

## **Doctors aiding artful dodgers (continued)<sup>1</sup>**

Chief Metropolitan Magistrate Prem Kumar requested the Delhi High Court to initiate contempt charges against three doctors, including the Tihar jail medical officer, for committing criminal contempt by giving a false medical certificate on the reported illness of Chandraswami.

Mr. Kumar had ordered the constitution of a medical board by All India Institute of Medical Sciences...The judge said the medical board's report had clearly said Chandraswami had not been suffering from any serious ailment as had been mentioned by the jail doctor.

Mr. Kumar said it was therefore obvious that the false, misleading and motivated report by Dr. Subhash Seth, aided and abetted by the false clinical notes of Dr. V. C. Pandey and Dr. Gulshan Garg aimed at hindering the administration of justice. '...The oblique motive of submitting these reports was to help the accused to take the lawful escape route in securing bail on medical grounds...'

## **Doctors aiding artful dodgers (continued)<sup>2</sup>**

Doctors are said to have emerged as the latest formidable hurdle for the Central Bureau of Investigation (CBI), which is inquiring into the animal husbandry scandal in the state.

The doctors have repeatedly frustrated attempts by the central agency to take on remand Kashi Nath Singh, a key official in the department. Mr. Singh happens to be the son-in-law of Ram Lakhan Singh Yadav, former Union minister for fertilisers and chemicals and whose son, Prakash Chandra, is already being questioned by the CBI in connection with the urea scam.

Mr. Singh was actually arrested by the Bihar police in February this year soon after the animal husbandry scam broke out. But instead of the prison, Mr. Singh managed to stay in hospitals, complain sources in the investigating agency, on the pretext of ill-health.

Yet another officer who has avoided interrogation for the past few weeks is K. M. Prasad, who was again one of the kingpins of the animal husbandry mafia. Doctors have pronounced that Mr. Prasad is suffering from angina and in urgent need of a coronary angiography and therefore cannot be let out on remand to the CBI.

## **Doctors in trouble<sup>3</sup>**

Every year thousands of physicians (in USA) see their medical licences and/or their medical privileges suspended or revoked for problems ranging from substance abuse to general incompetence. License revocations, suspensions and other actions rose by 58% from 1991 to 1995. The number of physicians facing disciplinary action each year rose 47% during the same period and the number of names in 'Questionable doctors', a compendium maintained by the consumer group Public Citizen, has grown 89% to 13,012 since 1990.

Worse, the nation's medical lobbies have managed to keep secret most of the details of these actions even as the number of doctors disciplined grows. The American Medical Association does not want patients to have such information. In fact, it wants the federal data bank on problem-providers, maintained since 1991, to be abolished entirely. 'Given the ammunition it contains, that's no surprise. But doctors have been able to hide from public accountability for too long. Open the data bank and let the MDs fall where they may.'

## **Are doctors responsible professionals?<sup>4</sup>**

Why do Indian doctors prescribe irrationally? Are not doctors expected to be scientific professionals? Can even senior doctors be prescribing wrongly? In reality, most doctors are anything but scientific in their prescriptions. Your typical doctor sees himself/herself as a profit-maximiser. In attempts to rationalise pharmaceutical operations, the opposition therefore comes" mostly from national medical associations and other vested interests within the medical profession. Indeed, with such doctors as healers, who needs enemies?

## **Action by Maharashtra Medical Council (MMC)<sup>5</sup>**

MMC has decided to take stern action against doctors who operate the racket of referring patients to medical institutions which conduct costly, hi-tech investigations and receive kickbacks. The commission ranges from 10 to 30% depending on the clout of the medical practitioner.

Section 33 of the Indian Medical Council Act prohibits physicians from receiving commissions or gifts from other doctors or institutions to whom they refer patients. The Council has urged the

public to report to it instances of pay-offs to doctors. MMC has the power to cancel the registration of a doctor found guilty of charging a commission.

MMC President A. V. Sangamnerkar says: 'This, is an old rule. We are only retrieving it in order to put an end to the unethical practice of certain doctors who collect large amounts as inducement fees from medical institutions for recommending their patients.' This problem is acute in metros like Bombay where hi-tech diagnostic centres have mushroomed. 'These centres compete with each other and the loser is the patient.'

Senior vice-president of the state branch of the Indian Medical Association, Shrikant Kothari says, 'This is just a routine reminder to doctors. Actually, we have never supported doctors who charge commission from institutions. In fact, we have consistently advised our members to refrain from this practice.'

Patients often spend large sums on expensive investigations such as endoscopy, bronchoscopy, angiography, often when they are not necessary for diagnosing their ailment. An anonymous doctor cites the example of an export executive who was taken for a ride by his family physician. This man complained of an acute pain in the chest and was convinced that he was about to get a heart attack. The family doctor referred him to a nearby 5-star hospital for a complete health check. In just two weeks, this patient spent Rs. 50,000 without any diagnosis being made. This is when this man consulted the doctor who found him to be perfectly healthy. The pain was of muscular origin.

IMA vice-president V. J. Ruparel told of a patient with typhoid who has already spent over Rs. 2,00,000.

## **References**

1. Anonymous: Plea for action against doctors in godman's case. *The Times of India* 24 June 1996 p 6.
2. Sengupta Uttam: Now, its doctors who are obstructing Bihar scandal probe. *The Times of India* 22 July 1996 p 9.
3. Anonymous: Patients deserve to know details about their docs. *USA Today - International Edition* 23 May 1996.
4. Srinivasan S: Singing about the dark times - Bangladesh drug policy. *Economic and Political Weekly* 25 May 1995 p 1252-1255.
5. Prabhu Uma: MMC gets tough with doctors fleecing patients. *The Times of India* 8 August 1996 p 4.