

**International Institute of Health Management Research (IIHMR)
New Delhi**

Batch 2016- 2018

Total marks: 100

Legal Framework in Health/Hospitals (HOM/HEM- 711)

Time: 3:00 HR

Instructions for Test

Attempt all questions

I. Multiple Choice Question (MCQ) Mark all correct responses in ✓ 22

1. The “exceptions” on divulging patient’s confidential information is / are:
 - a. Medical examination for the life insurance
 - b. When the media demands the information
 - c. There are no exceptions in divulging information

2. The standard of care in cases of medical negligence is measured against
 - a. The most recent research evidence
 - b. What is expected of a reasonable doctor
 - c. What majority of doctors would recommend
 - d. The standard of experts in the field

3. Which of the following is true about vicarious liability
 - a. An employer can be held responsible for act of this employees during the course their employment
 - b. An employee should have been in employment for at least one year
 - c. The negligence must have been of serious nature
 - d. All of the above

4. A Contract must have certain considerations like
 - a. Minimum of two parties
 - b. Offer or a proposal should exist
 - c. Both of above

5. Consent is deemed to be constituted when two or more persons agree upon the same thing in the same sense.
 - a. Certainly not
 - b. Yes
 - c. Not sure
6. Law of Contract in hospital is always specific for a specific procedure; global consent is considered null and void.
 - a. Yes
 - b. No
 - c. Not sure
7. An intimate examination of an individual with malafide intentions implies that under the law of Intentional Interference there has been a Breach of Duty liable for damages
 - a. Yes
 - b. No
 - c. Not sure
8. The patient or the plaintiff has to prove whether professional negligence in the treatment has occurred or not. Is this correct?
 - a. Not sure
 - b. Depends on the judge
 - c. Yes
9. “ Res Ipsa Loqitur” means
 - a. The patient is always right, as he/ she is the customer
 - b. The doctor is always responsible for his acts
 - c. The act / thing speaks for itself
10. CPA is supposed to provide better protection to the patients. Is this true?
 - a. Not sure
 - b. Yes
 - c. Only provides sense of security

11. CPA was first enacted and brought into vogue by
- Indian parliament
 - WHO
 - UN General Assembly
12. If a hospital does not have facilities for isolation of patients with contagious diseases, the patient may be refused admission. Is this correct?
- True
 - No, it has to admit the patient
 - Decision lies with patient
13. Patient's discharge from the hospital should only be carried out on the advice of the primary / treating physician. Correct or not?
- Not correct
 - Correct
 - Not sure
14. The patient's consent is necessary for disposing off patient's amputated limb, etc. True or False?
- False.
 - True.
 - Not sure
15. For conducting autopsies in hospital, consent of "next-of-kin" is essential from legal angle. Is that so?
- Correct.
 - Not necessary.
 - Only in isolated cases.
16. If any patient suffers burn injury or deformity due to radiation or physiotherapy, the hospital is held responsible for this:
- No
 - Not sure
 - Yes

17. The Hospital Medical Records are also used as evidence in :
- a. Certification of birth and deaths
 - b. Criminal cases to refresh memory when giving medical evidence
 - c. Both of the above
18. Hospital is an Industry. Is it correct?
- a. No
 - b. Yes
 - c. Not sure
19. Hospital Administration is responsible for its action and statement to :-
- a. Owners and employee of the hospital
 - b. Patients and visitors who come to hospital
 - c. Both of the two above
20. Other Legal Act/s applicable to private hospital include: -
- a. Provident fund Act
 - b. ESI Act
 - c. Both of those above
21. Dying declaration can be made to anyone and oath is not necessary
- a. No
 - b. Yes
 - c. Not sure
22. Dying declaration of an individual mad has
- a. More Value
 - b. Lesser Value
 - c. Not sure

II. What cases should be registered as Medico legal. Discuss the management of medico legal cases. 12

III. Write short notes on any two 12

- a. Patient rights
- b. Consent
- c. Vicarious liability

- IV. Describe Torts with suitable examples. Discuss the legal implication of activities related to labour room and operation theatre 12

Or

Write a critique on application of CPA to health institutions

- V. **Write short notes on any two:** 12

- a. Role of ICC under Sexual Harassment Act
- b. Exempted organization/ information under RTI
- c. Role of manager for managing affairs of a mentally incompetent person as per Mental Act