

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

**LOK SABHA
UNSTARRED QUESTION NO.106
TO BE ANSWERED ON 21ST JUNE,2019**

WRONG DIAGNOSIS

106. SHRI KODIKUNNIL SURESH:

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

- (a) whether the Government is aware that a female patient from Kerala was subjected to chemotherapy on the basis of a wrong diagnosis at Medical College Hospital in Kerala;
- (b) if so, the reaction of the Government thereto;
- (c) whether the Union Government has demanded any report from the State Government concerning this incident and if so, the details thereof;
- (d) whether the Government has set in place any regulating and monitoring mechanism towards the functioning of Private Medical Diagnostic Labs in the country; and
- (e) if so, the details thereof and the action taken by the Government against noncompliant or unregulated laboratories?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SHRI ASHWINI KUMAR CHOUBEY)**

(a) & (b): As informed by the State Government of Kerala, a female patient was administered chemotherapy at Government Medical College, Kottayam on the basis of report from a Private Diagnostic Lab. A enquiry was conducted in the incident and the report suggests that there was no lapse on part of the treating doctors, who, besides considering the diagnostic reports, relied upon clinical features suggesting malignancy and administered chemotherapy in order to downstage the tumour and prevent micrometastasis of other organs. The chemotherapy was further discontinued after decision of the Multidisciplinary Turmour Board. The faculty acted to the best of the abilities and judgment in the interest of the patient.

(c): No.

(d) & (e): Health is a State subject. The Government of India has, however, enacted the Clinical Establishments (Registration and Regulation) Act, 2010 for registration and regulation of the Clinical Establishments (both Government and Private) with a view to prescribe the Minimum Standards of facilities and services provided by them. In accordance with the Clinical Establishments (Central Government) Rules, 2012 under the aforementioned Act, in the States / UTs where the said Act is in force, the clinical establishments are inter-alia required to follow Standard Treatment Guidelines (STG) issued by the Central / State Governments, display the rates charged for each type of services provided and facilities available, at a conspicuous place and charge rates for each type of procedure and service within the range of rates determined from time to time in consultation with the State Governments. 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 appropriate action by them. The implementation and enforcement of the said Act fall within the purview of the States / UTs.