



NMC Registered Medical Practitioner (Professional Conduct) Regulations 2023

For Prelims: [National Medical Commission](#), **Generic Drugs**

For Mains: National Medical Commission (NMC) in transforming medical education and healthcare in India, Ethical and legal considerations surrounding the prescription of generic drugs.

Source: [IE](#)

Why in News?

Recently, the [National Medical Commission \(NMC\)](#), the apex regulatory body for **medical education and practice in India**, issued new guidelines on professional conduct for doctors, which mandate them to **prescribe only generic drugs instead of specific brands**.

- This has sparked a protest from the [Indian Medical Association \(IMA\)](#), the largest body of doctors in the country, which has called the guidelines **“unscientific” and “impractical”**.

What are the National Medical Commission (NMC) Guidelines?

- **Social Media Usage Guidelines:**
 - Doctors can provide **information online, ensuring it is verifiable and not misleading**.
 - Prohibition on discussing patient treatment specifics or sharing patient scans.
 - **Restriction on sharing patient testimonials, images, and videos.**
 - Prohibition on soliciting patients directly or indirectly through social media.
- **Right to Refuse Treatment:**
 - Doctors may refuse treatment to **abusive, unruly, or violent patients and relatives**.
 - Doctors may **deny treatment if the patient cannot afford it but not in medical emergencies**.
 - Prohibition on discrimination based on **gender, race, religion, caste, socio-economic factors**.
- **Prescription and Medication Guidelines:**
 - Prescriptions to be **written in legible, capital letters**.
 - **Generic medicines should be prescribed, except for specific cases**.
 - Judicious use of fixed-dose combinations, prescribing approved combinations only.
 - Encouraging **education about the equivalence of generics and branded medicines**.
- **Continuous Professional Development (CPD):**
 - Mandatory for **doctors to continue learning throughout their active years**.
 - **Doctors should undertake 30 credit points in their relevant fields every five years**.
 - Annual CPD sessions are recommended, with a maximum of 50% online training.
 - **Recognized degrees and courses added to the national medical register**.
- **Conference Participation Guidelines:**

- CPD sessions or conferences cannot be sponsored by the **pharmaceutical industry**.
- Doctors should not participate in **third-party educational activities with pharma sponsorships**.
- Doctors or their families **should not receive gifts, hospitality, cash, or grants from pharmaceutical companies**.
- Prohibition on accepting commissions from diagnostic centers, medical equipment, etc., for referrals or endorsements.

What is the National Medical Commission?

▪ About:

- The NMC, is a **statutory body** established in 2019, replaced the **Medical Council of India (MCI)** and functions under the **National Medical Commission Act, 2019**. It serves as **India's regulatory body for medical education**.

▪ Mission and Vision:

- Ensure availability of adequate and high quality medical professionals in all parts of the country.
- Promote **equitable and universal healthcare that encourages community health** perspective and makes services of medical professionals accessible to all the citizens.
- Encourages **medical professionals to adopt the latest medical research** in their work and to contribute to research.
- Enforce high ethical standards in all aspects of medical services.
- It also has the authority to **regulate fees for medical courses** and to conduct inspections of medical colleges to ensure that they meet the necessary standards.

What are the Issues with the NMC Guidelines?

▪ Generic Medicine Prescription:

- One of the main concerns raised by doctors is the **quality and efficacy of generic drugs available in India**.
 - They claim that there is a lack of standardization and regulation of generic drugs and that **many of them are substandard, spurious, or counterfeit**.
- According to IMA less **than 0.1% of the drugs manufactured in India are tested for quality**. Doctors argue that prescribing generic drugs without ensuring their **quality and safety could compromise patient care** and outcomes, and expose them to **legal and ethical risks**.
 - They also point out that there is no mechanism to monitor the adverse effects or drug interactions of generic drugs in India.
- The new guidelines do not allow doctors to write a specific brand, which means that you will get **whichever medicine with the relevant active ingredient in pharmacist stocks**.
 - Additionally, doctors' choice in prescribing the most suitable drug for a patient may be **restricted, potentially affecting treatment efficacy**.
- Doctors also allege that there is a nexus between **drug manufacturers, wholesalers, retailers, and regulators**, which allows substandard and spurious drugs to enter the market.
 - They demand that the government should ensure strict quality control and testing of generic drugs before making them mandatory for prescription.

▪ Other Issues:

- Imposing an additional burden on doctors to accumulate credit points through CPD sessions.
 - Limited availability of **recognized continuous training courses for doctors to meet CPD requirements**.
- Reduced **educational sessions due to prohibition of pharmaceutical industry sponsorships**.
 - Impact on **doctors' exposure to medical advancements and research**.

- Doctors expressing concerns about **increased administrative burden due to adherence to the comprehensive guidelines.**
 - Balancing ethical conduct with the practical challenges faced by medical practitioners in diverse healthcare settings.
- Challenges in clearly delineating situations in which doctors may ethically refuse treatment.
 - Legal and ethical concerns arising from doctors refusing treatment **based on patients' ability to pay.**

Way Forward

- Enhance the **quality and safety of generic drugs** by setting up more testing labs, conducting regular inspections, **imposing strict penalties, and creating a national database for drug quality.**
- Educate doctors and patients **about the pros and cons of generic drugs**, using scientific evidence, dispelling myths, and promoting rational medication practices.
- Encourage **medical institutions and professional bodies to organize regular CPD sessions** that cover a wide range of medical advancements.
- Facilitate open discussions and consultations between the **NMC, medical practitioners, pharmaceutical industry representatives, and patient advocacy groups.**
- Create platforms for ongoing feedback and suggestions to refine and adapt the guidelines to address emerging challenges and ensure ethical patient care.

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