

# Webinar Report

## Release of the Report 'Regulation of Health Care Delivery in India - A Landscape Study'

26 August 2021



## Contact

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The webinar report 'Release of the Report: Regulation of Health Care Delivery in India - A Landscape Study' is developed by Health Systems Transformation Platform (HSTP) to share the summary of proceedings of the discussion.

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Our mission is to enable Indian health systems to respond to people's needs. We do this in collaboration with Indian & Global expertise through research for health systems design, enhancing stakeholders' capabilities and fostering policy dialogue.

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# Objectives

Health Systems Transformation Platform (HSTP) is a not-for-profit organization based in New Delhi, India. Our mission is to enable policymakers and researchers in the Indian health systems to generate and utilize evidence for improving health outcomes and financial protection. We work in the areas of health policy, service delivery, financing, and health policy and systems research in partnership with Indian & Global researchers/ institutions.

HSTP identified health systems governance and regulation as one of the building blocks of the health system that has not received the attention it deserves. As a step towards generating a body of work for strengthening regulation in the health sector, the Health Systems Governance team at HSTP conducted a scoping review of health regulations in India with a focus on service delivery. Findings were presented in the report titled 'Regulation of Health Care Delivery in India - A Landscape Study' authored by Sunil Nandraj, Pallavi Gupta, & Sonali Randhawa.

A webinar was organized on 26th August 2021 to release this report to share what we learnt and to initiate a discussion on how we can collaborate and build partnerships to strengthen health governance and regulations in the country (agenda attached). This report is accessible for download [here](#).

The webinar was attended by about 70 researchers and practitioners. **Rajeev Sadanandan**, Chief Executive Officer gave an overview of objectives of HSTP and Health Systems Governance work portfolio. **Rama V Baru**, Professor, Centre of Social Medicine & Community Health, Jawaharlal Nehru University delivered the keynote address. **Sunil Nandraj**, Advisor Health Systems Governance, HSTP provided his insight on the health governance and regulatory landscape in India. **Pallavi Gupta**, Specialist, Health Systems Governance presented the study findings and **Dipika Jain**, Professor of Law, Vice Dean, Director at Centre for Justice, Law and Society, Jindal Global Law School shared her critique of the report. **Sonali Randhawa**, Research Associate, Health Systems Governance, HSTP anchored the webinar session. The recorded session is available [here](#).

Eminent public health advocates, **K. Sujatha Rao** (Fmr. Secretary, MoHFW, Government of India), **Krishna Reddy** (Country Director, ACCESS Health International), **Kate Tulenko** (Chair of The Board of Directors, Corvus Health, USA) shared their views and opinions during the discussion. Participants interacted with panellists on the status of implementation of certain laws and shared their experience regarding the role of patients and communities in reporting regulatory violations and the importance of impact analyses and periodic review of legislations.

*Prof (Late) Maharaj Kishan Bhan, HSTP's pillar of strength, continues to inspire our work. We are grateful to the HSTP Board and our donors for their support, reviewers of the landscape study and experts for their contributions. We are grateful to Rajeev Sadanandan and Sunil Nandraj for their constant guidance and encouragement; Sridhar Guduthur, Rahul S Reddy, Diwakar Gautam and Peter Parekattil for management support.*

## Summary & Learnings

1. Rajeev Sadanandan (CEO, HSTP) provided an overview of HSTP's work and explained the reason for HSTP's focus on health governance and regulations. He emphasised that although governance and regulation are foundational in the working of health systems, they have not received the attention they deserve. The need to initiate discussion in this area led HSTP to produce a study report titled 'Regulation of Health Care Delivery in India - A Landscape Study', which will be useful for researchers, students and experts working in the area. Also, a repository of the central government health legislations was developed (available [here](#)) for easy access to relevant acts, regulations, and rules.
2. Rama V Baru (Professor, Centre of Social Medicine & Community Health, Jawaharlal Nehru University) delivered the keynote address. She highlighted that one of the important contributions of this report is the focus it lays on the systems approach in regulating health services, medical and paramedical education, drugs and medical devices, and research. She concluded that going forward we need to build a cohesive ecosystem in health regulations that has representation from government, regulatory councils, professional associations, civil society, and most importantly private sector to set realistic expectations.
3. Sunil Nandraj (Advisor, Health Systems Governance, HSTP) spoke about the various issues in health regulation in India that remain unaddressed. He emphasised the role of the State governments in dealing with the implementation challenges; the issues of transparency and accountability in private sector hospitals and laboratories; and the lack of regulations and inadequacy in legal provisions that impact health care delivery. Mr. Nandraj stressed that we need to develop collaboration between organisations and individuals to bring in skills, information, and expertise; prioritise the publication of information and health data in the public domain; build accountability mechanisms among regulators, providers, civil society organisations and facilitate strong consumer institutions, redressal platforms for patients.
4. Pallavi Gupta (Specialist, Health Systems Governance, HSTP) presented the findings of the study. She shared that a review of the regulatory instruments regarding the entities to be regulated and the purpose of regulation, in the context of health care delivery, was undertaken using a framework of analysis. The areas covered were Practitioners (Nurses, Pharmacists, Allied Health Care Professionals, Dentists, Doctors-Allopathy, Indian Systems of Medicine and Homoeopathy), Health Facilities (In-Patient Health Facilities and Outreach Services such as Home Based Care, Medical Camps, Mobile Medical Health Services and Telemedicine), Supportive Services (Laboratories and Diagnostics, Pharmacies, Blood Banks and Ambulances), Professional Actions (Abortion and Transplantation of Human Organs), Illnesses and Diseases (Mental Health and Human Immunodeficiency Virus), and Outbreaks, Epidemics And Pandemics. The study touched upon issues related to licensing and registration, quality, quantity, pricing, and cost containment, protecting patients, information provision, and grievance redressal. It focused on the central government laws that regulate health care delivery, however, it did not analyse the laws for their impact and did not cover state level legislations.

