

Violence against Doctor, Indian scenario

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Finding inadequacy in the care, insufficiency in exercising skill or delay in rendering services by the service provider every consumer has right to ask for the damages. Medical profession since evolution of man-kind, was deemed or understood as humanitarian, at the same time the Doctors were looked by the society as if he/she is god or equivalent to god. In beginning of development of medical sciences indigenous medical practitioners were equivalent to god, thought there was no qualification, quantification of knowledge or Degree of skill as well as indigenous medicines [1]. As the concept of family & society evolved, at the same time concept of family Doctor or family physician came up. All the services rendered such practicing medical professionals were not against the payment in the form of currency instead the user used to pay or provide daily house hold essentials of that time which was not prefixed or quantified.

Diagnosis of disease the person suffering was purely based on the medical knowledge the Doctor has, method of examination skill in the given case, and the Investigative instruments to diagnose the disease were not known or available. As the medical knowledge & skills started being recorded in the form of Text, various branches of medical arts like Ayurveda, Homeopathy, Siddi, Unani & most recently English medicine or Allopathy [2-3] etc are evolved as separate arts of their own class of medications, learning and teaching methodology as well. Civilization & advancement of science have made medical arts more & more complex as well as voluminous texts & complicated diagnostic instruments. Which are available at exorbitant cost to the medical practitioner. This change gradually made

the doctors to rely upon diagnostic instruments rather depending on tedious clinical examination of sick person to arrive at diagnosis of disease or the condition the person is suffering.

Evolution of sub specialty & super specialty has made the common man as patient to be referred from one Doctor to other Doctor, hence delay in diagnosing the disease or the condition and the treatment. The survey (IMA) found that fear of violence was the main source of stress for as many as 46.3% of Doctors surveyed, followed by fear of being sued (24.2%) while 13.7% feared criminal prosecution [4].

Why the noble medical service turned in to stress full & fear full,

1. Increase in literacy.
2. Increase of Knowledge as to rights & privileges.
3. Increased competition among the professionals (by revealing weakness or faults of their colleague to patients or relatives).
4. Commercialization of medical profession by non medical investors & MNC's.
5. There by indirectly assurance of guarantee of cure to the consumer (Patient & relatives).
6. The increase in literate un employed population & media are adding fuel to the burning problem, who are exploiting the medical professionals acting as mediators to solve the issue by negotiation, in case of any death of any person under care of Doctor. Doctors in such circumstances in

the fear of infamy or criminal prosecution wontedly enter in to such back door negotiation, settle the issue by making payment through such agents.

It's authors view that the above 6th factor that has created new profession of exploitation of medical men by un employed literate youths who are driven by media men for hike in rating of given media Chanel. It's well said that only the legal protection to service provider is, the consent, the degree of consent required under various medical procedures of examination, investigations, interventions & prescriptions vary from person to person for the same disease or condition. In the busy schedule of their practice, the Doctors does not give importance to taking informed written witnessed consent usually acting in good faith of the patient.

Indian laws do protect interest of consumer & service provider as well, Act done in good faith for benefit of a person without consent. First- That this exception shall not extend to the intentional causing of death, or the attempting to cause death; A, not intending Z's death, but in *good faith*, for Z's benefit, performs the trepan before Z recovers his power of judging for himself.

“A thing shall be deemed to be done in ‘good faith’ where it is in fact done honestly, whether it is done negligently or not”.

The bitter truth

We the all living creatures of this universe are born live to die one day, Doctor by virtue of knowledge, qualification, Experience & skill, can only post pone the death but cannot prevent it. Even if the medical professional is successful today to save life, it does not mean that death is prevented for him or her today, but it's only post pone'd. But the middle men, media men and some of the own medical professional men want to take advantage of such incidents for their personal greed for making money. Hence the society is misdirected misinformed as to the concept of medical treatment & professional obligations. Projecting these deaths as if they are Either deliberate killings or Often Medical Negligence.

Coming to the high cost of treatment not only commercialization, cost of investigative instruments, so called five star facility in nursing homes naturally cost has to be relatively more than what is paid previous year's. More than this amount spent on 10+2 student to make him or her Doctor is exorbitant. The concept of family medicine and its proper practice at gross root level as first aid & referral if needed to the specialty is, the essential these days.

Now the time has come for the Medical professionals to stick on to Ethical aspects of the profession, at the same time make the cost of treatment to investment made, meet needs of the family & professional honor, dignity. Law makers have to think twice before they enforce such laws which are intended to cap the cost of treatment, Laws meant to control essential goods cost, we know what's happening, middle men making merry while consumer & farmer (manufacturer) at great loss. Recent developments in Karnataka state is that of protest against the amendments to existing KPME act in respect to registration of all private hospitals, putting cap of fee for consultancy, investigations and medical interventional procedures through this act.

Most of medical colleges in India are private & Doctors too are graduated from private medical colleges it's one of the statement from Doctors that So much money spent for medical education by parents, so many costly instruments purchased, looking at the cost, labor payment to supporting staff are born by the practitioner. At the same time private medical establishments does not get any land for subsidy, sponsor of instruments or grant for the supporting staff working by the Government un like, departments like education, Industries, MNC or even agriculture land owners of employee's. In such circumstance what sort of moral, that the state government has, to put cap on cost of different medical procedures that too at lowest rate ?.

These amendments rather improving service to the common man, may lead to compromised quality of service or denial of service or else closer of most of private

medical establishments. This may indirectly affect health of public at large in future. If at all the Government want to control private sector why not it nationalize all private hospital & the staff provide, Space, Infrastructure, Instruments, Manpower & maintenance then put cap on the medical charges, that is consultancy charges.

In reality only 106 415 doctors [5] are employed by the government in India, of the 938 861 doctors registered to provide healthcare to a population over 120 crore (1.2 billion) of these, only 27355 are posted at primary health centers (PHCs), which serve the rural population. With poor infrastructure and no increase in the number of posts for government doctors over the past

many decades, despite an increasing population, the public healthcare system is on the verge of collapse. Violence against the health service provider is only a symptom of this crippling underlying malady. Ultimately it is we the medical professionals have made the people, medicine minded, five star treatment modules naturally cost of treatment has to be high. Indirectly one has to say medical profession has been commercialized.

Now It's our (Doctors) responsibility to change the social conception of Doctors are greedy & enforcement of law can prevent it. Long live Noble men of medical profession.

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Cite this article as: Ingale D and Bagali MA. Violence against Doctor, Indian scenario. *Al Ameen J Med Sci* 2018; 11(1):1-3.

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