

Chapter 25

MEDICAL LAW AND ETHICS

The principles of medical ethics are formulated by National and State Medical Councils and the World Medical Association. Enforcement of the code of ethics is done by Medical Councils.

Indian Medical Degree Act was passed in 1916 with the object of regulating the grant of titles implying qualifications in western medical science. Certain authorities mentioned in the Act have the right to grant medical degrees, diplomas, licenses, and the recipient therefore is qualified to practice Western Medical Science.

The Dentist Act was passed in 1948 to regulate the profession of dentistry in general and to constitute Dental Council of India.

THE INDIAN MEDICAL COUNCIL ACT 1956

The Act in 1933 was repealed and the Act of 1956 was passed. This Act was further modified in 1964, 1993 and 2001. In 2010 MCI Amendment Act 2010 was approved by the President of India superseding the previous Council.

Constitution of MCI

Medical Council of India was constituted under this Act, and it consists of -

- (a) One member from each state other than union territory nominated by the Central Government.
- (b) One member from each University to be elected from among the members of the medical faculty of the University.
- (c) One member from each state in which a state medical register is kept, to be elected from among themselves by persons enrolled in the register.
- (d) Seven members to be elected from among themselves by persons enrolled in any of the State Medical Register.
- (e) Eight members to be nominated by the Central Government.

They hold the office for a term of 5 years

President and vice president are elected from among these members.

The council appoints a Registrar. The executive committee consists of President, vice president, and 7 to 10 members.

In 2018, the President of India dissolved the MCI and appointed a 7 member committee comprising of medical experts to perform functioning of the Council till a bill which seeks to replace the body with a new 'National Medical Commission' is passed by Parliament.

INDIAN MEDICAL COUNCIL

Functions

1. Medical Register

The Medical council maintains a Register of Medical Practitioners. It contains the names of all persons enrolled on any State Medical Register. Removal of a name from the State Medical Register will lead to its removal from the Indian Medical Register also.

2. Medical Education

The Council has the authority to prescribe the standards of -

- a) Undergraduate medical education
- b) Postgraduate medical education

Council has prescribed certain standards of medical education, the curriculum, the teaching pattern, including staff, equipments, accommodation, training and other facilities. Council has undergraduate and postgraduate committees for this purpose. The council prescribes courses and criteria which a medical institute should fulfil for a particular course of study.

3. Recognition of Medical Institutions

- Council will send inspectors to see that the college is adequately spaced, staffed and equipped as per MCI stipulations.
- Council may appoint inspectors to attend any or all examinations held by medical institutions to assess the standards.
- The inspections will be held every year to get recognition for a specific period, and every 5 years after getting the permanent recognition.

Medical Law And Ethics Study Guide

Claudia Carr



Medical Law And Ethics Study Guide:

Aehlert's EMT-basic Study Guide Barbara Aehlert,1998-01-01 The author a well known and respected specialist in the field provides the reader with authoritative coverage of what the EMT needs to know perfectly balanced between the question bank and the more comprehensive traditional text The presentation is clear and concise making the text an excellent addition to the EMT student s resources as well as a perfect tool to use in reviewing for refresher courses

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Questions in Healthcare Law and Ethics Marc Cornock, Author, 2021-03-03 The perfect textbook for healthcare students who want a fresh innovative way to understand how law and ethics relate to their studies placements and professional practice By using a unique format made up of frequently asked questions and corresponding answers Key Questions in Healthcare covers the what why where and how in legal and ethical issues related to healthcare Its easy to use layout helps you quickly find informative yet straightforward answers to over 150 questions helping you to feel confident in your legal and ethical knowledge without leaving you overwhelmed or confused All answers are written in line with Nursing and Healthcare regulations and its conversational writing style will make you feel like you are talking with a lecturer instructor or knowledgeable colleague rather than reading a textbook The book is appropriate for all levels from healthcare students in the initial stages of their education to the advanced practitioner who wishes to refresh their knowledge or maybe learn something new *Instructor's Guide for Medical Law, Ethics, and Bioethics for Ambulatory Care* Marcia A. Lewis, 1998

