



**International Institute of Health Management Research (IIHMR), New Delhi.  
POSTGRADUATE DIPLOMA HOSPITAL AND HEALTH MANAGEMENT  
(Batch 2017-2019)**

**Legal Framework in Health and Hospitals**

**HEM/HOM- 711**

**End Term Examination**

**Time allowed: 3 hrs**

**Max. Marks: 70**

**Instructions for Test**

- *Attempt all questions*

**I. Select The Most Appropriate Answer**

**22**

1. Consumer protection act came into existence in:  
(a) 1976  
(b) 1980  
(c) 1983  
(d) 1986
2. A nurse on her initiation in the profession undertakes:  
a) Hippocratic oath  
b) Nightingale's pledge  
c) Declaration of Geneva  
d) None of the above
3. Appeals against the National Commission are filed in:  
a) District Court  
b) High Court  
c) Lok Adalats  
d) Supreme Court
4. **Medical negligence involves:**  
(a) Acts of commission  
(b) Acts of omission  
(c) Both a and b  
(d) None of the above
5. **Vicarious liability means:**  
(a) A conduct, which creates a risk of causing damage to others  
(b) A civil wrong for which remedy is a common law action for unliquidated damages  
(c) Liability for wrongs committed by another person  
(d) Liability arising from breach of duty, primarily fixed by the law which results in infringement

6. The Indian Medical Council Act was first passed in the year:
  - (a) 1933
  - (b) 1946
  - (c) 1956
  - (d) 1961
7. To constitute a tort, all the following must be fulfilled *except*:
  - (a) Act of omission
  - (b) Wrongful act of commission
  - (c) Legal damage
  - (d) Financial Implication
8. The doctor-patient relationship is:
  - (a) Professional contract
  - (b) Implied contract
  - (c) Written contract
  - (d) Express contract
9. Which of the following is true regarding consent
  - (a) Implied consent permits minor surgical procedures
  - (b) Written and oral consent are equally effective
  - (c) Blanket consent is not legally valid
  - (d) None of the above
10. **The Medical Termination of Pregnancy Act provides for facility of abortion in cases of:**
  - (a) Contraceptive failure
  - (b) Rape
  - (c) Danger to life of mother
  - (d) All of the above
11. Torts are civil wrongs-that is injuries to an individual's person, property or reputation. (True/False)
12. Vicarious liability occurs when one party is held responsible for something that another does or fails to do. (True/False)
13. Res ipsa loquitur is term used when the plaintiff is relieved of the burden of introducing expert testimony to establish the defendants negligence because a lay jury can discern the lack of care without expert guidance. (True/False)
14. In case of rape age is irrelevant. (True/False)
15. Cognizable offences are those in which a police officer has the authority to arrest without warrant. (True/False)
16. A fresh medico legal case may not be prepared if the case brought has been registered as a medico legal case at some other hospital. (True/False)

17. The "Hippocratic oath" was restated into the declaration of Geneva by the World Medical Association. (True/False)
18. Vicarious liability is not applicable to doctors in Government Hospitals. (True/False)
19. Volenti non-fit injuria is a well established principle of law that is taken as plea by hospitals in cases of vicarious liability. (True/False)
20. Torts can be deliberate .or .....
21. Consent may be ..... or .....
22. The National Commission of CPA deals with cases involving more than Rs.....

**II.** Enumerate the legal issues in day to day management of hospitals. How will you manage Medico- legal cases 12

**III.** Define Medical Negligence. Discuss acts of omission and commission related to physicians, surgeons and anesthesiologist 12

**IV.** Write short notes on any two 12

- a. Consent
- b. Consumer Protection Act
- c. Right to Information Act

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

- a. Violence against medical profession
- b. Central and State Mental Health Authorities
- c. The Clinical Establishments (Registration and Regulation Act 2010)