

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**RAJYA SABHA
UNSTARRED QUESTION NO. 597
TO BE ANSWERED ON 25TH JULY, 2023**

CAPPING OF CHARGES

597: SHRI SANJEEV ARORA:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether Government has capped knee implants and stents, however hospitals have increased their own charges and hence the patient don't get any relief; and;
- (b) the steps taken by Government to ensure that whenever there is capping of implants or any another procedures, the hospital charges are also capped?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a): National List of Essential Medicines (NLEM) published by the Ministry of Health & Family Welfare is incorporated in Schedule-I of the Drugs (Price Control) Order. National Pharmaceutical Pricing Authority (NPPA) under Department of Pharmaceuticals (DoP) fixes the ceiling price of these scheduled medicines specified in the Schedule-I of the Drugs (Prices Control) Order, 2013 (DPCO, 2013) as per the extant provisions of the DPCO, 2013. Further, in case of extraordinary circumstance DPCO, 2013 provides for fixation of ceiling or retail price of any drugs in public interest for such period as it may deem fit.

As informed by Department of Pharmaceuticals,

- (i). NPPA has fixed the ceiling price of the Coronary stents [Bare Metal Stents (BMS) and Drug Eluting Stents (DES)] included in the National List of Essential Medicine for the first time on 19th July 2016 and incorporated by Department of Pharmaceuticals (DoP) as part of Schedule-I of Drug Price Control Order, 2013 (DPCO, 2013) on 21st December 2016.
- (ii). Knee implants are non-scheduled medical devices. The NPPA vide Order No. S.O 2668 (E) dated 16th August 2017 notified the ceiling prices of orthopaedic knee implants for knee replacement system under the provisions of Para 19 of DPCO, 2013. Recent notification in this regard is dated 15th Sept 2022 vide which the validity of the notification has been extended up to 15th Sept 2023.

(b): The Government of India has enacted the Clinical Establishments (Registration and Regulation) Act, 2010 (CE Act, 2010) and notified Clinical Establishments (Central Government) Rules, 2012 for registration and regulation of clinical establishments (both Government and Private) in the country. The National Council for Clinical Establishments has developed a standard list of medical procedures and a standard template for costing of medical procedures and shared the same with the States / UTs for their guidance and suitable implementation.

Further, a Charter of Patients' Rights has been shared with all States/UTs for adoption and implementation, so that grievances and concerns of patients are addressed while ensuring smooth and cordial environment in clinical establishments. The same is available on the official website of the ministry at the weblink; <http://clinicalestablishments.gov.in/WriteReadData/3181.pdf>.

Health is a State subject, hence it is the primary responsibility of the State/Union Territory (UT) Government to take appropriate steps to protect patients from instances of exploitation by health facilities including hospital charges.
