

I request for upgradation of Warangal railway station. And also the Railway Polyclinic at Kazipet has been upgraded to Sub-Divisional Hospital last year. There is neither lab nor operation theatre and the Railways is citing less number of beds to provide these facilities. And, secondly, there are 14 doctors, but for the reasons best known to the Railways, it is operating with only three regular and one contract doctors. I also request lab facilities here.

With these words, I conclude my speech and request the hon. Minister to pay special attention to Telangana as well as Andhra Pradesh.

MR. DEPUTY CHAIRMAN: Thank you very much for adhering to the time limit. Now, before I proceed, I have to share with the House my problem regarding time management because the position is like this: in 'Others' category, there are 10 speakers and total time is only 40 minutes. If I divide it among the Members, it comes to only four minutes per Member. But in four minutes, nobody can complete the speech. So, they need a little more time. With regard to Congress, there are eight more speakers and they have 85 minutes. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, the time allotted. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let me complete. Please sit down. That is what I am saying. BJP has got four more speakers and 39 minutes. Therefore, for time management, I would request the Members from Congress' and BJP to limit their speeches to eight minutes. ...*(Interruptions)*... I am only requesting you. You may or may not do it. I am only saying this because at 8 p.m., we have to conclude and so many speakers are there. In 'Others' category, there are 10 speakers. In four minutes, they cannot complete. If I divide the time, it is only four minutes. So, today, I am sharing my problem with you. My request to the Congress and BJP Members is to limit their speeches to eight minutes so that 'Others' category Members can speak for, at least, 5 to 6 minutes. That is what I am saying.

Then, I want the sense of the House. I know that it is the Railway Budget and in between, there should not be any papers laid on the Table, but Dr. Harsh Vardhan is waiting from 12 o'clock onwards just for laying a statement on the Table. If the House agrees, I will allow him. Okay, you can lay it on the Table.

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#### STATEMENT BY MINISTER

##### **Doctor-Pathological laboratory/diagnostic centres collusion**

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. HARSH VARDHAN): Sir, I lay on the Table a statement regarding doctor-pathological laboratory/

[Dr. Harsh Vardhan]

diagnostic centres collusion defrauding patient/consumer as revealed through sting operation titled 'Operation Jonk' aired by *News Nation* TV channel on July 21, 2014.

"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 commissions on magnetic resonance imaging (MRI), CT scans, ultra sound, routine pathological tests, etc., was captured through surreptitiously filmed conversations.

Some reputed diagnostic centres in 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 practising 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 in so far 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 lucre of commissions. This exacerbates their physical and mental agony.

The Ministry of Health and Family Welfare, Government of India, accepts that the patient/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 that 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's/consumer's right to transparent and rational prescriptions, including referral to justified clinical/diagnostic examinations need to be codified in new legislation/s.

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'."

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