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Book Reviews: Technical Books Section

A VALUABLE GUIDE

Medical Negligence & Legal Remedies, 3rd Edition Anoop K Kaushal. Softcover, 5.5" x 8.5". Universal law publishing co. Pvt. Ltd., C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T.Karnal Road, Delhi - 110 033, India. . . E-Mail: unilawb@unilawbooks.com. Publication Date 2004. xxvi + 412 pages, ISBN 81-7534-387-7. Price Indian Rupees 260.00

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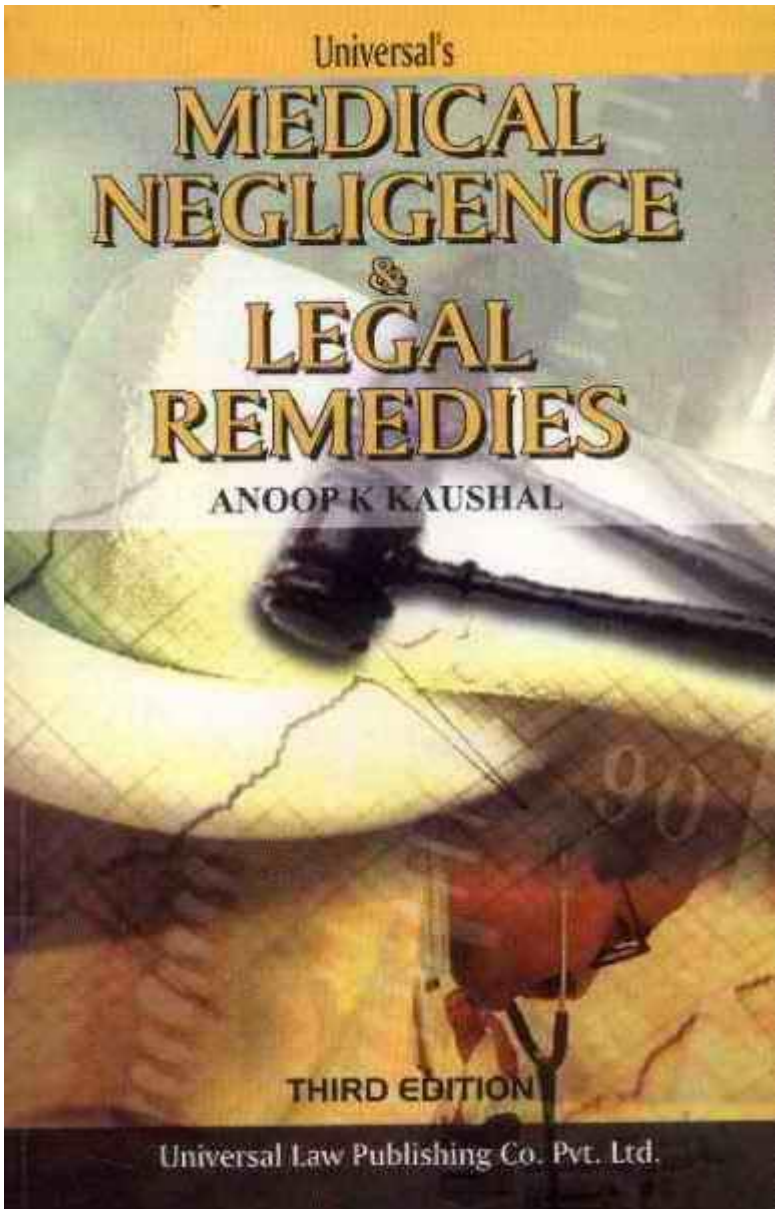

Medical profession is one profession in which changes occur at the blink of the eye. But the biggest change that has come in recent years is the introduction of the Consumer Protection Act 1986. The introduction of this act has turned medical profession into a virtual industry. Today the doctor patient relationship is not taken as a holy relationship like before but is like that of a service provider and service taker. It has become more of a business in which the consumer i.e. the patient demands his rights and goes to the court at the drop of a hat with one complaint or the other. Sometimes the complaint is genuine and many times fake. To safeguard himself from such litigations the doctor always has to be careful in whatever he does. But being careful is not enough and he has to be well versed with the law. These laws, that a doctor needs to be aware of, make up the contents of this book.

"Always put your best foot forward" is what we have always believed. So we would like to mention about the best part of the book. That is the checklist about the do's and don'ts about the doctor and the patient (chapter 3). This chapter signifies what medical profession lays so much stress on - "prevention is better than cure." By conferring to these guidelines, the doctor and the patient both can safeguard their interests. These guidelines are like a kind of guidebook that should be available

to every physician irrespective of his speciality. The presence of these guidelines in themselves is a good enough reason for buying this book.

The next major thing in the book is the discussion of the Consumer Protection Act, 1986. The discussion of this act is very important for the doctor as he is generally prosecuted under the provisions of this act. So the familiarity with this act helps him in being prepared for any eventuality. The inclusion of other acts like The Medical Termination of Pregnancy Act, 1971, The Pharmacy Act, 1948, The Indian Medical Degrees Act, 1916 etc. The provisions of these acts are also important for the doctor as they affect him in some way or other. And that is applicable for people working in both public and private sector. Ignorance can never be taken as a plea for doing something that should not have been done. So to prevent such ignorant acts, it is advised to be aware of ones rights and duties. And legal rights and duties are probably the most important ones to be aware of.

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The chapter "safeguards for doctors", chapter 4 deals with the provisions of insurance for the doctors. This can be said to be the other important safeguard for the medical fraternity. Medical insurance, in India, is still at the stage of infancy. Doctors have not yet taken to it in the same way as they have done it in the western world. The importance of insurance lies in cases where there is some sort of negligence case whether real or fabricated against the doctor. The doctors do usually not read the various terms and conditions of the insurance companies properly and so they can be taken for a ride by the companies. So the doctor should know these conditions completely. This has also been mentioned in the chapter; things like when the insurance is valid, its period of validity, the conditions that are to be fulfilled for the insurance etc. This helps the doctor in safeguarding his interests properly.

The inclusion of various cases tells the reader about the various cases that have occurred in the past and the court's response to those situations. It gives him an idea about the way the court thinks and how has the law has progressed over the years in relation to medical matters. The inclusion of case from other countries give the reader an idea about the developments that are taking place in those places.

...this book is a must buy for every physician who wants to continue his practice and wants to be away from the legal wrangling as much as possible. The easy flowing language makes it easy to understand and the contents make it a must keep for the shelf of all registered medical practitioners...

Also worth mentioning is the presence of the model forms described in chapter 7. These are some of the forms that the doctor has to be familiar with. He has to get used to these forms, as he has to fill them pretty often in his life especially if he is in the private sector and running his own clinic or nursing home.

Finally we would like to give a brief account of the anatomical diagrams depicted in the appendix. These diagrams show the various systems of the body viz. the skeletal system, muscular system, circulatory system, nervous system etc. The presence of these diagrams acts as a refresher every

time the reader wants to refer to any of the systems. So he doesn't have to go to the library or refer to various textbooks for the same.

In the end we would like to say that this book is a must buy for every physician who wants to continue his practice and wants to be away from the legal wrangling as much as possible. The easy flowing language makes it easy to understand and the contents make it a must keep for the shelf of all registered medical practitioners.

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Editor's recommendation. This book is recommended by the editor.