‘Medical Negligence Liability Under Consumer Protection Act: Medical Professionals Perspective’

ABSTRACT:

**Background:** The Consumer Protection Act, 1986 (CPA) was enacted for better protection of the interests of consumer grievances. It was made applicable to the Medical profession also in 1995. The present study endeavors to evaluate this intriguing interaction between the various issues of Medical Negligence and CPA, involving all around 500 Medical Professionals. **Method:** In this study, close and open ended questions on CPA and Medical Negligence with various case scenarios were given to the Medical professionals. **Results:** The Medical professionals from Government sector and Private sector with the mean age for male and female Medical Practitioner was 39.97±15.08 and 36.58±16.89 respectively. Experienced Medical Professional from rural area 266 (53.20 %) were more than the urban area 224 (46.80 %). Almost 484 (96.8%) agreed that, a doctor should maintain medical record meticulously, Value of \( \chi^2 = 71.25, p<0.01 \), i.e. significant. The basic awareness amongst the Medical Professionals about the rules and regulations of CPA is unsatisfactory. Surprisingly 130 (26%) participants faced but 366 (73.2%) did not face a medical negligence litigation earlier. 440 (88%) participants do attend CME’s and workshops regularly to upgrade their skills, the Value of \( \chi^2 = 61.36, p<0.01 \), i.e.significant. The study participants also opined on ten different Case Scenarios. **Conclusion:** The awareness about The CPA is significantly rising. The Medical practitioners are more anxious about the legal implications of medical practice like allegations and penalties. Though the basic awareness about the rules and regulations of CPA amongst Medical Professional is unsatisfactory. They agreed on changed approach towards their patients and medical practice to avoid medical litigations. Continuing Medical Education (CME) Programs on CPA and various specialities may update their skills and knowledge. Medical Innovations seems to get halted with defensive medicine. Medical practitioners should maintain proper medical record and can adopt the newer methods of its storing. The rapport with the patients and relatives needs to be built further stronger with communication skills and to practice ethics in their profession with integrity and humanity.