



“DENTAL PROFESSIONALS PERSPECTIVES ABOUT THE CONSUMER PROTECTION ACT AND ETHICAL PRACTICES IN JAMMU”

Dental Science

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ABSTRACT

Aim: To assess the awareness of the Consumer Protection Act and ethical practices amongst dental professionals of Jammu.

Methodology: A descriptive cross-sectional study was conducted among 200 dental professionals of Jammu. Simple random sampling was done. A close-ended questionnaire containing 30 items was used for data collection. Data were collected, compiled & tabulated using Microsoft excel & analyzed by Chi-square test with $p < 0.05$ as significant.

Results: The dental professionals with postgraduate degree and undergraduate degree were 51.50% and 48.50% respectively. A total of 53% of the study participants were aware about COPRA and 86.5% subjects thought that knowledge of ethics is important for them in their work. Qualification and practice experience were significantly associated with awareness towards COPRA ($p=0.0001$).

Conclusion: The study revealed that the participants with higher qualification and those who are practitioners had better knowledge and awareness towards COPRA and code of ethics.

KEYWORDS

Consumer Protection Act, dental professionals, legal literacy, code of ethics.

INTRODUCTION:

The dental profession is a vocation in which knowledge and skill is used for the service of others.¹ Today, however, there is a new alliance between the dentist and patient, based on cooperation rather than confrontation, in which the dentist must 'understand the patient as a unique human being'. More and more patients are getting aware of their rights and are keen to make free choices and decisions on their treatment. So, there is a duty on the part of the dentist to perform such obligation with proper care.²

The consumer rights have been specified initially by the US president John F. Kennedy and The International Organization of Consumer's Union (IOCU) in 1983.³ In India, earlier (before 1995) the remedy for medical negligence was available only under the Law of Tort. Finally, it was on 13th November 1995 that the honorable Supreme Court of India delivered judgment on application of Consumer Protection Act (1986) to the medical/dental profession, hospitals, dispensaries, nursing homes, and other health care related services.⁴ Consumer Protection Act has been formulated to be customer friendly, as there is no court fee payment, the person can plead their own case, and the decision is taken within 3–6 months.⁵ Dental ethics is a moral obligation that encompasses professional conduct and judgment imposed by the members of the dental profession.⁶

It is now a firmly established belief that legal modalities are integral to dental practice. Hence, dental practitioners should be aware of the related laws and preventive approach from litigation and should also be familiar with his legal liabilities and the meaning of some terms used.⁶ Hence, keeping this in mind the present study was conducted to assess the awareness of the Consumer Protection Act and ethical practices amongst dental professionals of Jammu.

METHODOLOGY:

A descriptive cross-sectional study was conducted among dental professionals after obtaining ethical approval for the study and informed consent was obtained from the participants.

Data had been obtained from a sample of 200 dental professionals of by online survey either through mail id or Google survey. Dental professionals who are either practitioner, teaching faculty or both were included in the study; whereas postgraduate students and dental professionals not willing to participate in the survey were excluded from the study.

The data was collected using close-ended self-administered 30-item questionnaire constructed from previous studies. The questionnaire had three major parts; the first part consisted of sociodemographic data variables such as age, gender, educational qualification, job profile,

and duration of dental practice. The second part consisted of questions regarding awareness and implications of Consumer Protection Act. Third part consisted of knowledge and awareness towards ethical dental practices. Dental professional's identities were kept confidential and questionnaires were collected on the same day.

STATISTICAL ANALYSIS:

The data obtained were compiled and analysed using SPSS software version 24. The recorded values were represented as number (n) and percentage (%). Chi – Square test was applied to analyze the association between two parameters and level of significance i.e., 'p' value of less than 0.05 was considered as significant.

RESULTS:

A total of 200 dental professionals, 103(51.50%) MDS and 97(48.50%) BDS in the age group of 23–56 years participated in the study, among whom 124(62%) were males and 76(38%) were females. Majority of the dental practitioners i.e. 86 (48.31%) had a practice experience of ≤ 5 years, while 61 (34.27%) and 31 (17.42%) had practice experience of >5 & ≤ 10 years and >10 years respectively.

