MARATHWADA MITRA MANDAL'S

SHANKARRAO CHAVAN LAW COLLEGE

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"येथे बहुतांचे हित"

Late. Shri. Shankarrao Chavan Founder President
Shri. Shivajirao D. Ganage President
Prin. Bhausaheb Jadhav Exe - President

Report of
National Seminar on Impact of Legal Regime on Healthcare Services
Conducted by Post-Graduate Department

(16th February 2019)

National Seminar on Impact of Legal Regime on Healthcare Services:

The Post Graduate Department of Shankarrao Chavan Law College in collaboration with Department of Law- Savitribai Phule Pune University, Pune had organised a national level seminar on health services and its legal aspects. This was the first program college had conducted a program on such a large scale in collaboration with the Department of Law of the University.

The inauguration ceremony had various people on the dais namely Prof. Dr. S.V. Joga Rao, Dr. Dugambini Patel, Head, Law department SPPU, Pune, Dr. Jyoti Bhakre, Professor and co-ordinator the National Seminar, Prin. B.G Jadhav, Executive President, Marathwada Mitra Mandal, Pune and Dr. Kranti Deshmukh, Principal, Shankarrao Chavan Law College.

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Glimpses of National Seminar:

Dr. Dugambini Patel, Head, Law Department SPPU, Pune while welcoming the guests

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Dr. Kranti Deshmukh, Principal, Shankarrao Chavan Law College welcoming the guests

Lighting of lamp by Guests

Prof. Dr. S.V. Joga Rao while giving Key note address in Inaugural Ceremony

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Participants of National Seminar

The chief guest Dr. S.V. Joga Rao was felicitated by Dr. Durgambini Patel, Head, Department of Law, SPPU, Pune and Prin. B.G. Jadhav, Executive President, Marathwada Mitra Mandal, Pune. Dr. Patel and Dr. Jyoti Bhakre, Professor, Department of Law, SPPU, Pune were felicitated by Prin. B.G. Jadhav and Dr. Kranti Deshmukh, Principal of Shankarrao Chavan Law respectively. Prin. B.G. Jadhav was felicitated by Dr. S.V. Joga Rao.

Dr. Jyoti Bhakre introduced the gathering to the theme of the national seminar by giving a brief introduction for the same. She spoke about how hospitals have inter and intra disciplinary nature of laws. She relied on a saying by Charkha who was a physician in ancient India that a physician should behave with his patient as he would do with his son.

She also spoke about the changing attitude of patients as well as hospitals due to commercialization. 80% are private health care sector which are difficult to be regulate for the government. She even expressed her views on medical terrorism which means that when a patient cannot pay he does not get remedy. She informed the gathering that anti- medical terrorism day is celebrated on 19th of July.

The key note speaker for the first session was Prof. Dr. S.V. Joga Rao who is a visiting professor in the National Law School Bangalore and has received the Max Plank Fellowship (MPI) from Germany. He has been in the field since the last 31 years and has written a number of books.

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He focused on public health and said that there is no concrete law on the same. He pointed out that health care was too influenced by technology as there are surgeries performed by robots, sonography etc.

He explained how different states reacted to Organ Transplant Act and the first state to adopt it was Maharashtra. He threw light on the constitutional provision of Art 21 which basically provides Right to life and said that health is a part of the same.

He shared a personal anecdote and explained the doctrine of causa causan which is means that effect and cause should be related directly.

In the end he concluded by explaining the need of patience grievance redressal mechanism in the institution and fair regulation for the same.

Mr. Rushikesh from the Law Department gave the vote of thanks. He is a research scholar in the Law Department, SPPU, Pune.

SESSION – I

The speaker for the second session was Adv. Uday Warunjikar. He was felicitated by Dr. Patel. His topic of discussion was Socio-legal Liability of Doctors in Crime.

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Adv. Uday Warunjikar addressing the participants of national seminar

He informed the gathering about various enactments including Bombay Nursing Home Act, Narcotics, Drugs and Psychotropic substances Act, Black Magic Remedies' Act. He further explained about medical tourism, surrogacy and sperm donation.

He then spoke about his experience when dealing with the bio-medical waste rules under the said Act. He explained about organ donations and their permissions.

He then related medical negligence to the Indian Penal Code by section 81,86, 87, 89, 90, 91, 92, 312, 313, 304A.

Session – II

The speaker of the third session was Dr. Abhay Shukla. His topic was Patients' Rights Charter- A Need of Time.

Dr. Abhay Shukla while addressing participants

He was felicitated by Dr. Bhakre. He emphasised on how healthcare has become totally commercial and there is need to regulate it. He provided many case studies where a certain operation was not needed but was performed only due to increasing to increase the bill and make profit. He has taken an initiative and drafted the Charter of Patients which includes

points like informed consent, patient education, right to receive the dead body etc. He is trying to get the ministry to accept the same and make it a law.

He also emphasized on the point that there is a need for a suitable law to recognize these rights.

Session – III

The fourth session was a panel discussion consisting of:

1. Dr. Arun Gadre – He is a practicing doctor.
2. Shri Vivek Velankar – He is a social activist.
3. Dr. Jyoti Bhakre – She is a professor in university.
4. Adv. Shridattaprasad Abhang – He is practicing advocate.

The topic of the panel was Medical Negligence, Litigation and Consumer Protection Act.

Dr. Arun Gadre and Adv. Abhang were felicitated by Dr. Bhakre while our principal felicitated Shri Vivek Velankar.

Experts in panel discussions, from left Dr. Jyoti Bhakre, Dr. Arun Gadre, Shri Vivek Velankarand Adv. Shridattaprasad Abhang

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The panelist spoke about the reality and malpractices prevalent through various case studies. Dr. Arun Gadre mentioned that he and a group of good doctors have formed a website known as www.mypcdf.com wherein a patient can look up good doctors.

While concluding the panel he mentioned about the book he had written on the same subject known as "Dissenting Diagnosis".

Dr.Vikas Bhatnagar, Faculty member of SCLC while giving Vote of thanks

The National seminar ended with certificate distribution followed by high tea.

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