

IIHMR UNIVERSITY
Institute of Health Management Research
MBA Hospital and Health Management
Batch-20th (2015-2017) Hospital Management
Legal Framework in Hospital Care



Term Examination

Time - 3 Hour

MM-70

The question paper contains 11 printed pages.

Roll Number

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Batch

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Date

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Day

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Signature of Invigilator _____

Marks obtained

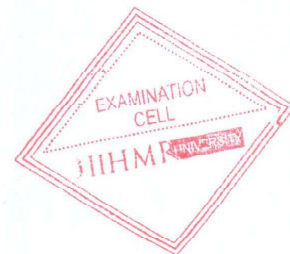
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Signature of Examiner _____

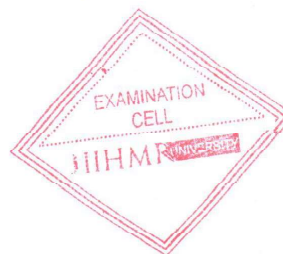
- (i) All questions are compulsory, each question carries one mark, and there are no negative marks for wrong answers.
- (ii) Answers are to be given in answer sheet provided.
- (iii) Question papers will be returned to invigilator at the end of the examination.
1. The Indian law states that an employer is responsible not only for his own omissions or commissions, but also of his employees. Comment
 - a. It is not the employers liability
 - b. Yes, correct
 - c. Not sure
 2. When a rape occurs in any hospital, legally, the primary investigations are initiated by
 - a. The hospital security personnel
 - b. Hospital medical Superintendent
 - c. Local police station
 3. Consent may be of the following types
 - a. Expressed or informed
 - b. Implied
 - c. Both of above
 4. What is law of Torts
 - a. It is a civil wrong
 - b. It is a criminal misdeed
 - c. It implies torturing an individuals
 5. Contracts may be
 - a. Oral
 - b. Written
 - c. Both of the above
 6. "Res Ipsa Loquitur" means
 - a. The onus of proving negligence lies with the patient except some cases where facts are obvious.
 - b. The doctor is always responsible for his acts
 - c. The act/thing speaks for itself.
 7. Professional Negligence is doing something that one is not supposed to do or feigning to do something that one is supposed to do. Is this true?
 - a. Not
 - b. Not sure
 - c. Yes
 8. The characteristics of Torts include
 - a. Some act or omission by one person against another
 - b. Injury is caused due to violation not authorized by law
 - c. Both of above
 9. Who can terminate a pregnancy?
 - a. A registered Nurse
 - b. A registered medical practitioner
 - c. Both a and b
 10. Place where pregnancy may be terminated at
 - a. Nursing Home
 - b. Government/recognized hospital
 - c. Both a and b



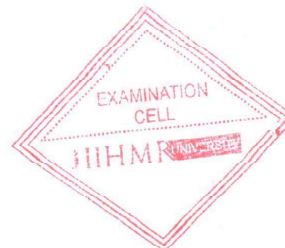
11. A separate register containing the details of admission of women for MTP will be maintained in form III for a period of
 - a. 5 years
 - b. 10 years
 - c. Life long
12. Name of women undergoing MTP shall be mentioned only in the maintained in the hospital.
 - a. Admission register
 - b. Operation theater register
 - c. Case sheet
13. In case of brainstem death, organ removal..... undertaken unless such death is certified.
 - a. Shall not be
 - b. Shall be
 - c. Not sure
14. Who is the authority for removal of human organs in case of unclaimed bodies in hospital or prison?
 - a. Hospital In-charge and Prison In-charge
 - b. Police In-charge
 - c. None
15. A Psychiatric patient admitted in the hospital/nursing home may be discharged by order of
 - a. Medical officer In-Charge
 - b. Permission of relative or friends
 - c. Both a and b
16. For medical treatment of foreign nationals a separate category of visa called
 - a. Visiting Visa
 - b. Medical Visa
 - c. Insurance visa
17. Forcibly detaining a patient or refusing to handover the dead body, on ground of non-payment of bills is
 - a. An offence
 - b. Not an offence
 - c. Not sure
18. In case of patients want to leave against medical advice (LAMA), hospital will issue a discharge summary (as in case of a normal discharge)
 - a. Yes
 - b. No
 - c. Will hand over all the medical documents in original which will enable him to get treatment elsewhere
19. In case of absconding patients, whenever and whoever first detects should inform to
 - a. Hospital Administrator and Security Staff
 - b. Housekeeping In-charge and Security Staff
 - c. Police
20. Depending upon the degree of negligence may be categorized as
 - a. Civil and hospital negligence
 - b. Civil and criminal negligence
 - c. Criminal and hospital negligence



