

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

**Batch 2020-2022**

**Total marks: 70**

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

**Time: 2:00 Hrs**

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**Instructions for Test**

- Question No 1 is compulsory. Attempt any three questions from question 2 to 5

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

**I. A Contract must have certain considerations like:-**

- a. Minimum of two parties.
- b. Offer or a proposal should exist.
- c. Both of above.

**II. Informed Consent implies that:-**

- a. He/she is willing to concede to all and sundry in the hospital.
- b. Patient is not too sure of the implications of the proposed procedure.
- c. Patient has understood the nature of his/her condition and the proposed treatment.

**III. What is Law of Torts?**

- a. It is a Civil wrong.
- b. It is a Criminal misdeed.
- c. It implies Torturing an individual.

**IV. 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.

**V. A doctor exercising reasonable care of skill is not held guilty of negligence. Would you accept this?**

- a. Of course not.
- b. Maybe.
- c. Yes.

**VI. Vicarious Liability / Responsibility implies:-**

- a. Liability for the negligent act of another person.
- b. Individual's negligence act.
- c. None of the above.

**VII. Hospital management will be held responsible for the mistakes of resident doctors and interns in training, but cannot be held responsible for negligent act of members of superior medical staff. Is this right?**

- a. Not true.
- b. Only if the hospital authorities feels so.
- c. Yes.

**VIII. Under CPA the "defect" encompasses the following elements:-**

- a. An item which does not meet the expectation of the customer.
- b. Any fault, imperfection, shortcoming in quality or quantity.
- c. None of the above.

**IX. "Respondent Superior" means an individual may become liable to pay damages for amount of negligence committed by his servants**

**or agents in the course of carrying out his duties as servant/agent.  
Your Comment!**

- a. Not true.
- b. True.
- c. Not sure.

**X. The patient's consent is necessary for disposing off patient's amputated limb, etc. True or False?**

- a. False.
- b. True.
- c. Not sure

**XI. For conducting autopsies in hospital, consent of "next-of-kin" is essential from legal angle. Is that so?**

- a. Correct.
- b. Not necessary.
- c. Only in isolated cases.

**XII. In a private hospital, the doctors are free to choose the patients they would like to treat. Is this a correct statement?**

- a. Yes, except in emergency.
- b. No.
- c. Not sure

**XIII. Hospital is not responsible for any person committing suicide within the hospital**

- a. True
- b. False

**XIV. Telephonic instructions from senior doctors have no legal sanctity**

- a. True
- b. False

**XV. For Children, nobody else can consent except parents, in case they are present**

- a. True
- b. False

**XVI. 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

**XVII. Gross incompetency and indifference on behalf of the doctor implies Criminal Negligence. Can this statement be accepted in the court of law?**

- a. Certainly not
- b. Yes
- c. Depends on circumstances

**XVIII. Medical records used as “personal document” implies:-**

- a. When associated with an individual patient
- b. Contents used solely for research purposes
- c. No reference to any individual patient

**XIX. Normally a complain of sexual harassment needs to be filed within:**

- a. 3 months
- b. 2 months
- c. 3 weeks
- d. None

**XX. Patient care cannot be continued without his or her consent except in case of emergency:**

- a. True
- b. False
- c. Not sure

**XXI. Industrial disputes Act is applicable to hospitals**

- a. Yes
- b. No
- c. Sometimes depending on case

**XXII. Under no circumstances a pregnancy can be terminated beyond 24 weeks**

- a. True
- b. False

**2. As the Administrative head of a 500 bedded general hospital, how will you minimize lawsuits against your hospital. 16**

*or*

***Discuss the various Do's and Don'ts in day to day Medical practice to avoid law suits against health institutions.***

**3. Discuss the process of admission and discharge for Mental Health patients as per Mental Health Act. What important changes have been made under the amended Mental Health Act 2017. 16**

**4. Write short notes on any two : 16**

- a. Medical Ethics
- b. Management of Medico legal cases
- c. Dying Declaration and Deposition

**5. Write short notes on any two : 16**

- a. Sexual Harassment at Workplace
- b. Clinical Establishment and Nursing Home Act
- c. MTP Act