## Summary & Learnings

5. Dipika Jain (Professor of Law, Vice Dean, Director at Centre for Justice, Law and Society, Jindal Global Law School) shared her critique of the study report. She brought an important viewpoint that existing health regulations have limitations to address the issues of marginalised population groups. The study report brings out the issue of lack of workers' rights in the private sector, for instance, underpaid nursing and paramedical staff; violation of the patients' rights, safety, and their confidentiality, for instance, HIV positive patients and exploitation by the private sector in terms of increasing cost of care as was observed during the COVID-19 pandemic. Prof. Jain stressed that going forward we need to develop an indigenous approach in regulating health care delivery in India that would be relevant to our country context.

About 70 researchers, practitioners, academicians, government representatives and civil society members attended the webinar (list of participants attached). Eminent public health advocates such as Ms. K. Sujatha Rao (Former Secretary, MoHFW, Government of India), Dr. Krishna Reddy (Country Director, ACCESS Health International), Dr. Kate Tulenko (Chair of The Board of Directors, Corvus Health, USA) shared their views and opinions during the discussion. Participants raised questions over the status of implementation of certain laws and shared their experience regarding the role of patients and communities in reporting regulatory violations and the importance of impact analyses and periodic review of legislations.

### Key learnings:

The discussions highlighted the power dynamics and politics of regulation, the public sector-private sector dichotomy, and strengths and limitations of regulation in the Indian context. Some of the key learnings from the webinar:

- The existing regulatory instruments have so far been ineffective in ensuring ethical medical practice and controlling the cost, quality, and equity in health care services.
- Often the well-formulated Acts and Rules are rendered ineffective because of the dichotomy between State and Central Governments, retrogressive role played by the professional associations, the influence of power and politics over the implementation of health regulations.
- Self-regulation and market-led regulations are important. The contribution of practitioners through self-regulatory mechanisms could be further debated but they play a significant role.
- Need to address the differential regulation of public and private health sector and pay particular attention to ethical practices, standard of care and charges of private health care providers.

## Next Steps

Robust scientific research and evidence synthesis are fundamental to evidence-based policy making in India. At the core of this are the Indian researchers and policy makers. We value their contribution to current understanding of the Indian health systems. To enable transformation and lead the system on the path towards universal health coverage and achieving Sustainable Development Goals India needs enhanced research capabilities, especially in health systems governance and regulation.

This webinar provided the opportunity to discuss issues pertaining to the existing health context in India and explore development of a collaborative network of likeminded organizations, policy makers and researchers to identify evidence-based solutions to improve health systems governance and regulations. In the coming years, HSTP's health systems governance team plans to:

- Initiate discussion with like-minded professionals working in the area of health governance and regulation.
- Build partnerships and work in collaboration with law schools, research institutes, professional groups, civil society members, and State and Central governments, among others.
- Identify key areas of concern in health systems governance and health regulations for further work.
- Build capacities of young professionals to work on health governance and regulation.

# Webinar Agenda

26 August 2021, 3.00 -5.00 pm

3.00 - 3.05 pm	<b>Welcome</b> Sonali Randhawa, Research Associate, Health Systems Governance, HSTP
3.05 - 3.15 pm	<b>Opening Remarks and context setting</b> Rajeev Sadanandan, Chief Executive Officer, HSTP
3.15 - 3.35 pm	<b>Keynote Address</b> Rama V Baru, Professor, Centre of Social Medicine & Community Health, Jawaharlal Nehru University
3.35 - 3.45 pm	<b>Regulation &amp; its importance in health Sector and Rationale for 'Landscape study'</b> Sunil Nandraj, Advisor, Health Systems Governance, HSTP
3.45 - 4.05 pm	<b>Presentation of Findings from the 'Landscape Study'</b> Pallavi Gupta, Specialist Health Systems Governance, HSTP
4.05 - 4.25	<b>Review of 'Landscape Study' and how can work on regulation be taken forward</b> Dipika Jain, Professor of Law, Vice Dean, Director at Centre for Justice, Law and Society, Jindal Global Law School
4.25 - 4.55 pm	<b>Open Discussion and Q&amp;A</b>
4.55 - 5.00 pm	<b>Concluding Remarks &amp; next steps</b> Rajeev Sadanandan, Chief Executive Officer, HSTP