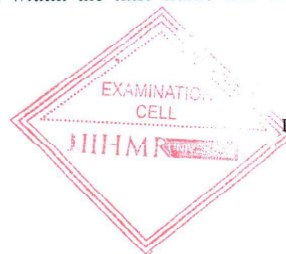
21. Medico-legal autopsies are carried out on requirement by
 - a. Hospital
 - b. Police
 - c. Govt. Hospital
22. For conduct of clinical autopsies..... of the next-of-kin is mandatory.
 - a. Formal written consent
 - b. Informal information
 - c. Both a & b
23. "What, when, How, Why, Who and Where of patient's care during hospitalization" is definition of
 - a. Medical Record
 - b. Hospital document
 - c. None
24. The medical documents of medico-legal cases should be retained for the period
 - a. Permanently
 - b. Until the case is finally settled in the highest court.
 - c. 10 years
25. Duties of a responsible physician include:
 - a. Possessing necessary knowledge and skill for treatment
 - b. Need not notify births, deaths and notifiable disease
 - c. Compulsory service in the military.
26. Which one of the following is true (with regards to CPA)
 - a. The District Forum shall have a jurisdiction to entertain complaints where the value of goods or services and the compensation, if any does not exceed Rs. 5 lakhs.
 - b. The State Commission shall have a jurisdiction to entertain complaints where the value of goods or services and the compensation is between Rs. 6 lakhs and 25 lakhs.
 - c. The National Commission shall have a jurisdiction to entertain complaints where the value of goods or services and the compensation is above 26 lakhs.
27. The District Forum, the State Commission or the National Commission shall not admit a complaint unless it is filed within.....years from the date on which cause of action has arisen.
 - a. 2 year
 - b. 1 year
 - c. 3 year
28. The burden of proof that consent for operation was sought and was refused by the patient lies upon.
 - a. The hospital
 - b. The one who takes such a plea to defend himself.
 - c. The hospital in which patient is admitted and refuses to give consent.
29. "A mistaken diagnosis is not necessarily a negligent diagnosis" provided
 - a. The doctor attending the case has highest degree of skill.
 - b. The doctor acted in accordance with the general and approved practice.
 - c. The doctor does not have reasonable skills and lacks care on his part.
30. Medical negligence is defined as
 - a. Want of responding to request of the patient regarding his comforts.
 - b. Negligence of patients needs.
 - c. Want of reasonable degree of care and skills or willful negligence.



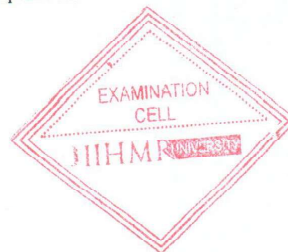
31. As per CPA the consumer is one.
 - a. Who does window shopping and not necessarily shop.
 - b. Who buys products or services.
 - c. Who accepts free gifts from shops.
32. The guidelines and standards issued by NABH are
 - a. To be enforced under law.
 - b. They are legal bindings.
 - c. They are guidelines to be followed voluntarily.
33. The safety code prepared by Atomic energy regulatory board for regulating x-ray emitting equipment is called.
 - a. AERB code
 - b. AERB safety code
 - c. AERB
34. The offences made by authorities or personal of hospital can be of
 - a. Criminal nature
 - b. Civil nature
 - c. Criminal or Civil nature
35. Arrest warrant issued against a doctor can be of
 - a. Appearance is the court type.
 - b. Bailable and non-bailable type.
 - c. Mixed type.
36. The consent is covered under which of the following acts of law?
 - a. The Indian contract law.
 - b. The Indian consent law.
 - c. The Indian corporate law.
37. What is implied consent
 - a. A verbal consent obtained by treating physician.
 - b. A written consent obtained by treating physician.
 - c. An assumed consent based on certain facts.
38. According to sec 90 IPC a child less than..... years cannot give valid consent for medical treatment.
 - a. 21 years.
 - b. 12 years.
 - c. 18 years.
39. Is the consent given by an intoxicated person valid as per IPC 90?
 - a. Yes
 - b. No
 - c. Depends on his intoxication level.
40. The legal consent is of following types.
 - a. Voluntary consent
 - b. Forced consent
 - c. Implied or expressed consent
41. In case of a sane adult the written, informed consent should be signed by whom all?
 - a. Patient
 - b. Patient, relative, witness, doctor
 - c. Patient, witness, doctor



