

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

**LOK SABHA
UNSTARRED QUESTION NO. 802
TO BE ANSWERED ON 23RD JULY, 2021**

OVERCHARGING BY PRIVATE HOSPITALS

802. DR. KRISHNA PAL SINGH YADAV:

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

- (a) whether the Government has received complaints against private hospitals for charging excess fees for the same procedures from the patients paying in cash as compared to those who pay through cashless health insurance schemes, if so, the details thereof along with the reasons therefor;
- (b) the action taken by the Government against such hospitals till date;
- (c) whether the Government proposes to conduct any inquiry in this regard and if so, the details thereof; and
- (d) the other corrective steps taken by the Government in this regard?

ANSWER

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

(a) to (d): As per constitutional provisions, Health is a State subject. It is, therefore, the responsibility of the respective State/Union Territory (UT) Government to take cognizance of complaints against private hospitals including for charging excess fees for the same procedures from the patients paying in cash as compared to those who pay through cashless health insurance schemes and to take suitable action to prevent and control such practices. Therefore, complaints, if any, are forwarded to State/UT Governments for taking appropriate action. Details of such complaints and action taken by respective State/UT are not maintained Centrally.

Government of India has enacted the Clinical Establishments (Registration and Regulation) Act, 2010 (CE Act, 2010) and notified Clinical Establishments (Central Government) Rules, 2012, as amended in 2018 and 2020 thereunder, which prescribe conditions for registration and regulation of clinical establishments (both Government and Private) in the country. As per the Act, among other conditions the clinical establishments in the States/UTs which have adopted the Act, are required to 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 the benefit of the patients. Further, as per the Act, the clinical establishment shall

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 from time to time.

Towards this the Central Government has shared a standard list of medical procedures and standard template for costing with the States/UTs where the Act is applicable, for necessary action by them. The Act further provides for a registering authority in each district, which is empowered to conduct inquiry in case of violation of the provisions of the Act and take necessary action including imposing penalties and cancellation of registration, if applicable.

Further as per the Act, the Central/State Government issues Standard Treatment Guidelines (STG) from time to time which also facilitate rationalisation of cost of treatment. So, far STG for 227 medical conditions belonging to 21 clinical specialties/super specialties in allopathy and 18 medical conditions in Ayurveda have been issued by Ministry of Health and Family Welfare, Government of India.

The implementation and monitoring of the CE Act is within the remit of the respective State Government/UT Administration. The Act as on date is applicable in 11 States namely Bihar, Jharkhand, Uttarakhand, Himachal Pradesh, Arunachal Pradesh, Sikkim, Rajasthan, Mizoram, Uttar Pradesh, Assam and Haryana and 6 Union Territories namely Puducherry, Dadra & Nagar Haveli and Daman & Diu, Andaman & Nicobar, Chandigarh, Lakshadweep and Jammu & Kashmir.