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THE TIMES OF INDIA

Govt drops prison clause in private hospitals bill

Doctors Face Penalty For Flouting Law

TIMES NEWS NETWORK

Bengaluru: The Karnataka government has made a string of changes in its controversial Karnataka Private Medical Establishments Act (KPME) Amendment Bill, following the recent agitation by doctors.

According to the changes, there will be no fresh provisions prescribing imprisonment of doctors and only monetary penalties will be levied on doctors for violations. Also, private, corporate, government hospitals and doctors will be put on an expert committee tasked with fixing the tariff for various treatment procedures. Convictions will only be based on the directive of the judicial magistrate.

The KPME bill, which was vetted by the Joint Select Committee and published on Tuesday, now includes restrictions on new private clinical laboratories in the vicinity of government hospitals.

EXPERTS TO FIX SURGERY TARIFF

- For violations of law, doctors won't be jailed; they will be levied fine
- Conviction will only be based on the directive of the judicial magistrate

➤ Private, corporate, government hospitals and doctors on committee to fix surgery rates

➤ Curbs on private clinical laboratories coming up in the vicinity of government hospitals

“Price cap for treatment in a free economy is not healthy. All caregivers — both government and private — must be treated equally as far as patients' rights are concerned. Also, the constitution of a grievance-redressal system is not right as there are enough regulatory bodies.

Dr H Sudarshan Ballal | CHAIRMAN, MANIPAL HOSPITALS

The bill includes deemed grant of registration in case of no decision by the registration authority within 90 days from the receipt of the application, a time limit of 45 days for disposal of grievances, refining scope of fixing cost of treatment procedures and hospital charges, provision to publish draft cost of treatment procedures and hospital charges, inviting objections and prescribing the same for adherence by private medical establishments and limiting cognizance of offences by courts, except on written complaints by the registration authority.

Stating that apprehen-

sions of private medical establishments about the refined KPME Act are baseless, the bill reveals certain facts.

The registration procedure and mechanism are being simplified and made more objective, with a grievance redressal committee at the district level to address patients' grievances within 45 days through a summary trial (existing mechanism of consumer courts take longer). The role of the expert committee has been refined to set standards for medical establishments and different types of treatments and procedures, the bill says.

➤ Monetary penalty, P 6

Refined bill only enhances monetary penalization

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The expert committee comprising representatives of private, corporate, government hospitals and doctors practising independently are mandated to discuss, decide and make recommendations on setting rates for various kinds of treatments, procedures and hospital charges.

The government, based on these recommendations, shall publish draft rates, provide opportunities to all stakeholders including private establishments to make suggestions and only then finalize the rates, says the refined bill. The patients' charter and establishment charter lay down rights and obligations for both, and seek to balance their interest.

While the existing act speaks of the provision for imprisonment, the refined bill does not change it. It only enhances monetary penalization and penalties, and punishments are only based on conviction by a judicial magistrate. Medical

establishments can seek the services of a legal professional only when convicted by a judicial magistrate, states the bill.

More scope for changes: doctors

Dr H Sudarshan Ballal, chairman at Manipal Hospitals, said: "Issues remain the same, more or less, and there is definitely more scope for dialogue between the government and stakeholders to arrive at a consensus and iron out objections raised by private hospitals."

"Price capping of treatment in a free economy is not a healthy practice and all caregivers, both government and private, must be treated equally as far as patients' rights are concerned. Also, the constitution of a grievance redressal system is not right as there are enough regulatory bodies," he added. "The amended bill keeps government hospitals out of its ambit. This bill will slowly but surely kill the progress the health sector has made in Karnataka," Dr Alexander Thomas, president at Association of Healthcare Providers India said.