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Assessment of the knowledge, Attitude and practice (KAP) among M.B.B.S students regarding consumer protection Act (CPA), 2019

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Abstract

The Consumer Protection Act (CPA) in India was passed with the rationale and protecting the rights of consumers or beneficiaries. The doctor-patient relationship relies on mutual trust and conviction, but this trust, sacredness, and confidence, has become the talk of olden days, and now it sounds hollow. Some incidences cause suffering to the patients, forcing the legislature and the public to think twice about the credibility and authenticity of medical treatment given to the patients. In India, the CPA of 2019 was enacted for better protection of the interests of consumer grievances. The current study was conducted to know awareness about CPA among MBBS Students in medical college. The overall awareness about CPA 2019 before lecture session was in 47.6% of MBBS students. This study calls for increasing awareness regarding various issues of the Consumer Protection Act among the medical students. After the lecture session the overall awareness increased up to 71.9%.

Keywords: Consumer protection act, negligence, awareness

Introduction

The Consumer Protection Act (CPA) in India was passed with the rationale and protecting the rights of consumers or beneficiaries. Whether medical services came under the ambit of CPA was not clear, hence a writ petition was filed (Indian Medical Association vs. V P Shantha), it was held that medical services would be treated as services under CPA 1986^[1]. This judgment has been the law of land thereafter.

In Old CPA 1986, definition of consumer was only limited to buying goods or services, it did not talk about online purchase or offline purchase or teleshopping etc. New CPA 2019 has expanded the definition of consumer it includes 'persons who engage in offline or online transactions through electronic means or by teleshopping or direct selling or multi-level marketing'^[2].

In India, CPA is enacted for better protection of the interests of consumer grievances. This is done through quasi-judicial mechanisms set up at the district, state and national levels. Consumers can file their complaints, which will be entertained by quasi-judicial bodies referred to as consumer commissions. These consumer commissions have been empowered to award compensation to aggrieved consumers for hardships they have endured^[3, 4].

Methodology

After taking prior approval to conduct the study from the institutional Ethical Committee, a cross sectional survey of Knowledge, Attitude and Practice (KAP) regarding CPA 2019 was done among the MBBS students of medical college. After providing them the purpose of the study, A self-administered questionnaire in google form having 10 questions related to various aspects of the CPA was provided to the participants. The participants were asked to respond to all the questions. For analysis, each correct answer will be given score 'one' and the wrong answer/un-attempted question will be given score 'zero'. The individual scores will be summed up to yield a total score. After getting pre-test responses, detailed important information regarding CPA 2019 and its implication in health care practice was explained to the participants by forensic medicine faculty. After that, post-test self-administered questionnaire was given and responses are recorded.

Results

Total 128 MBBS students had participated in this study. According to Table No. 1, 57% of participants during pre-test scored more than 50% marks in the questionnaire given to test their awareness, and only around 6% of participants scored less than 30% marks. Similarly, the questions related to the Consumer Protection Act and their responses were

taken after giving details about CPA and its implications in medical profession. In the post-test about 81% of participants had scored more than 50% marks and only about 3% of participants scored less than 30%. Questions related to Consumer Protection Act and their responses given by participants are depicted Table 2.

Table 1: Grading of participants as per marks secured in pre and post tests on CPA (n=128)

Grade	Pre-test		Post-test	
	n=128	%	n=128	%
Poor (< 3)	07	5.5%	03	2.5%
Average (>= 3 To 4)	48	37.5%	22	17%
Good (>= 5 To 6)	55	43%	37	29%
Excellent (>= 7)	18	14%	66	51.5%
Total	128	100%	128	100%

Table 2: Distribution of Correct responses of pre and post tests on CPA from participants (n=128)

Questions	Pre test		Post test	
	n	%	n	%
1. Supreme Court of India included following services under the ambit of CPA, Except?				
A. Medical services	84	65.6	97	75.8
B. Product liability				
C. Tele medicine services				
D. Free & personal				
2. In CPA, what is the limitation period for filing a complaint from date on which a case of action has arisen?				
A. 1 years	52	40.6	104	81.3
B. 2 years				
C. 3 years				
D. 4 years				
3. Is there any provision for settlement and partial settlement through mediation is available?				
A. Yes	101	78.9	114	89.1
B. No				
4. A consumer can file a complaint from another district where dispute has not occurred.				
A. True	71	55.5	104	81.3
B. False				
5. A patient got treatment from a Govt. hospital where no fee is charged. There is allegation of negligence against the treating doctor. The complainant can approach the				
A. Civil court & Consumer court	24	18.8	50	39.1
B. Civil court and Criminal court				
C. Civil court only				
D. Civil, Consumer and Criminal court				
6. Within how many days of admission date, district forum shall refer a copy of compliant to the opposite party?				
A. 10	41	32	54	42.2
B. 20				
C. 30				
D. 40				
7. If a doctor fails to comply in a compensation case, then punishment is given to doctor under CPA?				
A. Yes	89	69.5	120	93.8
B. No				
8.If a doctor placed an ear implant that broke inside the ear after due to manufacturing defect, then who is responsible for the mishap?				
A. Doctor	26	20.3	85	66.4
B. Manufacturer				
C. Both				
D. None				
9. State commission has the power to dispose of matters asking compensation amount				
A. Up to 20 lakh	16	12.5	71	55.5
B. 20 lakh-1crore				
C. 1 crore to 10 crore				
D. None of the above				
10. Is there an appeal against decisions passed by state authority?				
A. Yes	106	82.8	121	94.5
B. No				

Discussion

Only MBBS students had participated in the study; therefore, the results can be considered to be represented the knowledge and opinion of medical students at Ahmedabad at the time of the study. Medicine is a noble profession, but there is also growing anxiety both within the medical profession and in the community regarding increasing trends of complaints and lawsuits against doctors.

The data in our study showed that detail knowledge regarding the aims and objectives of the Consumer Protection Act and its application is limited. Similarly limited awareness was seen among the study conducted by Rai JJ *et al.* [5] and G. Anjaneyulu *et al.* [6] But in a study carried out on 464 dental and medical specialists by Singh K *et al.* showed that awareness about CPA was higher among the medical professionals than dental professionals [7]. Due to the lack of updating knowledge by the professionals, there is an increased risk of malpractice, especially from complex situations. Also, the expanding patient population is becoming more knowledgeable and aware of their rights, consequently taking action by contacting the consumer forum to lodge their complaints.

Conclusion

The participants were knowledgeable about basics, they lacked knowledge about finer details. Local bodies and medical associations should increase their participation in holding seminars, CME's for the students to increase awareness of medico-legal issues in medical practice.

Medical Negligence have become a major concern in patient care. Lack of updating knowledge there is an increased risk of litigation, especially in cases with poor outcomes. It is recommended that doctors must update their understanding of the Consumer Protection Act.

The limitation of our study is that it was conducted in one institute, even though the hospital consists of a diverse group of students coming from different backgrounds, it cannot predict the overall situation in the country.

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Author's Contribution

Not available.

Conflict of Interest

Not available.

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