Unlocking Medical Law and Ethics 2e Claudia Carr, 2014-11-20 Unlocking Medical Law and Ethics will help you grasp the main concepts of Medical Law with ease Containing accessible explanations in clear and precise terms that are easy to understand it provides an excellent foundation for learning and revising The information is clearly presented in a logical structure and the following features support learning helping you to advance with confidence Clear learning outcomes at the beginning of each chapter set out the skills and knowledge you will need to get to grips with the subject Key Learning Points throughout each chapter allow you to progressively build and consolidate your understanding End of chapter summaries provide a useful check list for each topic Cases and judgments are highlighted to help you find them and add them to your notes quickly Frequent activities and self test questions are included so you can put your knowledge into practice Sample essay questions with annotated answers prepare you for assessment Glossary of legal terms clarifies important definitions

This second edition has been updated to include discussion of recent changes and developments within the module such as updated case law including *Birmingham Children's NHS Trust v B* 2014 EWHC 531 *NHS Foundation Trust v A* 2014 EWHC 920 *A NHS Trust v DE* 2013 EWHC 2562 *Re P M Parental Order Payments to Surrogacy Agency* 2013 EWHC 2328 *R v Catt Sarah Louise* 2013 EWCA 1187 and *Doogan v Greater Glasgow and Clyde Health Board and others* 2013 CSIH 36 The books in the *Unlocking the Law* Series get straight to the point and offer clear and concise coverage of the law broken down into bite size sections with regular recaps to boost your confidence They provide complete coverage of both core and popular optional law modules presented in an innovative visual format and are supported by a website which offers students a host of additional practice opportunities Series editors Jacqueline Martin LL.M has over ten years experience as a practising barrister and has taught law at all levels Chris Turner LL.M is Senior Lecturer in Law at Wolverhampton University and has taught law at all levels

Medical Law Concentrate Jo Samanta, Ash Samanta, 2018-08-02 The *Medical Law Concentrate* is written and designed to help you succeed Written by experts and covering all key topics *Concentrate* guides help focus your revision and maximise your exam performance Each guide includes revision tips advice on how to achieve extra marks and a thorough and focused breakdown of the key topics and cases Revision guides you can rely on trusted by lecturers loved by students I have always used OUP revision and Q A books and genuinely believe they have helped me get better grades Anthony Poole law student Swansea University The detail in this revision textbook is phenomenal and is just what is needed to push your exam preparation to the next level Stephanie Lomas law student University of Central Lancashire It is a little more in depth than other revision guides and also has clear diagrams and teaches ways to obtain extra marks These features make it unique Godwin Tan law student University College London The *concentrate* revision guides stand out against other revision guides Renae Haynes Williams law student Bangor University The exam style questions are brilliant and the series is very detailed prepares you well Frances Easton law student University of Birmingham The accompanying website for *Concentrate* is the most impressive I've come across Alice Munnelly law student Kings College London it is a fantastic book It covers absolutely all topics you need for the course Emma McGeorge law student Strathclyde University

Medical Law and Ethics Jonathan Herring, 2018 *Medical Law and Ethics* covers the core legal principles key cases and statutes that govern medical law alongside the key ethical debates and dilemmas that exist in the field Carefully constructed features highlight these debates drawing out the European angles religious beliefs and feminist perspectives which influence legal regulations Other features such as a shock to the system public opinion and reality check introduce further socio legal discussion and contribute to the lively and engaging manner in which the subject is approached Online resources This book is accompanied by the following online resources Complete bibliography and list of further reading Links to the key cases mentioned in the book A video from the author which introduces the book and sets the scene for your studies Links to key sites with information on medical law and ethics

