

# Awareness of Consumer Protection Act among Dental Practitioners and Students.

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## Abstract:

The aim of the study is to enhance the awareness of consumer protection act among dental practitioners and students. A questionnaire based study will be conducted among them. The relationship between doctor and patient is based on trust and confidence. The dental profession is a vocation in which knowledge and skill is used for the service of others. Being a dental health care provider, it carries with it a responsibility to individual patients and society. A questionnaire based survey will be conducted among the dental practitioners and students. This is done in order to assess the awareness and improve the knowledge of consumer protection act among dental practitioners and students.

## INTRODUCTION:

The relationship between doctor and patient is based on trust and confidence. The practice of medicine in India has undergone considerable change during the last five decades effecting delivery of health in both positive and negative directions [1]. The dental profession is a vocation in which knowledge and skill is used for the service of others. Being a dental health care provider, it carries with it a responsibility to individual patients and society. The special status that society confers on the dental professionals requires them to behave in an ethical manner [2]. Today, however, there is a new alliance between the dentist and patient, based on cooperation rather than confrontation, in which the dentist must 'understand the patient as a unique human being'. More and more patients are getting aware of their rights and are keen to make free choices and decisions on their treatment [3]. Consent has formed an integral part of patient treatment and management. The concept of informed consent arises from the fundamental ethical principle of autonomy and rights of self determination. The core idea of autonomy is one's action and decisions are one's own [4]. Examination of a patient to diagnose, to treat or to operate without his/ her consent amounts to an assault in law, even if it is beneficial and done in good faith. The dentist may be charged for negligence, if he/she fails to give the required information to the patient before obtaining his/ her consent to a particular interventional procedure [3].

## CONSUMER PROTECTION ACT:

In India, the Consumer Protection Act (CPA) of 1986 was enacted for better protection of the interests of consumer grievances. This is done through quasi-judicial mechanisms set up at district, state, and national levels. Consumers can file their complaints, which will be entertained by the quasi-judicial bodies referred to as consumer forums. These consumer forums have been empowered to award compensation to aggrieved consumers for the hardships they have endured. Finally, it was on 13th November 1995 that the honourable supreme court of India delivered judgment on application of consumer protection act, 1986 to the medical/dental profession, hospitals, dispensaries, nursing homes and other related services. This act

empowers the patient to file lawsuits (in case of perceived negligence) in consumer courts [5].

## AIM:

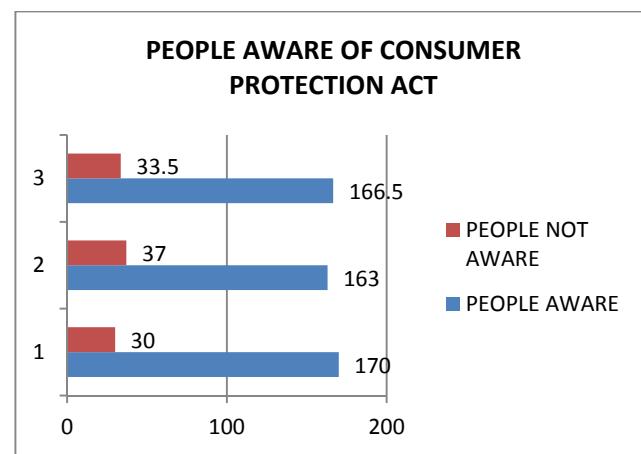
The aim of the study is to enhance the awareness of consumer protection act among dental practitioners and students.

## MATERIALS AND METHOD:

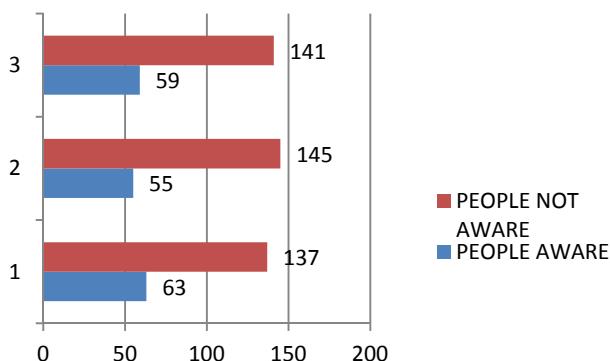
A descriptive cross-sectional questionnaire survey was carried out to enhance the awareness of consumer protection act. A self administered, structured, closed ended questionnaire written in English was designed. The questionnaire consisted of 19 questions based on awareness, objectives and applicability of CPA, location of consumer forums, conditions where patient can sue a doctor, time period for a patient to sue a doctor, maximum compensation that can be claimed, and questions relating to consent in daily practice were included.

