

Awareness of consumer protection ACT and constraints among medical professionals in Kanpur city

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ABSTRACT

The study was conducted to find out the awareness and constraints of doctors regarding implementation of Consumer Protection Act. Purposive sampling design was used for selection of respondents. Maximum (65.22%) respondents belonged to 30-45 yrs of age group. Less than 46 per cent respondents were MS/MD and 26-28 per cent respondents belonged to income group of Rs. 30,000/- to 50,000/-. About 96 per cent respondents were punctual about working hours and more than 93 per cent were friendly with their patients and gave full effort to their treatments. Less than 85 per cent respondent were aware of compensation claim for loss/damage in consumer forum. Therefore, it is concluded that majority of medical professionals had face constraints "sometimes" regarding negligence on the part of a patient for taking medicine and not developing confidence among patients.

KEY WORDS : Consumer protection Act, Medical professionals, Awareness

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Indian doctors are held in highest esteem all over the world. It is perhaps, one privileged class among all the professionals in the country which ranks first in the list of so-called "brain drain" scenario. The consumer protection Act has been amended w.e.f. 19 June 1993. The newly enacted CPA provided a civilized outset of the health. However, it has also generated intense controversy in health care field. It is necessary to understand the COPRA first to realize its implication for the consumers as well as the medical professionals.

RESEARCH METHODS

In the present study, descriptive research design with survey method was used for collection of data. Purposive sampling design was used for selection of locality, wards and respondents. Pre-coded questionnaire was developed for data collection and data were collected through personal interview cum questionnaire method. For statistical analysis, percentage and weighted mean was calculated.

RESEARCH FINDINGS AND DISCUSSION

The findings obtained from the present study/ investigation are presented in Table 1-3.

Awareness of CPA:

It was found that 95.65 per cent respondents were

punctual about working hours and 93.47 per cent respondents were friendly with their patients and giving full support to their treatments.

About 74 per cent respondents never handle the cases without sufficient experience and 76.08 per cent respondents never take fees in advance for a safe side to avoid fraud cases. About 63.04 per cent respondents were not satisfied from CPA for doctors where as 58 per cent did not face any problem regarding this act.

Table 2 Indicates that 84.78 per cent respondents were aware of compensation claims for loss/damage in national consumer forum for above 20 lakhs where as less than 76.08 per cent respondents were aware about complain (redressal forum) for compensation of damage under district forum claim for less than 5 lakhs. 69.56 per cent respondents were aware that a person or a group of a people seeking for similar relief can file different complain. Only 54.34 per cent respondents were not aware about year of establishment of CPA in 1993. Singh and Singh (1970) also reported that in India, consumers does not have the correct information about adequate law and yet even more legislative measures can not protect the consumer. Only a well developed consumer awareness may act as an effective counter against exploitation and unfair trade practices.

Table 1: Distribution of respondents according to awareness regarding general information about medical practices (n=92)			
Sr. No.	Statements	Yes (Per cent)	No (Per cent)
1.	Are you satisfied from C.P.A. for doctor?	34 (36.96)	58 (63.04)
2.	Do you think that by this act we will be able to stop fraud?	32 (34.78)	60 (65.22)
3.	Do you face any problem due this act?	34 (36.96)	58 (63.04)
4.	Do you make friendly relation with your patient?	86 (93.47)	6 (6.53)
5.	Are you punctual about your working hours?	88 (95.65)	4 (4.35)
6.	Are you ready all time for your patient?	34 (58.70)	38 (41.30)
7.	Do you make aware your patient regarding C.P.A. ?	34 (36.96)	58 (63.04)
8.	Do you feel any advantage after implementation of this act?	39 (36.96)	58 (63.04)
9.	Did any patient complain against you regarding this act?	16 (17.40)	76 (83.60)
10.	Do you recheck the doses given by your assistant / nurse?	78 (84.78)	14 (15.22)
11.	Do you give full effort of your treatment?	86 (93.47)	6 (6.53)
12.	If you have not sufficient experience still do you handle the cases?	24 (26.08)	68 (73.92)
13.	Do you fulfill all the formalities before the serious operation?	80 (86.95)	12 (13.05)
14.	In spite of not being well you are ready to check the patient?	52 (56.53)	40 (43.47)
15.	Do you take fees in advance for safe side to avoid fraud cases?	22 (23.92)	70 (76.08)
16.	Do you appoint the another experienced doctor for the assistance in surgery ?	36 (39.14)	56 (60.86)
17.	Do you plan in advance for surgery?	70 (76.08)	22 (23.92)
18.	Do you take spontaneous decision for surgery?	16 (17.40)	76 (82.40)

