

To

Member Parliament

Re ; Request to support Clinical Establishment (Registration and Regulation)

Amendment Bill No 137 of 2015 tabled in Lok Sabha on 8th May 2015 at serial no 43

Sir,

Medicos Legal Action Group (MLAG) is a registered trust and an advocacy group comprising of doctors of modern medicine from all over the country who wish to engage the Government legally on issues which adversely affect the medical profession.

Clinical Establishment Act (CEA) 2010 and Rules was notified in 2012 and is operative in all Union Territories and 4 states ie Arunachal Pradesh, Himachal Pradesh, and Mizoram. This Act has many draconian provisions which could spell death knell of all Small and Medium Health Care Establishments (SMHCE) leaving an exclusively corporatized healthcare delivery system. It is impossible for small husband wife run thousands of nursing homes in the country to provide services as envisaged under CEA. This will be especially detrimental in areas where there is no corporate penetration because those areas are not considered “profitable” by the corporate hospitals.

CEA aims to increase paperwork, give unlimited powers in hands of local authority and their inspectors and will lead to massive corruption on a scale not yet seen in the medical field. It is surprising when we are aiming for growth and development in all other fields why such restrictive and draconian policies are being imposed on SMHCEs which provide low cost healthcare.

MLAG does not oppose registration of health care establishments. We are however concerned with imposition of statutory obligations, minimum standards, Fixing charges, standard treatment guidelines and procedure for enforcing compliance, suspension or cancellation and renewal of licences. We fear this is the advent of the “Inspector Raj” for healthcare establishments.

We have gone through the Clinical Establishment (Registration & Regulation) Amendment Bill of 2015 introduced in Lok Sabha on 8th May 2015 and feel that it addresses many of our concerns. We request you to kindly support this Bill in parliament irrespective of your party affiliation. We expect this Bill to come up for discussion in Monsoon session.

MBBS Doctors in India are already very demoralized and have an impression that “India is at war with them”. Please give us a breathing space. In our estimate 70 % of surgeries like caesarean section, cholecystectomy, appendectomy, cataract surgery etc are conducted in Small and Medium Health Care Establishments across the country. This is besides the medical treatment, primary care and antenatal services which are given. Work done in these SMHCEs is at a fraction of the cost of same work being done in a corporate hospital. However these small establishments may be good in limited fields and may not be able to provide round the clock emergency services to any emergency in any field or may not have administrative staff to obtain 26 statutory licences to run a small 10 bed allopathic surgical hospital.

Clinical Establishment (Registration & Regulation) Amendment Bill 2015 cannot pass without your support and we beseech you to kindly help us by supporting this Bill

even though it is a Private Member's Bill. A copy of the Bill is attached for your reference.

Thanking you

Yours sincerely

(Dr Neeraj Nagpal)

Convenor Medicos Legal Action Group

12-06-2015