



Indian Medical Association Punjab



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Respected Sir,

Indian Medical Association Punjab is the largest body which represents about 10000 doctors of modern medicine in Punjab. We are greatly upset at the recent two decisions by the Government of Punjab during this Corona battle.

1. **Imposition of the Punjab CEA 2020**
2. **Massive hike in Medical Education fee**
3. **STP/ETPs issue**
4. **Regularization of Hospitals in respect of Local Building Bye Laws**

The Punjab Clinical Establishment Act 2020

We have been standing shoulder to shoulder with the government in this fight against Corona. But Covid 19 was used as an excuse to unleash Inspector Raj upon us by imposing The Punjab Clinical Establishment Act by ordinance route. We want to bring to your notice following facts regarding history of this Act.

Though it dates back to 1998, but a serious move started after 2010 when Central Govt. enacted The CEA 2010. Punjab Assembly then unanimously passed that it will not be implemented in Punjab as it is interference in the state subject. IMA Punjab always was of the view that no such Act is needed to regulate hospitals as doctors are already regulated by Punjab Medical Council and MCI in all respects and the hospital buildings are regulated by local building laws. Hence there is no need for any extra regulatory body. We met then CM Punjab Mr Parkash Singh Badal who understood this fact and dumped this Act.

When present Govt. took over again this move was started by bureaucracy. Then Health minister Mr. Brahm Mohindra agreed that The Punjab Medical Council which is already regulating doctors should look into this matter. But with change in his portfolio that path was abandoned and again a bureaucratic setup has been imposed upon us that too without taking into consideration fully our concerns despite repeated assurances by the Health and Family Welfare minister Punjab.

We have following concerns which need to be addressed. We seek your help and cooperation in this regard:

1. The Act has been brought in haste by ordinance without:
 - a. Fully discussing in the joint committee of members of IMA Punjab and Govt. which was constituted to discuss the whole gambit of such an Act. But even before it could be fully discussed and need for such an Act explained it was implemented by an ordinance.



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- b. It was not even discussed and passed in the Punjab Assembly. What was the tearing hurry to do so , when whole focus and priority today is to fight Covid 19? To bring this draconian Act at a time when both Govt. and private doctors are engaged in protecting people of Punjab , defies logic. The excuse of need to bring private hospitals in to frontline against Covid battle is flimsy because Epidemic Act and Disaster Management Act give vast powers to the Govt to enroll any institute , building or persons to manage Covid 19.
2. All suggestions given by IMA Punjab in the first meeting of the Joint Committee have been thrown into the dustbin. In second meeting held on 07-02 2020 , the utility of this Act was discussed and IMA Punjab strongly put forward its view that it is not needed. It was assured that our concerns will be taken into account. Govt. has failed to give any convincing answer to our queries listed below.
What is the Need of Such An Act ?
3. **What is the need of any such Act in view of the following:**
 - a. It has not improved health indicators i.e. MMR , IMR , nutritional status, life expectancy , out of pocket expenses for patients or quality of health care
 - b. Rather many states finding it difficult to implement. Goa HM on record saying that it is difficult to implement as it will cause innumerable hardship to doctors and hospitals.
 - c. Let Govt provide data of improvement in health services in states where it is implemented. Govt. has failed to do so till date. Argument that other states have it so we should also have it is a childish argument , Govt should back up that argument with hard data showing benefits of this Act.
4. **All the stated objects of CEA are already being met.**
 - a. Doctors are regulated by respective State Medical Councils and MCI/NMC
 - b. Their hospital buildings are as per NBC guidelines and paramedic staff is regulated by their respective councils. About 44 Different laws apply to doctors and hospitals
 - c. There are enough grievances redressal mechanisms available to patients already i.e Consumer forums , Punjab Medical Council , MCI , Civil and Criminal courts. No need to create another body for this purpose.
 - d. Most of the multi specialty hospitals are going for NABH accreditations , so issue of Minimum standards are being met.
5. It is clear that Bureaucracy just wants to control the vibrant private health sector and lord over it.

Our Apprehensions :

6. Apprehension of the doctors is that today it has been applied to hospitals above 50 beds tomorrow it will be made applicable to all and that will be disastrous for health care sector in Punjab. This exemption has been given by an executive order and not incorporated into the Act itself. Hence it can be withdrawn just by an executive order without consent of the Punjab Assembly which represents the will of the people through the elected representatives.



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7. Doctors who are over regulated will be further harassed by this law as is being done under PCPNDT Act , , MTP act , Bio medical waste management Rules and many more about more than 45 different acts apply to medical profession.
8. Unleashing of Inspector Raj and opening up of an avenue for corruption.
9. We are willing to address the issue of transparent method of charging and ready to display the rates . A suitable mechanism to ensure it can be worked out. But any Capping of our professional fee and Charges will be not be acceptable.

10. Fall outs of CEA for Public:

- a. Treatment will become very costly as hospitals will have to invest heavily for meeting standards
- b. Affordable , healthcare being provided by neighborhood hospitals will suffer heavily . These hospitals constitute about 95 % of private hospitals
- c. Government hospitals are already in bad shape , and people will suffer hugely if this major health care sector collapses.
- d. These hospitals provide livelihood to thousands of people who will become jobless overnight.
- e. This will erode further the Doctor –Patient Trust which is already under severe strain.

Only Aim of the Government /Bureaucracy is to bring thriving private Healthcare in Punjab under its thumb to lord over it and control this sector by back door. This is all to hide its own failure to provide quality and affordable Healthcare to its people which is the fundamental duty of any Government.

Massive hike in Medical education Fee

Another big blow to healthcare sector was given by the Government by announcing massive hike in fee of MBBS, PG , and super-specialty Courses both in government and private colleges making Punjab as the only state having such high fee in Government medical colleges in whole of the country This will deprive the meritorious students from middle class and poor families of medical education shattering their dreams to become a doctor . This is nothing but State sponsored murder of meritocracy.

It will make the medical education the domain of rich and elite class. Becoming of a doctor will become a very costly affair and it will result in corresponding increase in cost of healthcare services subsequently. It is a matter of shame that this has been done by a government of a party which claims to hold the hand of common man and is vociferous campaigner of “Justice to Common man” . *Ab kya Aise Hoga Nyaya*

Our Demands

1. We demand that this half baked ill thought out Act taken back immediately .
2. The Govt.should fulfill the promise made by Congress party in its manifesto about regularization of Hospitals /Nursing Homes on as and where basis.



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3. Hike in medical Education fee be rolled back immediately.
4. The last date for installing ETPs/STPs by hospitals is ending on 30th June 2020. Govt. should immediately advise the PPCB to extend the date for installing ETPs /STPs by at least one year as we are busy fighting Covid 19 and hospitals are not in a position to install these structures.
5. Incorporation of Epidemic Act amendment regarding Violence against doctors into Punjab Medicare Protection act
6. Stipend of interns , house surgeons, and PG residents at par with Delhi and Haryana.

Then only meetings of the joint committee should be resumed and Govt should convince us about its need and intended benefits with hard data before we move forward.

To have an Act just for sake of it without any clear intended benefits but having a potential to antagonize a large segment of professionals who are the back bone of healthcare services may prove to be costly in near future.

Sir, we give you a kind notice that above mentioned demands are not met. This is our notice through you to govt. that we are on complete shutdown of health services in Punjab on 23rd of June, Tuesday.

IMA Branch

President

Branch.....

Dated.....

Tel. No.

Secretary

Branch.....

Tel. No.