Table 2: Distribution of respondents according to awareness regarding CPA for doctors (n=92)			
Sr. No.	Statements	Frequency	Per cent
1.	Year of establishment of CPA in1993	50	54.34
2.	Complain filed under Act in period of 90 days	64	69.56
3.	Year of establishment medical council act in1956	62	67.39
4.	CPA for medical professionals is applicable for paid goods and services	68	73.91
5.	A person or group of people seeking for similar relief can file different complain	46	50.00
6.	Any Judgment through the national commission can be challenged in supreme court	64	69.56
7.	The purpose for establishment of consumer council of settlement consumer and sales man disputes	60	65.21
8.	Complain (Redressal forum) for compensation of damage under district forum claim for less than 5 lakhs	70	76.08
	Under state consumer forum claim for 5-10 lakhs	64	69.56
	Under national consumer forum claim for above 20 lakhs	78	84.78

Constraints regarding CPA:

Table 3 shows the distribution of respondents according to constraints faced in medical profession. The main reasons of constraints identified was “Misleading complaint against the doctor/ medical services” (Rank-I). In a case the patient after normal delivery had profuse bleeding, the conservative treatment of packing had failed to check the bleeding. A delay of 5 hours in calling for an anesthetist to carry out surgical operation amounts to negligence on the part of the doctor as reported by Parihar and Pathak (2000).

“Patients were not taking prescribed medicines” and “Lack of facilities for clinical approach according to situation” were ranked II and III, respectively. “Paying capacity of patients” identified (Ranked VII) and “Lack of accountability of their medical staff (Rank IX) were identified as constraints for medical professionals.

The allegation in written made by complainant due to “Doctor’s services” was identified as one of the least (Rank XII) important constraint, whereas “Non availability of the drug/ medicine” Ranked x and “forced to do what was prohibited” was Rank XI, respectively.

Table 3: Distribution of respondents according to constraints faced in medical professional practice (n=92)

Sr. No.	Reasons	Always	Some times	Never	Score	Rank
1.	Misleading complain against the doctor/ medical services	34 (36.96)	48 (52.17)	10 (10.87)	1.26	I
2.	Major grievances against the medical professionals	16 (17.40)	66 (71.73)	10 (10.87)	1.06	IV
3.	Lack of facilities for clinical approach according to situation	16 (17.40)	70 (76.08)	6 (6.52)	1.10	III
4.	Diagnostic problem because of language problem	16 (17.40)	60 (65.20)	16 (17.40)	1	VI
5.	Non availability of the drug/ medicine to the market	6(6.52)	70 (76.08)	16 (17.40)	0.89	X
6.	Paying capacity of the patient	16 (17.40)	56 (60.87)	20 (21.73)	0.95	VII
7.	Unwillingness or negligence on the part of the patient for taking medicine or treatment prescribed	14 (15.22)	78 (84.78)		1.15	II
8.	Faced allegation in writing made by complainant due to his services	16 (17.40)	40 (43.47)	36 (39.13)	0.78	XII
9.	Fraudulent/ concealment of facts violates the trusting relationship	16 (17.40)	54 (58.69)	22 (23.91)	0.93	VIII
10.	Forced to do what is prohibited under act	18 19.57)	40 (43.47)	34 (36.96)	0.82	XI
11.	Fail to development the confidence among patient	6 (6.53)	74 (80.43)	12 (13.04)	0.93	VIII
12.	Lack of responsibility and accountability of his medical staff/ services	10 (10.87)	64 (69.56)	18 (19.57)	0.91	IX
13.	Patient fails to clearly explain the symptoms of his disease.	10 (10.87)	74 (80.43)	8 (8.70)	1.02	V

Conclusion:

It is concluded that only 69.56 per cent respondents were aware that person or group of people seeking for similar relief can file different complain. Majority of medical professionals faced constraints “Some times” regarding negligence on the part of patient for taking medicine, not developing confidence among patients and also if patients failed to explain the symptoms, where as only less than 20 percent medical professional reported that they “Always” faced constraints depending on the circumstances of causality during treatment or misunderstanding of diagnostic problems.

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