

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

**LOK SABHA  
STARRED QUESTION NO. 182  
TO BE ANSWERED ON THE 15<sup>TH</sup> DECEMBER, 2023**

**OVERCHARGING BY PRIVATE HOSPITALS**

**†\*182. SHRI GOPAL CHINNAYA SHETTY:**

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

- (a) whether the Government has taken note of the complaints against the private hospitals fleecing patients and charging exorbitantly lakhs of rupees even for small treatment(s);
- (b) if so, the details thereof;
- (c) the number of such complaints received and actions taken in this regard during last three years, State/UT-wise;
- (d) whether the Government proposes to put in place any monitoring mechanism to regulate/restrict such type of overcharging by the private hospitals; and
- (e) if so, the details thereof?

**ANSWER  
THE MINISTER OF HEALTH AND FAMILY WELFARE  
(DR MANSUKH MANDAVIYA)**

(a) to (e) A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA  
STARRED QUESTION NO. 182 FOR 15<sup>TH</sup> DECEMBER, 2023**

(a) to (e) As per constitutional provisions, 'Health' is a State subject. It is the responsibility of respective State/UT Government to take cognizance of cases of overcharging by private healthcare establishments and take action to prevent and control such practices. Complaints, as and when received, are forwarded to the concerned State/UT Government which regulate the hospitals/clinical establishments as per the provisions of Acts and Rules applicable in the concerned State/UT. Details of such complaints, however, are not maintained centrally.

The Government of India, however, has enacted The Clinical Establishments (Registration and Regulation) Act, 2010 (CE Act) and notified Clinical Establishments (Central Government) Rules, 2012 thereunder to provide for registration and regulation of Government (except those of Armed Forces) as well as private clinical establishments belonging to recognized systems of medicine (i.e. Allopathy, Yoga, Naturopathy, Ayurveda, Homoeopathy, Siddha and Unani System of medicines, or any other system of medicine as may be recognised by the Central Government). The States / UTs which have adopted CE Act are primarily responsible for regulating their hospitals including private hospitals as per provisions of the Act and Rules thereunder to ensure provision of affordable and quality healthcare to patients. As per the Act, clinical establishments are required to fulfill the conditions of minimum standards of facilities and services, minimum requirement of personnel, maintenance of records and reports and other conditions including ensuring compliance to Standard Treatment Guidelines issued by the Central/State Government and display of rates charged by them at a conspicuous place. This Act is empowered to take actions including imposing penalties in respect of violation of its provisions through a registering authority at District level under the chairmanship of District Collector/District Magistrate.

The Ministry of Health and Family Welfare already advised all States/UTs for adoption of 'Dos and Don'ts' of the Charter of Patients' Rights and Responsibilities (As approved by National Council for Clinical Establishments) displayed at the weblink (<http://clinicalestablishments.gov.in/WriteReadData/3181.pdf>) so that fundamental grievances and concerns of patients are addressed while ensuring smooth and cordial environment in clinical establishments. As per the Charter, the patient has the right to choose source for obtaining medicines or tests and the clinical establishments should not force the patients to purchase the medicines from the hospital pharmacies, and if they are able to get medicines from outside at lower price/cost, that should be acceptable.

Under the CE Act, for registration and continuation, every clinical establishment is required to also fulfil the following conditions among others :

- i) Display the rates charged for each type of service provided and facilities available in the local as well as in English language at a conspicuous place for benefit of the patients.
- ii) Ensure compliance with Standard Treatment Guidelines issued by the Central/State Government. So far Standard Treatment Guidelines for 227 medical conditions in Allopathy, 18 conditions in Ayurveda and 100 conditions in Siddha, have been issued.
- iii) Charge the rates for each type of procedure and service within the range of rates determined and issued by the Central Government in consultation with the State Government. For this, a standard list of medical procedures and standard template for costing have been finalized and shared with the States/UTs where the Act is applicable.

As on date, the CE Act has been adopted by 12 States, namely Arunachal Pradesh, Assam, Bihar, Himachal Pradesh, Jharkhand, Mizoram, Rajasthan, Sikkim, Uttar Pradesh, Uttarakhand, Haryana, Telangana and 7 Union Territories (all except Delhi).

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