

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (ACADEMIC LAW)
(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION: MAY-JUNE - 2022
SECOND/SIXTH SEMESTER
Sub.: Health Care Law (LW – 205/ LW - 6005)

Date : 03/06/2022

Total Marks : 60

Time: 10.00 am to 12.30 pm

Instructions: 1) All questions are compulsory.
2) Figure to the right indicate full marks

Q. 1. Choose the correct option from the following. (10)

- 1) _____ was introduced in year 1994.
 - a) Dentist Act
 - b) Transplantation of Human Organs Act
 - c) PC&PNDT Act
 - d) International code of Medical Ethics
- 2) Negligence is solely the failure of
 - a) Treatment
 - b) Medical availability
 - c) Exercise to reasonable care
 - d) Emergency Services
- 3) The Consumer Protection Act applies-
 - a) to all services
 - b) to all products
 - c) to all medicines
 - d) to all goods & services
- 4) Informed consent is not required when -
 - a) the procedure is simple & common
 - b) there is a life threatening emergency
 - c) the patient's mental status prevents a reasonable informed consent
 - d) all of the above
- 5) _____ of the Constitution provides legal remedies for protection of the rights against the State or other institutions.
 - a) Part II
 - b) Part I
 - c) Part III
 - d) Part IV
- 6) Improper administration of medicines is an example of -
 - a) Medical negligence
 - b) wrong diagnosis
 - c) improper care
 - d) delay in diagnosis
- 7) The Homeopathy Central Council Act was introduced in ____
 - a) 1978
 - b) 1973
 - c) 1979
 - d) 1980
- 8) The International code of Medical Ethics was adapted by the General Assembly of the World Medical Association at _____ -
 - a) Russia in 1949
 - b) UK in 1949
 - c) London in 1949
 - d) US in 1949
- 9) According to the _____ section of IPC 1860 no act can be held liable if done in good faith
 - a) Section 88
 - b) Section 80
 - c) Section 81
 - d) Section 79

- 10) The right to confidentiality belongs to _____
- a) only patient
 - b) only provider
 - c) only physician
 - d) it is just ethical & not legal

Q. 2. Answer the following questions in short (Upto 30 words): (10)

- 1) Why is right to health known as right to life ? Explain
- 2) What are the provisions provided under Article 21 for healthcare.
- 3) What do you mean by medical negligence.
- 4) What do you mean by Error of Judgement .
- 5) What do you mean by wrongful diagnosis.

Q. 3. Write a short notes : (Any four) (20)

- 1) Healthcare an an issue at National & International level.
- 2) Right to health is a Fundamental Right . Explain
- 3) Remedies available under Consumer Protection Act for Medical Negligence.
- 4) Ingredients of Medical Negligence
- 5) Access to medical record – a fundamental right Explain
- 6) Important features of International Code of Medical Ethics.

Q. 4. Answer in Brief : (Any two) (20)

- 1) Explain the role of Doctor (also the medical eastablishment) in case of a medical emergency. Also explain the medical regime for the same.
- 2) A medical practitioner shall not treat a patient without his /her consent. Support your answer with relavant Case laws and also the recent devolpments in India regarding the same.
- 3) Describe the legal control of the pre natal diagnostic techniques. Support your answer with relavant case laws.
- 4) Explain the salient features of the Transplantation of Human Organs Act1994 .