A total of 53% of the study participants were aware about COPRA; among whom only 31.13% knew that doctors /hospitals paid by an insurance firm for treatment of patient were liable under COPRA, while 54.72% of the subjects were aware that the treatment provided at hospitals/ health centres/ dispensaries free of charge are excluded from the purview of COPRA & 64.15% subjects were aware that delay in treatment or negligence caused by the dentist is liable for punishment. 75.47% subjects felt that COPRA affects their professional freedom. The responses of the subjects regarding questions of COPRA have been given in Table 1.

In the present study 85% subjects thought that knowledge of ethics is important for them in their work & majority of the subjects (69.0%) were aware that it is unethical to use abbreviations of memberships in associations or organizations as a suffix to their name and 68% were aware that it is unethical to affix a signboard in chemist shop or in other places where the dentist does not reside or work. Nearly 61.0% of the participants agreed that it is ethical to advertise a dental clinic, within the decorum. The responses of the subjects regarding questions of ethical practices have been given in Table 2.

DISCUSSION:

In the present study, 53% of the professionals were aware of COPRA; this is in accordance to study done Swapna *et al.* (57.81%)⁴ and in contrast to the studies conducted by Kesavan *et al.* (65%),⁸ Prasad *et al.* (63.56%)² Yashoda *et al.* (67%)⁷. Among whom 68.86% of the subjects were unaware of the fact that the patients being covered under the

insurance policies can seek help from COPRA; this finding was in accordance with the study conducted by Yashoda *et al.* (60.6%)⁷ and in contrast to the study conducted by Reddy *et al.* (38.3%)¹⁰ this may be due to the fact dental professionals in their daily practice are not much getting payments by insurance companies normally. It might be due to, as most of the routine dental procedures are not being covered in health policies.

In the present study, majority i.e. 89% dental professionals thought that knowledge of ethics is important for them in their work; similar responses were obtained in the study conducted by Janakiram and Gardens (85.42%).¹¹ Nearly, 86.50% of the subjects found it was unethical to refuse treatment because the patient is HIV positive/medically or mentally compromised/ disabled or in emergency; which is similar to the findings of the studies by Prasad *et al.* (82%)² and Yashoda *et al.* (78.4%)⁷ and in sharp contrast to that conducted by Kesavan *et al.* (74%).⁶ Majority of the respondents (69%) knew that it is unethical to use abbreviations of memberships in associations or organizations as a suffix to their names; which is in contrast to the study by Kesavan *et al.* (58%).⁶

The respondents gave diversified opinions when asked about the advertisement of dental clinics. According to the revised code, it is not unethical to advertise the dental clinics provided the decorum, and moral obligations were maintained;¹⁰ In the present study, most of the participants (50.50%) did not know that it is ethical for a dental practitioner to sell drugs and dental appliances in his clinic, as long as there was no exploitation of the patients but he should not run an open shop, similar responses were obtained in the study conducted in Chennai.⁶

CONCLUSION:

In this current era of globalization and consumer satisfaction, information is easily accessible to both practitioners and general public and dentists are increasingly facing legal challenges from dissatisfied patients. With this changing scenario, doctors have to adapt to the situation and may have to face such legal tangles, which is intangible and disturbing sometimes. Hence, all dental professionals irrespective of their higher degrees or job profile should be aware of the related laws and preventive approach from litigation. Thus, it is imperative that all dentists should be aware of the medicolegal aspects of the field.

