



A Study on Attitude of Doctors Working in A Tertiary Care Teaching Hospital Towards Legalization of Passive Euthanasia in India

KEYWORDS

* Dr. Basava Malleswara Rao V

Dr. N. Satyanarayana

Senior Resident, Department of Hospital Administration, Nizam's Institute of Medical Sciences, Hyderabad, * Corresponding Author

Professor and Head, Department of Hospital Administration, Hyderabad, Nizam's Institute of Medical Sciences, Hyderabad

ABSTRACT Government of India has decided to solicit public opinion/comments before formulation of Law on Passive Euthanasia. The draft bill, proposed in 241st report of Law Commission deals with passive euthanasia and living will, a document in which a person states his or her desire to have or not to have extraordinary life prolonging measures used, when recovery is not possible from a terminal condition. This article focuses on the opinion of Doctors working in a Tertiary Care Teaching Hospital about the Draft bill, The Medical Treatment of Terminally Ill Patients (Protection of Patients and Medical Practitioners) bill proposed by the Government of India.

Introduction:

Euthanasia is one of the issues that has been the subject of intense debate over time. It has been a pertinent issue in human rights discourse as it also affects ethical and legal issues pertaining to patients and health care providers.

Government of India has decided to solicit public opinion/comments before formulation of Law on Passive Euthanasia. The draft bill, The Medical Treatment of Terminally Ill Patients (Protection of Patients and Medical Practitioners) bill proposed in 241st report of Law Commission deals with **passive euthanasia** and **living will**, a document in which a person states his or her desire to have or not to have extraordinary life prolonging measures used, when recovery is not possible from a terminal condition.

The word 'Euthanasia' is a derivative from the Greek words 'eu' and 'thanatos' which literally mean "good death". It is otherwise described as mercy killing. The death of a terminally ill patient is accelerated through active or passive means in order to relieve such patient of pain or suffering.

Types:

Euthanasia can be categorized into two types-active and passive

(a)Active Euthanasia:

When a person directly and deliberately does something which results in the death of patient. Here specific steps/procedures are undertaken (by the third party) like the administration of a lethal drug. This is a crime in India (and in most parts of the world) under the Indian Penal Code section 302 or 304. There are countries which have passed legislation permitting assisted suicide and active euthanasia. The differences between them are in the former, patient himself administers lethal medications and in the later doctor or some other person does it.

(b) Passive Euthanasia:

It involves withholding of medical treatment or withdrawal from life support system for continuance of life (like removing the heart-lung machine from a patient in coma). Hence in passive euthanasia death is brought about by an act of omission.

Objective:

To assess the attitude of Doctors on the Draft bill for legalizing Passive Euthanasia in India

Methodology:

The study was conducted in the months of May and June, 2016 in a Tertiary Care Teaching Hospital in Hyderabad. A structured Questionnaire was developed and validated by the experts of the field. The Questionnaire. The study instrument was distributed among 100 Doctors working in the Hospital. The Doctors included Junior Residents, Senior Residents and Faculty. The self-administered questionnaire was distributed to the Doctors along with the copy of Draft bill, The Medical Treatment of Terminally Ill Patients (Protection of Patients and Medical Practitioners Bill).

Results and Discussion:

The Study results were analyzed. 80% of the respondents stated that they support passive euthanasia and 15% do not support and 5% responded that they don't know. 76% of Doctors opined that needs a bill on passive Euthanasia. 12% were of the opinion that there is no need of any bill. 70% respondents said that they welcome the government decision for public opinion about draft bill. 80% of the Doctors opined that the bill is not conclusive. The draft bill addresses the legal aspects according to the opinion of 52% and does not address them according to the opinion of 46%.

The results are depicted in Table number 1 below.

Table.1 The Results of Structured Questionnaire for Doctors:

S.No.	Question	Yes	No	Don't Know
1	Do you support Passive Euthanasia	80%	15%	5%
2	Do you think India needs a bill on Passive Euthanasia	76%	12%	12%
3.	Do you welcome the Government decision to obtain public opinion about the Draft Bill	70%	20%	10%
	The Draft Bill			
4.	The Draft Bill is conclusive	19%	80%	1%

5.	The Draft Bill addresses all the legal aspects of euthanasia	52%	46%	4%
6.	The draft Bill guides the Doctor in decision making	13%	84%	3%
6.	A minor aged 16 and above is also given the right to participate in decision making about ending his life - Do you support this?	4%	96%	0%
7.	Do you think every case of euthanasia should be brought to the notice of Medical Expert Panel?	43%	44%	13%
8.	In case of an incompetent patient or a competent patient who has not taken an informed decision, the case has to be filed in that area's High Court by the patient's relative, friend or the medical practitioner. In such cases, the High Court is expected to pass a judgment within a month. Do you think the time frame is appropriate?	12%	86%	2%
9.	Advance Medical Directive or a living will (which means a directive given by a person that he/she shall or shall not be given medical treatment in future when he/she becomes terminally ill) shall be void and shall not be binding on any medical practitioner. Do you support this?	14%	85%	1%
10.	Does the bill serve the purpose	12%	84%	4%

84% of the Doctors responded that the draft bill does not guide them in Decision making. 96% did not support the inclusion of minor patients in decision making about Euthanasia. 43% opined that every case should be referred to Medical expert panel. 44% opined that every case need not be referred to the expert panel.

86% of Doctors opined that time frame of 1 month given to High Court is not appropriate. 85% of Doctors did not support making the living will void. In conclusion 84% of the Doctors opined that the bill does not serve the intended purpose.

Conclusion and Recommendations:

The findings of the study indicate that majority of the Doctors support passive euthanasia. The draft bill proposed by the government is inconclusive and does not help them in decision making. The government should make the act that is more clear and help the doctors in decision making.

References:

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