



## Mains Practice Question

You are a Chief Medical officer running a hospital in a primarily lower-income neighborhood, where many of your patients are recent migrants from different parts of the country. You are granted a fixed annual budget of Rs.1 crore through your local public health department, and it is unlikely that you can obtain additional funding for any year. Traditionally, you have used your entire budget for the past several years.

One day, a frightened, thin young man appears to the clinic with a folder of medical records. He is accompanied by his aunt, who explains to you that he was recently diagnosed with a rare type of cancer that, if untreated, will result in his death within six months. After further inquiry, you determine that his cancer is treatable, but will require Rs. 50 Lakh (Half of the total annual budget) to save his life.

Treating this single patient means that there will not be enough money to treat all of the other patients who come to the clinic over the course of the year. In other words, his medication is not cost-effective because for the same amount invested in supplying the clinic, the hospital could prevent many more deaths or disability adjusted life years for a greater number of patients. However, allowing a patient to die of a treatable condition feels wrong on many levels.

- Identify the stakeholders and ethical dilemmas involved in the case.
- What are the options available to you? Which one do you think will be the most appropriate step that can be taken and why?

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### Approach

- Briefly highlight the grave situation in the present case.
- In the first part of the answer, identify the stakeholders involved and ethical values pertaining to the case.
- Also, elaborate the ethical dilemmas involved in the case.
- In the second part, mention the option available to you, and choose the best course of action and give valid reasons.

### Introduction

The right to health is inherent to a life with dignity, and Article 21 (Right to life) with Articles 38, 42, 43, and 47 place an obligation on the state to ensure the effective realization of this right. However, the present case puts the Chief Medical officer (CMO) in a difficult situation whereby he has to provide a good healthcare facility to the young man while ensuring for others as well.

### Body

Stakeholders in the case	Ethical values pertaining to the case
Young cancer patient and his aunt	Medical ethics
High cost of medication for cancer patient (about half of the total budget of the hospital)	Fiduciary responsibility
Hospital and Chief Medical Officer (CMO)	Empathy and compassion towards the weaker

	section
Poor patients in the vicinity of hospital and society at large	Constitutional morality (right to life and good healthcare)
Local administration and public health department; various NGOs	Beneficence and Justice
National and State governments	Dedication to Public Service

### a) Ethical dilemmas involved in the case:

#### Beneficence vs justice

- Here, the CMO faces an ethical dilemma between the two right options - **beneficence** (doing what is best for the individual patient) for saving the cancer patient's life and **justice** (doing what is most equitable for a society or group of patients) for saving the budget for other needy people who are mostly poor migrants from different parts of the country.

#### One life vs many lives

- It is the toughest ethical dilemma for anyone to choose from either one life or many lives.
- As the cancer patient's medication expenses will consume half of the annual allocated budget of the hospital, the other poor patients in the vicinity might be unable to access the medication.
- Thus, if he saves the young man's life other patients' lives may be endangered.

#### Cost-effective vs Non cost-effective medication

- In economic terms, the cancer patient's medication is not cost-effective because for the same amount invested in supplying the clinic, the hospital could prevent many more deaths or disability adjusted life years for a greater number of patients.

### b) The various options available to CMO are-

	Options available	Merits
1	<ul style="list-style-type: none"> <li><b>Do not treat the cancer patient</b> as it is a very costly affair and will consume half of the annual budget of the hospital.</li> </ul>	<ul style="list-style-type: none"> <li>The hospital could prevent many more deaths or disability for a greater number of patients by saving the budget. (option is suitable for <b>utilitarianism</b>)</li> <li>The poor migrants and people from the surrounding neighborhood who are mainly dependent on the hospital may get access to proper medication and services to far flung areas.</li> </ul>
2	<ul style="list-style-type: none"> <li><b>Treat the cancer patient</b> even if the expenses are very high - around half of the annual budget allocated to the hospital.</li> </ul>	<ul style="list-style-type: none"> <li>The young man's life would be saved and he would be treatable.</li> <li>The CMO will be able to fulfill his responsibility to provide treatment to any person in the need with integrity.</li> <li>The fundamental right to life for the young man would be ensured.</li> </ul>
3	<ul style="list-style-type: none"> <li>Ask the local health department for more budget especially for the cancer patient's treatment as it will require 50% more budget allocation.</li> </ul>	<ul style="list-style-type: none"> <li>With increased budget, the cancer patient and other poor migrants can access the medical services and be saved.</li> </ul>
4	<ul style="list-style-type: none"> <li>Contact NGOs and other civil society for the treatment expenses of the young cancer patient.</li> </ul>	<ul style="list-style-type: none"> <li>The young man will get timely treatment and be saved.</li> </ul>

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|  |  | <ul style="list-style-type: none"><li>▪ The hospital may be provided with additional equipment for the treatment of the cancer patient and others. It will help in capacity building.</li></ul> |
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### **Appropriate course of action based on the above options**

- I will not choose option 1 as it is like not fulfilling my responsibility to patients and against medical ethics and integrity. So, out of these four options available, I would choose a combination of three of them.
- First of all, I will admit the cancer patient in the hospital and start his medical treatment immediately. Even if the expenses are high, I can't deny treatment to the young man.
- Meanwhile, I would contact several Non-government Organizations (NGOs) and civil societies for monetary help for the treatment expenses of the patient. By doing this, it will be ensured that the cancer patient as well as other poor patients can access the proper health care services on time and no one is denied this right to good health.
- Until any provision is made, I can spend a part of my salary on the treatment of the patient and also motivate other employees of the hospital to support as much as they can.
- Also, during this time I will try to establish a communication channel to the local health department and request them to increase the budgetary allocation of the hospital.
- By following this course of action I can make sure that I meet the standards of medical ethics and show dedication to public service.

### **Conclusion**

All the citizens of the country have a right to life and the right to good health is an integral part of it. Thus, it is the duty of each and every person, hospital, NGO, local health department, local, state and national government to uphold the right and provide all the required medical care a patient may need.

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