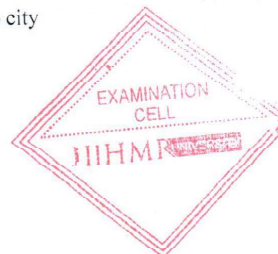
42. Which act prohibits conducting the delivery of the daughter-in-law by father-in-law?
 - a. MTP act 1972
 - b. Consumer protection act
 - c. None of the above
43. Medical Council, Professional Conduct, Etiquette and Ethics, Regulation-2002 state that copy of medical doctor will be given to patient or his representative within----- hours of written request.
 - a. 24 hrs.
 - b. 48 hrs.
 - c. 72 hrs.
44. PCPNDT act stand for
 - a. Post Conception, Post Natal Diagnostic Test Act
 - b. Pre Conception, Post Natal Diagnostic Test Act
 - c. Post Conception, Pre Natal Diagnostic Test Act
45. "The Birth and Death certificate issued by hospital have valid legal status". Is it ...?
 - a. True
 - b. False
 - c. True for recognized hospitals by municipal corporation
46. In the consumer courts (under CPA) maximum penalty for frivolous complaint is.
 - a. Rs. 5,000
 - b. Rs. 10,000
 - c. Rs. 25,000
47. Under the mental health act 1987 which judicial authority is empowered to pass orders regarding admission of certain categories of mentally ill patient to hospital?
 - a. Supreme court Judge
 - b. High court Judge
 - c. Area Magistrate
48. Liability of one person for the acts committed by someone else is covered under the provisions of which law?
 - a. Law of Various liability
 - b. Law of torts
 - c. Law of malfeasance
49. What is implied consent?
 - a. A written consent.
 - b. An assumed consent in certain circumstances.
 - c. Explaining to the patient and obtaining verbal consent.
50. Patient's consent is necessary for disposing of patients amputated limbs.
 - a. False
 - b. True
 - c. Not sure.
51. Medical record is the property of
 - a. Hospital
 - b. Doctor
 - c. Patient
52. If the medical documents of the patients are not given within the time frame laid down is an offence done under
 - a. Consumer protection act
 - b. MCI regulations 2003
 - c. IPC



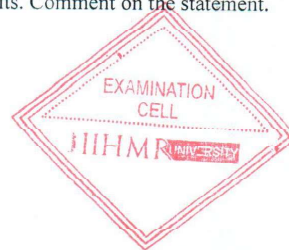
53. An electrician working in generator room of a hospital developed a progressive hearing loss over a period of time. Under which act he can ask for compensation.
 - a. MCI Act,
 - b. The Consumer Protection Act.
 - c. The Factories Act
54. How many categories of bio-medical waste have been identified in Biomedical Waste (Management and Handling) Rules 1998 amended on 2000.
 - a. 8
 - b. 9
 - c. 10
55. The Communication between doctor and patient is considered.
 - a. Privileged Communication
 - b. Secret Communication
 - c. Open Communication
56. "State Government Hospitals in India have to some extent legal immunity and are not liable for negligence, because of Doctrine of Sovereign Immunity". Is the statement true?
 - a. Unfortunate but true
 - b. Was not true even during British Raj.
 - c. No longer valid.
57. Pharmaceutical companies researching on patients when using experimental drug or methods, is the written consent from the patients mandatory?
 - a. No
 - b. Yes
 - c. For Some case it is mandatory
58. The Law of natural justice is based on following factors:
 - a. Hear the other side also.
 - b. Judge must act in an absolutely impartial manner.
 - c. Both of the above.
59. Drugs in Indian are regulated by
 - a. Drug and cosmetic Act 1940
 - b. Drugs Act 1947
 - c. Cosmetic Act 1950
60. Psychotropic drugs are controlled by
 - a. Psychotropic Drugs Act 1935.
 - b. Narcotic Drugs Act 2011
 - c. The Narcotic drug and Psychotropic substance Act 1965
61. Euthanasia (mercy killing) in India is
 - a. Allowed
 - b. Not allowed
 - c. President of India my grant permission
62. Sex selection (determination of sex) before birth is controlled by which act?
 - a. Pre-conception Diagnosis Act
 - b. Pre-natal Diagnosis Act
 - c. The Pre-conception and Pre-natal Diagnosis Techniques Act