Medical Law and Ethics Bonnie F. Fremgen, 2006 This overview of medical law and

ethics is written in straightforward language for non-lawyer healthcare professionals who must be able to cope with multiple legal and ethical issues they encounter while working in a variety of settings e.g. the medical office, hospitals, clinics, and skilled nursing facilities. It is designed to help them better understand their ethical obligation to themselves, their patients, and their employer. New to this edition are: Changes in Contract Law; Hiring Practices such as personnel policy manual; interview process; legal implications; sexual harassment; discrimination issues relating to selecting employees; incompetent and dishonest colleagues; Expanded coverage of Privacy Law and confidentiality to cover more on confidentiality, HIPAA, and other laws affecting the disclosure of personal information; Expanded coverage of Consent to include more about informed and uninformed consent problems when implementing consent; the right to refuse treatment. Also discussed are Physician's Orders: what to do when the health care worker disagrees with the orders; what orders can be carried out with or without a written physician's orders; Malpractice Avoidance and Truth telling as in cases of patients who do not want to be told their diagnosis or families who do not wish to have the patient told. New to the End of Chapter activities include: Expanded Web Hunt exercises; Chapter Review fill in the blank exercises to each chapter; and More Case Studies. For those in the allied health field in a variety of settings such as the medical office, hospitals, clinics, and skilled nursing facilities.

Law, Ethics and Compromise at the Limits of Life Richard Huxtable, 2013. A conflict arises in the clinic over the care of a critically ill incapacitated patient. The clinicians and the patient's family confront a difficult choice to treat or not to treat. Decisions to withdraw or withhold life-sustaining treatment feature frequently in the courts and in the world's media with prominent examples including the cases of Charlotte Wyatt in the UK and Terri Schiavo in the USA. According to legislation like the Mental Capacity Act 2005, the central issues are the welfare or best interests of the patient alongside any wishes they might have conveyed via an advance directive or through the appointment of a lasting power of attorney. Richard Huxtable argues that the law governing both welfare and wishes frequently fails to furnish clinicians and families with the guidance they require. However, he finds this unsurprising given the competing ethical issues at stake. Huxtable proposes that there is a case for principled compromise here such that the processes for resolving principled disputes take precedence. He argues for greater ethical engagement through a reinvigorated system of clinical ethics support in which committees work alongside the courts to resolve the conflicts that can arise at the limits of life. Providing a comprehensive account of the law pertaining to children and adults alike and distinctively combining medico-legal and bioethical insights, this book engages scholars and students from both disciplines as well as informing clinicians about the scope and limits of law at the limits of life.

Fundamentals of Nursing Care Marti A. Burton, Linda J. May, Ludwig, 2014-10-10. Take a fresh new approach to nursing fundamentals that teaches students how to think, learn, and do while they make the connections each step of the way.

Medical Law and Professional Ethics Lois Ritter, Donald Graham, 2020-10-13. The Medical Law Professional Ethics Study Guide is organized to follow the textbook on a chapter-by-chapter basis, providing questions to help the student

review the material presented in the chapter This supplement is a consumable resource designed with perforated pages so that a given chapter can be removed and turned in for grading or checking

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Medical Law and Ethics Jonathan Herring, 2006 This book provides a clear concise description of medical law but it does more than that It also provides an introduction to the ethical principles that can be used to challenge or support the law It also provides a range of perspectives from which to analyse the law feminist religious and sociological perspectives are all used

Lecture Notes: Medical Law and Ethics Philip K. Howard, James Bogle, 2005-01-03 Lecture Notes Medical Law and Ethics provides students junior doctors general practitioners and allied health professionals with the legal framework related to medicine and discusses the ethics involved with these issues The content is divided into Sources of Medical Law and Ethics Consent Confidentiality and Clinical Negligence Mental Health Issues Describing the law and discussing the ethics in relation to abortion reproductive technology surrogacy and end of life issues Maintaining professional standards Doctors rights In addition the appendix provides further information and guidance including Philosophers who have influenced medical ethics Further reading How to access legal reference material Cases Statutes

Lecture Notes Medical Law and Ethics is written specifically for medical students junior doctors general practitioners and allied health professionals This text allows the reader to understand the law and the legal implications and clearly outlines the difference between the law and ethics Pre publication review The content of this book seems ideal as a recommended text for any course Reading this work would undoubtedly be beneficial for future careers PRHO James Cook University Hospital Middlesbrough

Hobsons Postgraduate Guide, 2002

Medical Law Jonathan Herring, 2009-06 Law Express Medical Law is designed to help you to relate all the reading and study throughout your course specifically to exam and

assignment situations Understand quickly what is required organise your revision and learn the key points with ease to get the grades you need Tested with examiners and students **Medical and Health Care Books and Serials in Print** ,1997
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