# Participants

S. No.	Name	Designation & Organization
1	Indu Bhushan	Independent Expert, Fmr. CEO National Health Authority, India
2	Krishna Reddy Nallamalla	Country Director - India, ACCESS Health International
3	K. Sujatha Rao	Independent Expert, Fmr. Secretary, MoHFW, India
4	Maulik Chokshi	Director - Health Systems, ACCESS Health International
5	Kate Tulenko	Founder and Board Chair, Corvus Health, USA
6	Srinath Narasimhan	Chief Executive Officer, Tata Trusts
7	Chaitanya Koduri	Director, Regional Program Operations, United States Pharmacopeia
8	Shreya Shrivastava	Research Fellow, Vidhi Centre for Legal Policy
9	Kim D.	Research Fellow, Vidhi Centre for Legal Policy
10	Rajesh Kumar	Executive Director, State Health Systems Resource Centre, Punjab
11	Rachana Parikh	Independent Expert
12	Anagha Khot	Technical Expert
13	Latha Radhamony	Fmr. Jt. Director, Nursing Education, Directorate of Medical Education, Government of Kerala
14	Evelyn P Kannan	Secretary General, Trained Nurses Association of India
15	Guru Mohanta	Fmr. Professor & HOD, Pharmacy, Annamalai University, Tamil Nadu
16	Roy George	President, Trained Nurses Association of India
17	Rahul S Reddy Kadarpetta	National Coordinator, Health Systems Transformation Platform
18	Sudha Chandrashekar	Senior Consultant, Health Systems Transformation Platform
19	Garima Pathak	Senior Specialist, Transformation Platform
20	Shilpa John	Specialist, Transformation Platform
21	Arun Tiwari	Specialist, Transformation Platform
22	Sanjeev Kumar	Specialist, Transformation Platform
23	Kamala Rammohan	Assistant Professor, GMC, Thiruvananthapuram
24	Shyam Pingle	Public Health Foundation of India
25	Lasumi Shylla	Senior Program Officer, Jhpiego
26	Dhananjaya S	Senior Health Financing Specialist, Access Health International
27	Muraleedharan V R	Professor, IIT Madras
28	Bhavesh Jha	Manager (Advocacy), Mariwala Health Initiative
29	Inayat Singh Kakar	Consultant, George Institute for Global Health
30	Amar Nawkar	Program Officer, Tata Trusts
31	Shivangini Kar Dave	Lead Consultant - HRH, Ministry of Health and Family Welfare, India
32	Akshata Ahire	Jindal Global Law School
33	Shalinee Vishwakarma	Jindal Global Law School
34	Kanmani R	Jindal Global Law School
35	Saswant Kumar Pradhan	Jawaharlal Nehru University
36	Rekha Ravindran	State Health Systems Resource Centre, Kerala



# Participants

S. No.	Name	Designation & Organization
37	Rajlakshmi Chakravarti	Jindal Global Law School
38	Katyayani Sinha	Jindal Global Law School
39	Pranjal Khare	Jindal Global Law School
40	Oieshi Saha	Jindal Global Law School
41	Siddharth Saxena	Jindal Global Law School
42	Pratyush Singh	Jawaharlal Nehru University
43	Indira C	Jawaharlal Nehru University
44	MP Cariappa	Delta Zulu Consultancy
45	Natasha D' Lima	Corvus Health, USA
46	Vijayashree Yellappa	Independent Public Health Expert
47	Nikhil Herur	Access Partner, Roche
48	Ambuja kowlgi	Karnataka Health Promotion Trust
49	Chiranjivi Adhikari	Indian Institute of Public Health, Gandhinagar
50	Ravi Varma	Sri Chitra Tirunal Institute of medical sciences and Technology
51	K Gopal	
52	Shriram R	
53	Vishnu E. K.	
54	Sunil George	
55	Sonu Pandey	
56	Gargi Biswas	
57	Seemi Zafar	
58	Ramani Mohanakrishnan	
59	Jaydeep Purohit	
60	Shilpi Das	
61	Poornima Narvekar	
62	Barnali Das	
63	Abhaya Tatavarti	
64	Natasha Aggarwal	
65	Sanyukta Saxena	
66	Smriti Kudva	
67	Shehnaz Latheef	
68	Chhavi Madaan	
69	Sudipto Roy	