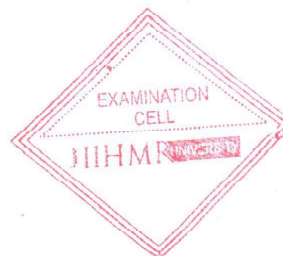
63. Which act is not applicable to hospitals?
 - a. Ambulance Act
 - b. Transplantation of Human Organs Act, 1994
 - c. Consumer Protection Act
64. "Work man's compensation Act, Trade Union Act, Drugs and cosmetic Act, minimum wages act, maternity benefit act are applicable to hospitals" is this statement correct?
 - a. Not all those enumerated
 - b. None of those enumerated
 - c. All those enumerated
65. No medical examination can be conducted without the consent of individual or guardian except in case of
 - a. A person arrested for civil offence is brought for medical examination
 - b. A person arrested for criminal offence is brought for medical examination
 - c. Accident victims brought to hospital
66. What is not a valid dying declaration?
 - a. A declaration made by someone while dying to a magistrate
 - b. A declaration made by someone while dying to a doctor and nurse
 - c. A declaration made by someone while dying but subsequently saved by doctors
67. What is the importance of dying declaration?
 - a. It may help to settle insurance claims
 - b. It is admissible as evidence in court of law
 - c. It may help to establish diagnosis, hence useful to medical science
68. "All brought dead cases brought to hospitals are medico-legal cases." Is this statement true?
 - a. True
 - b. False
 - c. Health being state subject all the states of India have different rules
69. The Transplantation of Human Organs Act, 1994, provides directions for
 - a. Removal of an organ from the body of a donor before death
 - b. Removal of an organ from the body of a donor after death
 - c. Both of above
70. "Every doctor whether at a Government Hospital or otherwise has the professional obligation to extend his services with due expertise of protecting life. The obligation being total, absolute and paramount, laws of procedure whether in statutes or otherwise which would interfere with the discharge of this obligation cannot be sustained and must, therefore, give way." Where is this statement defined?
 - a. Supreme Court of India Judgment
 - b. Indian Medical Council Regulations, 2002
 - c. Indian Medical Association guidelines
71. Do the provisions of Indian Boilers Act 1923 applicable to hospitals
 - a. Yes, to the hospitals who do some of boiling activity in their premises and no to hospitals who do not do any boiling activities
 - b. Yes for all hospitals
 - c. Yes for hospitals which use boilers otherwise no
72. Fire Prevention and Fire Safety Act has same provisions for hospitals
 - a. Throughout the world as Act is passed by WHO
 - b. Only throughout India as passed by MCI
 - c. Even in India may vary from state to state and city to city



73. The registration and regulation of clinical establishments in our country is done by
 - a. All the local bodies throughout the country
 - b. Some of the states have regulations for the purpose
 - c. There is an act The Clinical Establishment (Registration and Regulation) Act applicable throughout the country uniformly
74. Hospitals use spirit (alcohol) constantly. Do they require any permit to purchase and store it?
 - a. Yes, as it has potential of misuse
 - b. No, as denatured spirit is freely available in market
 - c. In some states it is required and in others not required
75. Drugs and Magic Remedies (Objectionable Advertisement) Act 1954
 - a. Deals with Magicians selling drugs
 - b. Deals with advertisements which promote magic remedies
 - c. Deals with prohibition of drugs, claimed to have magical effect on patients
76. The provisions of bio-medical waste management are governed by
 - a. The Environment Protection Act, 1986
 - b. Atomic Energy (Safe Disposal of Radioactive Waste) Rules 1987
 - c. Bio-medical Waste (Management and Handling) rules 1998
77. Autopsies are of following types
 - a. Medico-legal and Clinical Autopsies
 - b. Anatomical and Pathological Autopsies
 - c. Both (a) and (b) above are correct
78. Failure to respond to summons issued by court may lead to issuance to
 - a. An issuance of warning by the court
 - b. Issuance of bailable and non-bailable warrants
 - c. None of the above
79. "Consent" of a patient for HIV investigation before operation, is
 - a. Obligatory
 - b. Not Sure
 - c. Mandatory
80. When a patient is also responsible for aggravation of his condition by not following instructions like taking remedial measure after negligence by doctor is called contributory negligence. But what is composite negligence.
 - a. Negligence of two or more persons responsible for causing damage
 - b. Danger caused due to negligence of doctor and environmental factors.
 - c. For the damage patients relatives were responsible along with acts of patient.
81. Law of Tort is applies when
 - a. Wrong doer violates some legal rights vested in other person.
 - b. When a person does wrong willingly and knowingly
 - c. Commission of an act which a prudent person would do.
82. Smoking in hospital and public places has been banned in India by orders of Hon. Supreme court of India dated
 - a. 22nd Nov, 2001
 - b. 22nd Jan, 2000
 - c. 22nd April, 2009
83. Establishing a legal cell in a hospital will prevent lawsuits. Comment on the statement.
 - a. It will not help at all.
 - b. Could aid in preventing lawsuits
 - c. Yes, no lawsuits will occur.