Table 1: Distribution of study subjects according to their knowledge of Consumer Protection Act (COPRA)

Question	Response	N (%)
1. Are you aware of the Consumer Protection Act?	Yes	106 (53.00%)
	No	94 (47.00%)
	Total	200 (100.00%)
2. Doctors/hospitals paid by an insurance firm for treatment of patient are liable under COPRA?	Yes	33 (31.13%)
	No	73 (68.86%)
	Total	106 (100.00%)
3. Treatment provided at hospitals/ health centres/ dispensaries free of charge are excluded from the purview of COPRA?	Yes	58 (54.72%)
	No	48 (45.28%)
	Total	106 (100.00%)
4. Maximum period within which a patient can sue the concerned doctor with evidence is?	within 6 months	47 (44.34%)
	within 2 years	59 (55.66%)
	Total	106 (100.00%)
5. According to COPRA, compensation that can be claimed upto (At district forum)?	20 lakh	87 (82.08%)
	10 lakh	17 (16.04%)
	5 lakh	2 (1.88%)
	Total	106 (100.00%)
6. According to COPRA, compensation that can be claimed upto (At state commission)?	1 crore	82 (77.36%)
	75 lakh	16 (15.09%)
	50 lakh	8 (7.54%)
	Total	106 (100.00%)
7. Are you aware that delay in treatment or negligence caused by the dentist is liable for punishment?	Yes	68 (64.15%)
	No	38 (35.85%)
	Total	106 (100.00%)
8. Do you feel COPRA affects your professional freedom?	Yes	80 (75.47%)
	No	26 (24.53%)
	Total	106 (100.00%)

Table 2: Distribution of study subjects according to their awareness about the code of Ethics (Ethical dental practice)

Questions	Response	N (%)
1. Is knowledge of ethics important for you in your work?	Yes	178 (89.0%)
	No	22 (11.0%)
	Total	200 (100.0%)
2. Is it ethical to refuse the treatment, because the patient is	HIV positive	0
	Medically compromised	1 (0.5%)
	Mentally compromised	8 (4.0%)
	Disabled	1 (0.5%)
	Emergency case	9 (4.5%)
	All	8 (4.0%)
	None	173 (86.5%)
	Total	200 (100.0%)
3. Do you explain in detail the procedure, duration, cost, success and failure rates associated with any dental treatment?	Yes	176 (88.0%)
	No	24 (12.0%)
	Total	200 (100.0%)
4. Do you take consent before starting any procedure?	Yes	187 (93.5%)
	No	13 (6.5%)
	Total	200 (100.0%)
5. Which type of consent do you take?	Written	36 (19.25%)
	Verbal	151 (80.75%)
	Total	187 (100.0%)
6. Every dental surgeon should maintain his each patient's record for a minimum of	2 Years	63 (31.5%)
	3 Years	87 (43.5%)
	5 Years	50 (25.0%)
	Total	200 (100.0%)
7. Do you maintain information secrecy and privacy of patients?	Yes	183 (91.5%)
	No	17 (8.5%)
	Total	200 (100.0%)
8. Can dentists use abbreviations of memberships in associations or organizations as a suffix to their name?	Yes	62 (31.0%)
	No	138 (69.0%)
	Total	200 (100.0%)
9. Is it ethical to affix a signboard in chemist shop or in other places where the dentist does not reside or work?	Yes	64 (32%)
	No	136 (68%)
	Total	200 (100.0%)
10. Is it ethical to advertise a dental clinic?	Yes	122 (61.0%)
	No	78 (39.0%)
	Total	200 (100.0%)
11. Is it ethical to use a dentist's name in commercial products like toothpastes, toothbrushes, etc.?	Yes	108 (54%)
	No	92 (46%)
	Total	200 (100%)
12. Is it ethical for a dental surgeon to supply or sell drugs in his clinic?	Yes	99 (49.5%)
	No	101 (50.5%)
	Total	200 (100.0%)
13. Is it ethical for a dental surgeon to receive gifts from pharmaceutical companies?	Yes	30 (15.0%)
	No	170 (85.0%)
	Total	200 (100.0%)
14. Is it mandatory to offer free consultations to fellow dentist and their immediate family?	Yes	108 (54.0%)
	No	92 (46.0%)
	Total	200 (100.0%)
15. If you encounter any ethical problem, who will you approach?	Colleague	78 (39.0%)
	Hospital administrator	16 (8.0%)
	Ethics committee	65 (32.5%)
	Professional association	35 (17.5%)
	Close friend/ family	4 (2.0%)
	Textbook/ Internet	2 (1.0%)
	Total	200 (100.0%)

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