

National Medical Commission Registered Medical Practitioner (Professional Conduct) Regulations, 2023

[ADVT.-III/4/Exty./324/2023-24], dated 2nd August, 2023

No. R-12013/01/2022/Ethics - In exercise of the powers conferred by section 27(1) b, read with sections 10(b) (f), 16(2), 57(2) zd, zi, zl and zh of the National Medical Commission Act, 2019 (No.30 of 2019), the National Medical Commission hereby makes the following Regulations relating to Professional Conduct of Registered Medical Practitioners namely:-

Preliminary

1. Short Title and Commencement:

- (A) These regulations may be called the "National Medical Commission Registered Medical Practitioner (Professional Conduct) Regulations, 2023.
- (B) They shall come into force from the date of their publication in the Official Gazette.

CHAPTER 4

DUTIES OF RMPs TOWARDS THE PUBLIC AND ALLIED HEALTHCARE PROFESSIONALS

33. Public Education and Awareness:

- (A). RMPs, as good citizens, have a responsibility to disseminate scientific advice on public health issues in the public interest without self-promotion. They should particularly co-operate with the authorities in the administration of sanitary/public health laws and regulations. (L1)
- (B). RMP should enlighten the public concerning quarantine regulations and measures for the prevention of epidemics and communicable diseases. At all times the RMP should notify the constituted public health authorities of every case of notifiable disease under his care, following the laws, rules, and regulations of the health authorities. RMP needs to involve in public education and awareness activities without involving in the advertisement. When an epidemic occurs, RMP provided with all the necessary medical protection should not abandon his duty for fear of contracting the disease himself. (L1 and/or L2)

34. RMP as a team leader, should recognize the

importance of teamwork and respect the practice of different paramedical services. (L1)

- 35. RMPs and their families must not receive any gifts, travel facilities, hospitality, cash or monetary grants, consultancy fee or honorariums, or access to entertainment or recreation from pharmaceutical companies or their representatives, commercial healthcare establishments, medical device companies, or corporate hospitals under any pretext. However, this does not include salaries and benefits that RMPs may receive as employees of these organizations. Also, RMPs should not be involved in any third-party educational activity like CPD, seminar, workshop, symposia, conference, etc., which involves direct or indirect sponsorships from pharmaceutical companies or the allied health sector. RMP should be aware of the conflict-of-interest situations that may arise. The nature of these relationships should be in the public domain such as clinical drug trials and should not be in contravention of any law, rule, or regulation in force. RMP himself or as part of any society, organization, association, trust, etc. make regarding the relationship with the pharmaceutical and allied health sector industry clear and transparent open to scrutiny. (L3)
- 36. Power to Draft Guidelines: EMRB will draft the guidelines/codes etc on Generic Drugs and Prescription, CPD Guidelines and Accreditation of Organizations, Telemedicine Guidelines, Code of Ethics, Guidelines on Penalties for Misconduct including the Monetary Penalty, Advertisement Guidelines, End of Life Guidelines, Consent in Medical Practice, Guidelines on Research by RMPs, Guidelines on Social Media Conduct of RMPs, Guidelines on Reasonable care and skill and Guidelines on Interaction with Pharmaceuticals, as and when required and will amend from time to time.

Dr. Pulkesh Kumar, Secy. National Medical Commission

Note: For the complete notification, interested members can view the same on <https://www.nmc.org.in/rules-regulations/national-medical-commission-registered-medical-practitioner-professional-conduct-regulations-2023-reg>

Excerpts of the Jan Vishwas (Amendment of Provisions) Act, 2023

Note: Only specific parts of the notification has been reproduced. For the complete notification, interested members can view the same on https://naavi.org/uploads_wp/2023/janvishwaas_bill_gazetted.pdf

Gazette Notification No. 18, dated 11th August 2023

The following Act of Parliament received the assent of the President on the 11th August, 2023 and is hereby published for general information: —

An Act to amend certain enactments for decriminalising and rationalising offences to further enhance trust-based governance for ease of living and doing business.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

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| <p>1. (1) This Act may be called the Jan Vishwas (Amendment of Provisions) Act, 2023.</p> <p>(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for amendments relating to different enactments mentioned in the Schedule.</p> | <p>Short title and commencement.</p> |
| <p>2. The enactments mentioned in column (4) of the Schedule are hereby amended to the extent and in the manner mentioned in column (5) thereof.</p> | <p>Amendment of certain enactments.</p> |
| <p>3. The fines and penalties provided under various provisions in the enactments mentioned in the Schedule shall be increased by ten per cent. of the minimum amount of fine or penalty, as the case may be, prescribed therefor, after the expiry of every three years from the date of commencement of this Act.</p> | <p>Revision of fines and penalties.</p> |

Savings.

4. The amendment or repeal by this Act of any enactment shall not affect any other enactment in which the amended or repealed enactment has been applied, incorporated or referred to;
- and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;
- nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby amended or repealed;
- nor shall the amendment or repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.