84. Every doctor at time of registration is required to submit a signed declaration affirming that he has read the code of medical ethic as per
 - a. HWM Act
 - b. IMC regulations
 - c. Not sure
85. A physician in publicity or advertisement of such a nature that would invite attention to him/his professional position/skill/qualifications/achievements/appointments /photograph.
 - a. Should indulge
 - b. Should not indulge
 - c. Can indulge at local level
86. Practice of euthanasia or mercy killing, as per section 6.7 of, constitutes unethical conduct.
 - a. Human organ act
 - b. MCI Regulation
 - c. Health and Family welfare act.
87. Under the PNDT act if a clinic resort to sex determination of foetus, the offence is punishable up to:
 - a. 3 years imprisonment and fine up to Rs. 10,000.
 - b. One year imprisonment and fine up to Rs. 1,000
 - c. Life Imprisonment and fine up to Rs. 1,00,000.
88. The rules and regulations made under PNDT act are assessed by
 - a. The State government
 - b. The parliament
 - c. The supreme court
89. "All genetic counseling centres, laboratories and clinics are to register under the PNDT act prior to conducting Pre-natal activities. Is the statement
 - a. Partially correct?
 - b. Correct?
 - c. Incorrect?
90. The objectives of the transplantation of human organ act, 1994 is to
 - a. Prevent sale of human organ at an exorbitant price.
 - b. To regulate the sale of the human organs.
 - c. To provide for regulation of removal, storage and transplantation of human organs.
91. Any donor prior to his death can donate any of his human organs of his body. Comment:
 - a. False statement
 - b. Yes, only for commercial market value
 - c. Yes, for therapeutic purpose.
92. After death of an individual, a person lawfully in possession of dead body may authorize use of the human organs of the deceased Comment.
 - a. Yes, if no near relative objects to it.
 - b. Only if it has commercial value, can it be donated.
 - c. Not sure.
93. The Indian Nursing Council is composed of members from the state council, and members are elected by
 - a. States Government
 - b. Center Government
 - c. Center and State Government



94. Indian Nursing council was established in order to establish a uniform standard of training for
 - a. Nurses, Midwives
 - b. Midwives, Health visitors
 - c. Nurses, Midwives, Health visitors
95. Nurses have fundamental responsibilities
 - a. To promote health
 - b. To restore health
 - c. Both a & b
96. Unprofessional conduct by any registered nurse is actionable and punishable by
 - a. Warning, Suspension or termination
 - b. Fine up to Rs. 1,000
 - c. Not sure
97. The consent is not valid if obtained under the following circumstances
 - a. If the patient is minor
 - b. If obtained under duress
 - c. Both a & b
98. As per, two or more persons are said to consent when they agree upon the same thing in the same sense.
 - a. Indian Consent Act
 - b. Indian Contract Act
 - c. Indian Penal Code
99. The, 2002 state unambiguously that, "Though a physician is not bound to treat each and every person asking his services, he should not only be ever ready to respond to the calls of the high character of his mission and the responsibility he discharges in the course of his professional duties.
 - a. Indian Nursing Council Regulation
 - b. Indian Medical Council Regulation
 - c. Both a and b
100. As soon as the doctor attending the patient starts suspecting it as a medico-legal case, he/she should inform
 - a. Magistrate
 - b. District Commissioner
 - c. Police

