



**KLE SOCIETY'S KLE COLLEGE OF LAW, NAVI MUMBAI**

**COURSE PLAN**

**A.Y. 2022-2023**

**SECTION-I**

**CLASS: TYBLS**

**SEMESTER: VI**

**COURSE NAME: LAW AND MEDICINE**

**HOURS PER WEEK: 6 hours**

**FACULTY NAME: PROF. KRITIKA SINGH**

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**CREDITS: 4**

**COURSE TYPE: CORE SUBJECT**

**COURSE OBJECTIVES:** The course is designed to impart to the students an understanding of the areas of health law and various kinds of Alternative Medicine law in India. It will help in analyzing lacunae within the professional obligations of doctors and

understanding the doctor-patient relationship. The students will be taught to synthesize various related provisions under Constitution, Tort Law, Indian Penal Code and Consumer Laws. The student's knowledge of law and medicine with special emphasis on the legal and ethical issues surrounding the administration of treatment of medical procedures in the backdrop of the advancement of science and technology is covered. This syllabus is designed to enable the students to be legally armed for skilful advocacy as practising lawyers and jurists in future. Overall, this course aspires to provide an in-depth understanding of the workings of the medical profession and equip students accordingly with the requisite knowledge to protect the interests of people, prevent wrongs and remedy wrongs.

### **COURSE OUTCOMES:**

1. Acquire detailed knowledge of the regulation of traditional medicines and essential medicines through the AYUSH ministry
2. Apply an international legal framework for the law and medicine.
3. Analyse the relationship between the law and medicines, medical professionals and all allied alternative medical professions
4. Evaluate identify situations that frequently present legal issues in the healthcare industry.
5. Create the international legal framework for the law and medicine, and identify situations that frequently present legal issues in the healthcare industry

### **SECTION-II**

## LAW AND MEDICINE

Unit number and title	Unit details	Week (starting and end dates)	Hours per week	Teaching learning methods used)/ activities and or class trips/ dates for assessment	Resource/ Reference details
Right to Health and Different Provisions having bearing on Right to health in the Indian Constitution	1.1Health care Delivery System in India-	2 weeks	4	Lecture, participative learning, group discussion	S K Joshi, "Law And The Practice Of Medicine", Jaypee Brothers Medical Publishers, New Delhi, 2010 2. Dr. Lily Srivastava, Law And Medicine, Universal Law Book Agency, New Delhi; 3. Malik, Surendra, & Sudeep, Supreme Court On Drugs, Medical Laws And Medical Negligence, Eastern Book Company, New Delhi. 2014;
	1.1.1 Primary Health Centre's, Dispensaries, District level Hospitals, Hospitals with affiliated Medical		2	Lecture, participative learning, group discussion	Tapas Kumar Koley. Medical Negligence and the Law in India. Duties Responsibility

	colleges, Advanced Centres aided by private sector which run corporate hospitals, small multi-specialty hospitals and nursing homes.				es And Rights .Oxford University Press -2010. Dr.S.B.N Prakash. Mental Health and Law. Lawyer's Law Book.2008. S.K.Verma. Legal Framework for Health Care in India Lexis Nexis Butterworths 2002.
	1.1.2. Limitations of smaller setups, Procedure and Requirements while starting a new Setup,		2	Lecture, participative learning, group discussion	Manson J.K . Mason And Mc Call Smith's Law And Medical Ethics .Oxford University Press 2006
	1.1.3. Importance of Standards, Certifications and Accreditation's - International Organisation for Standardization, National Accreditation Board for Hospitals		4	Lecture, participative learning, group discussion	Veitch.Kenneth. The Jurisdiction Of Medical Law .Ashgate Publishing 2007 1Lawrence Gostin.Principles of Mental Health Law and Policy. Oxford University Press 2010
1.2. Control of Medical Profession - Functions of the Commission	1.2.1. National Medical Commission Act, 2019 1.2.2. The Indian Medical Council	2 weeks	4	Lecture, participative learning, group discussion	Siddhartha Mukherjee, The Laws Of Medicine, Ted Books

n/Councils under the following Acts	(Professional Conduct, Etiquette and Ethics) Regulation 2002				
	1.2.3 The Indian Medicine Central Council Act, 1970 1.2.4 Homeopathy Central Council Act.1973		4	Lecture, participative learning, group discussion	Siddhartha Mukherjee, The Laws Of Medicine, Ted Books
	1.2.5 Importance of Registration (Different Courses, Recognition schedule 1 of MCI Act) 1.2.6 Self-Regulation through Codes of conduct, Rights and duties of Registered Medical Practitioner, Unethical Acts and Misconduct		3	Lecture, participative learning, group discussion	Siddhartha Mukherjee, The Laws Of Medicine, Ted Books
1.3 Varieties of Medical Profession	1.3.1 Ayush Ministry, Purpose 1.3.2 Ayurveda, Siddha, Unani, Homeopathy and Allopathy — Recognized Courses	2 weeks	6	Lecture, participative learning, group discussion	Veitch. Kenneth. The Jurisdiction Of Medical Law .Ashgate Publishing 2007 1. Lawrence Gostin. Principles of Mental Health Law and Policy. Oxford University Press 2010
	Yoga and Naturopathy 1.3.3. Different		5	Lecture, participative	Manson J.K . Mason And Mc Call

