companies and manufacturers for "transfer of technology" for commercialisation of "a CRISPR Cas-based TB detection system".

Developed by the ICMR Regional Medical Research Centre, Dibrugarh, the technology is touted as the "world's cheapest TB testing system". It can detect the TB bacterium using DNA from saliva at a very low cost. It can identify the bacterium with preliminary symptoms, and test over 1,500 samples within two hours.

Over 1,500 samples can be simultaneously tested within two hours.

"It is so simple that it can be used even in the primary health centre of a village," say researchers at the centre.

TB kills an estimated 4,80,000 Indians every year or over 1,400 patients every day. Additionally, the country has more than a million "missing" TB cases annually, which are not notified. Most remain either undiagnosed, or inaccurately and inadequately diagnosed and treated in the private sector.

A senior Health Ministry official had noted that India's efforts to achieve rapid decline in the burden of TB morbidity and mortality, towards the elimination of the infection by 2025, have plateaued.

He added that there is now a move to rework the protocol to tackle the disease, specifically TB medication and its duration, to reboot the TB-free initiative with zero deaths, disease, and poverty resulting from the disease.

Expert guidance

The ICMR has developed the "CRISPR Cas-based TB detection system" and is lawfully entitled to enter into any form of exclusive or non-exclusive agreements with eligible manufacturing companies through a defined agreement for licensing and commercialisation of the system, which shall be governed by the ICMR IP Policy, it said.

Listing out its role, the council has noted that the Dibrugarh centre will provide expert guidance and technical support for the production of the system in all phases.

"The ICMR through its institutes would provide support and facilitation to conduct the R&D/clinical study of new technology/product in India, in collaboration with the company/institutions in a professional and mutually agreed upon manner and timelines, which will be decided later under the Agreement. It will also provide technical support in development of technology/product and will also facilitate the validation as per the terms & conditions of the agreement. It shall have no financial implications unless otherwise specified," it said.

An article by Dr.Alex Thomas on Medical Liability –
Time to Clarify accountability published in Deccan Herald.

https://www.deccanherald.com/opinion/medical-liability-time-to-clarify-accountability-3152239

IN MEDICARE NEWS

13 August, 2024 Issue - 03 मेडीकेयर न्यूज Year 21 Page 06

To err is Hospital; CAHO is how to stem it

A Unique Movement in India redefines quest for Safety of Patients



Dhananjay Kumar









New Delhi : If to err is human, so to err is hospital. Against this stark reality, a unique movement for ensuring safety of patients in hospitals and stemming of medical errors therein is on with fair measure of success in India grabbing attention of the whole world. Indian phenomenon called CAHO has redefined the quest for safety of patients in hospitals.

CAHO (Consortium of Accredited Health care Organizations) is the name of a body led by some enlightened healthcare leaders. It is driving the campaign of ceaseless push towards perfection of care in hospitals, particularly accredited ones, beyond accreditation. This body is a cut above the rest in the sense that, while the whole world is going in circle around accreditation of hospitals to achieve this, CAHO has transcended it. This change of thinking and strategy is what makes it an institution with a difference.

Given the harsh realities of medical errors even in developed nations, setting a goal to eradicate medical errors from Indian hospitals may sound a tall order. USA, which has JCI (Joint Commission International), the mother of all hospital accreditation bodies and limitless financial resources at command, still registers medical errors in hospitals there as being the third biggest killer of patients. The truth is foolproof safety of patients in hospitals is still the Holy Grail world over and seems as elusive as ever even today.

Undeterred by such dampening truth of the matter , some well meaning and conscientious luminaries of Indian healthcare started the campaign in right earnest and with missionary zeal. And, lo and behold, it is causing far reaching changes across healthcare landscape of India. Quality of care and safety of patients are becoming sine qua non for hospitals. Passion for patient safety is rife across domain, thanks to CAHO's crusade. The story of CAHO which has now become an epic in terms of its extent and impact started with meeting of three enlightened minds, Dr Girdhar Gyani, patron and mentor of CAHO, Dr Alexander Thomas , the Founding President of the body and Dr Vijay Agarwal, current President of CAHO. They are highly accomplished healthcare professionals and have impacted the domain in many different leadership roles. The quest for quality has been their middle name. They are being looked at as the architects of CAHO, triumvirate of this patients' safety movement. They have been men of convictions and have fought for them too.

In the beginning, they had joined forces for sensitizing hospitals towards getting accreditation but, in course of time, they realized the fallacy of mere accreditation.

They found accreditation of hospitals was only a beginning of the process of quality enhancement, not a laurel to rest on. Before CAHO, accreditation was hospitals' sole claim to quality of care. CAHO's mandate is to inculcate a culture of quality of care and concern for safety of patients among hospitals. CAHO has come of age. There is hardly a medical conference in India where its voice is missing. Its content and component is now a ubiquitous presence in all medical events in India.

Dr Vijay Agarwal as president of CAHO for nearly 8 years on a trot is still holding the fort with same vigor and fervor. As for handing the baton, Dr Agarwal looks at Dr Lallu Joseph, presently Secretary General of the body, as CAHO's best shot to take their legacy forward. Dr Joseph being Associate GS& Quality manager of highly reputed hospital CMC Vellore is best suited and well equipped to pack a punch in the movement.

Dr Agarwal is all praise for her dynamism, passion and commitment to the cause. He is very satisfied to see the emergence of leaders like Dr Joseph. He is highly optimistic that these emerging leaders will take CAHO far towards attainment of the goal. Dr Agarwal pins lot of hope on CAHO leaders like Father Johnson (MD, Rajagiri Hospital Kochi, Dr Aparna Jayaram (Mumbai), Dr Anuradha Picchumani (Chengelpattu Chennai) et al too.



IMPACT HEALTH

A Profession Under Threat: Advocating for the Safety of Healthcare Workers

An article by AHPI Patron Dr.Alex Thomas on a Profession Under Threat, Advocating for the Safety of Healthcare Providers published in IMPACT Health.

AHPI General Body Meeting at Chennai

