

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 : DECEMBER - 2024
SIXTH/SECOND SEMESTER
Sub.: Health Care Law (LW-6005/205)

Date : 14/12/2024

Total Marks : 60

Time: 10.00 am to 12.30 pm

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

Q. 1. Answer the following question. (15)

A) Discuss the legal remedies available under the Law of Torts for medical negligence in India. How do courts determine compensation for victims of medical negligence, and what are the key principles involved in such claims?

OR

B) What are the key challenges facing healthcare systems both at the national and international levels?

Q. 2. Answer the following question. (15)

A) Discuss in detail the right to health as an emergent form of Part III and Part IV of the Constitution of India.

OR

B) "The International Code of Medical Ethics outlines the duties and responsibilities of medical professionals". Discuss the main principles of the Code and its significance in regulating medical practice worldwide.

Q. 3. Write Short Notes. (any four) (20)

- a) Right to health vis a vis the right to confidentiality
- b) Res ipsa Loquitur in medical negligence
- c) Essentials of Medical Negligence
- d) Wrongful diagnosis and negligent diagnosis
- e) Right to Health as a Fundamental Right
- f) Professional obligations of doctors under the Drugs and Cosmetics Act, 1940

Q. 4. Answer the following questions. (10)

A) "Access to medical records is a crucial aspect of health law and patient rights, ensuring transparency, privacy, and the right to information for patients regarding their health" – comment.

OR

B) "Mr. A underwent surgery at a private hospital and alleges that the complications he suffered were due to medical negligence. Discuss the legal remedies available to him under consumer protection law. What steps should Mr. A take to seek redress and compensation?"