	Degrees Conferred, Doctors getting Degrees from Abroad, Crosspathy Practice and Mixopathy			learning, group discussion	Smith's Law And Medical Ethics .Oxford University Press 2006
Doctor Patient Relationship	2.1. Medico legal Implications of Consent, Different types of consent, Informed Refusal and Therapeutic Privilege. 2.2. Importance of Documentation, Certificates in Medical practice, Medical Record,	2 weeks	4	Lecture, participative learning, group discussion	Veitch.Kenneth. The Jurisdiction Of Medical Law .Ashgate Publishing 2007 1. Lawrence Gostin.Principles of Mental Health Law and Policy. Oxford University Press 2010
	2.3 Confidentiality and Privileged Communication between Doctor and Patient		3	Lecture, participative learning, group discussion	S K Joshi, "Law And The Practice Of Medicine", Jaypee Brothers Medical Publishers, New Delhi, 2010 2. Dr. Lily Srivastava, Law And Medicine, Universal Law Book Agency, New Delhi; 3. Malik, Surendra, & Sudeep, Supreme Court On Drugs, Medical Laws

					And Medical Negligence, Eastern Book Company, New Delhi. 2014;
	2.4. Patients Right to self Determination and Euthanasia- Legal Position in India 2.5. Concept of living Will and Request for DNR- Do Not resuscitate 2.6 Professional Obligations of Medical Professionals		4	Lecture, participative learning, group discussion	Manson J.K . Mason And Mc Call Smith's Law And Medical Ethics .Oxford University Press 2006
Medical Negligence and Different remedies	3.1 Negligence in Medical Practice, Contributory Negligence and Different Remedies 3.2. Errors in Medical Practice, Medical Accidents 3.3. Consumer Protection Act, 2019 and Medical Profession 3.4 Violence Against doctors and Medical Establishments (Legal provisions) 3.5. Criminal Law Remedies	2 weeks	11	Lecture, participative learning, group discussion	Tapas Kumar Koley. Medical Negligence and the Law in India. Duties Responsibilities And Rights .Oxford University Press -2010. Dr.S.B.N Prakash. Mental Health and Law. Lawyer's Law Book.2008. S.K.Verma. Legal Framework for Health Care in India Lexis Nexis Butterworths 2002.
Medico – Legal Issues	4.1 Clinical trials of drugs on Humans and	2 weeks	11	Lecture, participative	S K Joshi, "Law And The Practice

	Law, Nuremberg code, Helsinki declaration and Good Clinical practice 4.2 Road accidents, sexual assaults 4.3 The Drug and Magic Remedies (Prevention of Objectionable Advertisement) Act, 1954 4.4 Transplantation of Human Organs Act, 1994 4.5 Pre Conception and Pre Natal Diagnostic Techniques Act, 1994 4.6 Disaster Management Act, 2005 - Mass Disasters 4.7 Medical Insurance			learning, group discussion	Of Medicine”, Jaypee Brothers Medical Publishers, New Delhi, 2010 2. Dr. Lily Srivastava, Law And Medicine, Universal Law Book Agency, New Delhi; 3. Malik, Surendra, & Sudeep, Supreme Court On Drugs, Medical Laws And Medical Negligence, Eastern Book Company, New Delhi. 2014;
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### SECTION-III

#### **Course Outcome (CO) and Programme Outcome (PO) & Programme Specific Outcome (PSO1) Mapping**

Course Outcome	Programme Outcome				
	PO1	PO2	PO3	PO4	PSO1
CO1					
CO2		•			
CO3		•			
CO4				•	
CO5					



## SECTION-IV

### Course Outcome and Internal Assessment Mapping

Learning outcomes of the course	Components of Assessment		
	Internal Assessment 1 (Class Test)	Internal Assessment 2 (Research Project)	End Semester Exam
CO1: Remember and Understand	•		•
CO2: Apply			•
CO3: Analyze	•	•	
CO4: Evaluate	•	•	
CO5: Create		•	