

## Bill Summary

# Jharkhand Medical Service Personnel, Medical Service Institutions (Prevention of Violence and Property Damage) Bill, 2023

- The Jharkhand Medical Service Personnel, Medical Service Institutions (Prevention of Violence and Property Damage) Bill, 2023 was introduced in the Jharkhand Legislative Assembly on March 22, 2023. The Bill prohibits violence and attacks on personnel and property of institutions providing medical services. Key features of the Bill are:
  - **Prohibition of violence towards medical personnel and institutions:** The Bill prohibits violence by or against any person associated with medical services, or damaging the property of medical service institutions. It also prohibits any person from blocking medical services. Medical service is defined to include the provision of medical care, including pre-natal and post-natal care, and care for any illness, injury, and disability. Violent acts include causing harm, injury, or risk to the lives of people involved in medical services. Medical service personnel include registered medical practitioners, paramedical personnel, and medical and nursing students.
  - **Penalties and compensation:** Any person committing an act of violence, as defined by the Bill, will be punishable with imprisonment of up to two years, and a fine of up to Rs 50,000. In addition, they may be liable to pay compensation for damage to the property of a medical service institution. For government medical service institutions, a technical committee constituted by the Deputy Commissioner of the district would be responsible for assessing the extent and value of property damage to determine compensation.
  - **Security measures:** Medical service institutions are required to implement measures to ensure the security of the institution and its personnel. These include installing CCTV cameras, centralised control rooms, and regulated entry into the premises. Laws prohibiting violence against medical service personnel and institutions must be prominently displayed in these institutions.
  - **Ethical guidelines for medical personnel:** Persons and institutions providing medical services are required to adhere to medical ethics prescribed by the National Medical Commission. They are required to provide accident patients with first aid. Medical service personnel and institutions must provide all information on treatment to the patient or their relatives. The Bill specifies that the body of a deceased patient must be handed over to their relatives irrespective of the status of payment for their medical bills. It also requires every medical service institution to display publicly medical services offered, and corresponding estimates of expenditure. In case of contravention of these guidelines, the registration of institutions may be suspended. For complaints of misbehaviour or wrong treatment by medical professionals or medical service institutions, the Deputy Commissioner of the district will constitute an inquiry involving all stakeholders with at least two independent witnesses. The inquiry report shall be presented within 15 days of the inquiry being constituted.

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