

**LOK SABHA**  
**UNSTARRED QUESTION NO.3210**  
**TO BE ANSWERED ON 6 AUGUST 2021**

**FIXING ACCOUNTABILITY OF HOSPITALS**

**3210 SHRI RAM MOHAN NAIDU KINJARAPU:**

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

- a) whether the Government has put in place any mechanism for ensuring accountability and transparency in hospitals management and patient care and if so, the details thereof;
- b) the number of complaints registered against hospital authorities and staff during the pandemic along with number of such complaints resolved, State/UT-wise;
- c) the other new measures that the Government proposes to undertake with regard to redressal of such complaints;
- d) whether the Government proposes to create any special mechanism for registration and speedy trial of such complaints; and
- e) the necessary steps taken/proposed to be taken to prevent and address the issue of black marketing of essential medical supplies along with details of such recorded cases and the supplies that were confiscated?

**ANSWER**

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

a) to d) Government of India has enacted the Clinical Establishments (Registration and Regulation) Act, 2010 (CE Act, 2010) and notified Rules thereunder for registration and regulation of the Clinical Establishments in order to achieve improvement in public health.

As per the Act, no one can run a clinical establishment without registration in a State /Union Territory (UT), where the aforesaid Act is applicable. For grant of registration and its continuation, every clinical establishment is required to fulfill the conditions such as minimum

standards of facilities and services, minimum requirement of personnel, maintenance of records and reports and display of rates for each type of service provided and facility available at a conspicuous place. Further every clinical establishment is required to provide treatment “within the staff and facilities available” to stabilize the emergency medical condition of an individual who comes or is brought to the clinical establishment. The clinical establishments are also required to follow Standard Treatment Guidelines issued by the Central/State Governments.

The Act provides for a district registering authority in every district of the State/UT where the Act is applicable. In case of non-compliance of conditions of registration by the clinical establishment, the said Authority is empowered to take action including cancellation of registration and imposition of penalties, as appropriate.

Thus the CE Act, 2010 provides sufficient scope for the States and UTs to effectively redress any complaint and curb unethical medical practices.

As on date, the CE Act, 2010 is applicable in 11 States namely Sikkim, Mizoram, Arunachal Pradesh, Himachal Pradesh, Uttar Pradesh, Uttarakhand, Bihar, Jharkhand, Rajasthan, Assam and Haryana and all Union Territories except Delhi and Ladakh.

Health being a State subject, it is for the respective State/UT to put in place mechanisms for ensuring accountability and transparency in hospital management and patient care including implementation of the provisions of the CE Act, 2010, wherever the Act is applicable.

e) Amidst reports of black-marketing/hoarding/overcharging for Covid-19 management drugs, the Office of Drug Controller General of India (DCGI) has requested Drugs Controllers of all States/UTs through several advisories to instruct their enforcement staff to keep strict vigil especially at sensitive places and to take stringent action against the offenders by conducting special drives of monitoring and investigation.

As per information available from various State Drugs Controllers, in cases of black-marketing/hoarding/overcharging for Covid management drugs, various enforcement actions like drug seizure, arrests of accused persons/registration of FIR etc. have been carried out by the Drugs Controllers of the State/UT. As per information available, a total of 159 seizures of drugs and medical supplies like Remdesivir, Favipiravir, Medical Oxygen, sanitizers, masks, oximeters, thermometers etc. have been carried out as part of enforcement activities.