

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

**LOK SABHA
UNSTARRED QUESTION NO. 3355
TO BE ANSWERED ON 17th DECEMBER 2021**

REFUSAL TO TREAT EWS PATIENTS BY PRIVATE HOSPITALS

3355. SHRI BRIJBHUSHAN SHARAN SINGH:

Will the MINISTER OF HEALTH & FAMILY WELFARE be pleased to state:

- (a) whether the Government provides any platform to the patients belonging to Economically Weaker Section (EWS) quota to file complaint against the private hospital which refuses to provide treatment to them;
- (b) whether the Government has any provision to take action against such hospitals;
- (c) if so, the extent to which the said provisions are being followed strictly; and
- (d) whether the Government proposes to set up a “live monitoring system” to provide transparency in ascertaining sanctioned and available / vacant beds under EWS quota and if so, the details thereof?

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

(a) to (d): Health is a State subject. As such, any complaint received by the Central Government from any patient including from those belonging to Economically Weaker Section (EWS) against private hospitals for refusal to provide treatment, is referred to the respective State /Union Territory (UT) Government for appropriate action. Similarly, action to set up a “live monitoring system” to monitor availability of beds reserved for patients belonging to EWS quota which, since Health is a State Subject, lies in the purview of State/UT Government.

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 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. As per aforesaid Rules, every clinical establishment shall maintain information and statistics in accordance with all applicable laws for the time being in force and the Rules thereunder. The clinical establishments are liable to have their registration cancelled in case of violation of the provisions of the Act.

The States/UTs which have adopted CE Act, 2010, are primarily responsible for regulating their hospitals including private hospitals as per provisions of the Act and rules thereunder. As on date, the CE Act, 2010 has been adopted by 11 States and 7 UTs. Another 17 States and 1 UT have their own Act.