## RESULT:

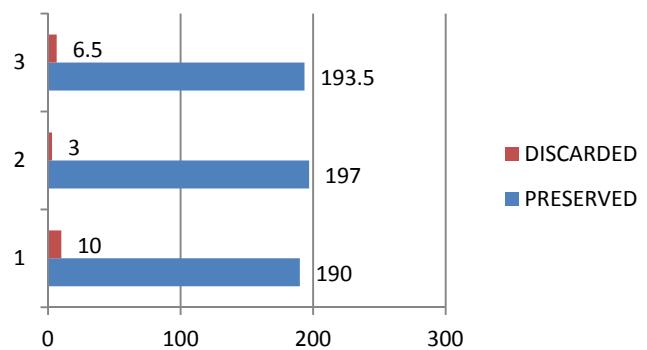
The obtained questionnaire was checked and it was analysed statistically. The obtained results are as follows



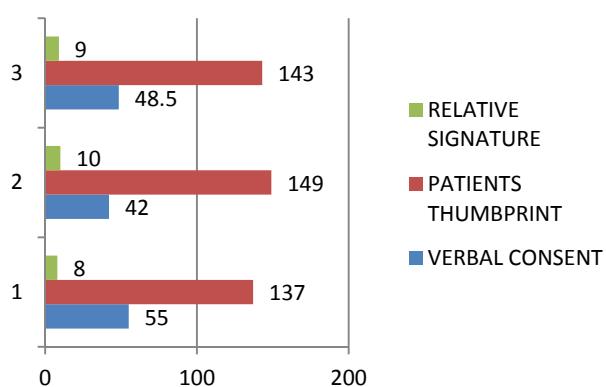
This chart shows the awareness of the consumer protection act among the people. According to this majority of the dental practitioners and the students were aware of the consumer protection act.

**PEOPLE AWARE OF CONSUMER FORUMS**

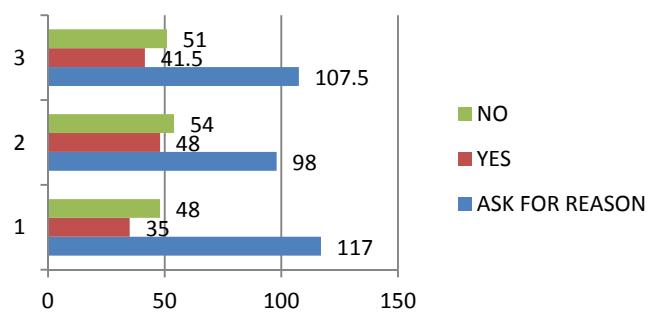
This graph shows that majority of the people were unaware about the consumer forums located in their areas. It is an important duty of the dentist to know about the consumer forums in their areas.

**OBTAINED CONSENT FORM SHOULD BE**

The consent form which is obtained should be preserved carefully rather than discarding it. It is an important form of evidence which a dentist has while treating a patient.

**TYPE OF CONSENT OBTAINED FROM ILLITERATE**

This graph shows what type of consent can be obtained from an illiterate individual before seeking the treatment. This reveals that consent can be obtained in the form of patient's thumbprint rather than the verbal consent and relative signature.

**DO YOU PROVIDE A COPY OF CONSENT TO THE PATIENT**

This shows that the consent form can be provided to the patient depending upon the reason of the person.

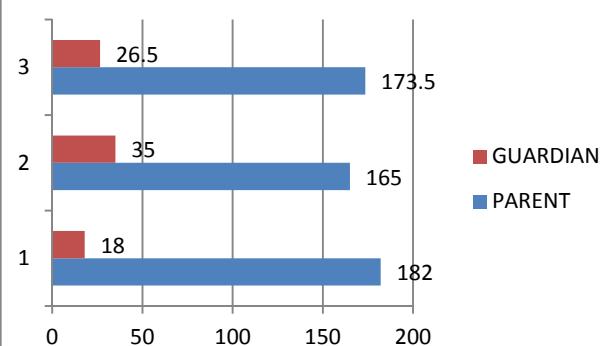
**DISCUSSION:**

The enactment of the Consumer Protection Act, 1986, is a milestone in the history of socio-economic legislation in India. The Act has considerably consolidated the process of consumer protection and has given awareness for the past few years[6].

However, awareness among dental health professionals about such laws is observed to be varied. Thus, it becomes important for the dental professionals today to explain patients about their treatment needs, expenditure and risks involved and routinely obtain consent for all procedures.

Consent forms become an integral part of patient treatment and management. In this study, over 70 % of the dentist were aware of the consumer protection act and 60% of the practitioners were aware of it, the consumer forums play an major role in establishing the consumer protection act, 60% of the dentists were aware about their local consumer protection forums in their areas and 40% of the students were aware of it.

Other studies shows that 60% of the dentists and 47% of students were aware of the consumer protection act. 55%

**FOR CHILD CONSENT FORM OBTAINED FROM**

In case of a child patient the consent form can be obtained from the parent rather than a guardian.

of the dentists were unaware of the consumer forums in their areas and 47% were aware about it (1)

The type of consent obtained from an illiterate varies with each, most preferably patients thumbprint is used, other options may include verbal consent and relative signature. 70% of the dentists were getting the patients thumbprint as a valid consent format and 20% of them obtain a verbal consent and the remains of them acquire patients relative signature as a consent from the individual, in case of the students 50% of them obtain patients thumbprint and 40% of them obtain the verbal consent and the remaining 10% obtain the relative signature.

Other studies shows that 47% of dentists obtain the patients thumbprint as a consent format in case of the illiterate and 42% of them obtain the verbal consent from the patients (4).

In obtaining the consent form for a child it is obtained from the parent in case of 80% of the dentists remaining 20% obtain from the guardian, while the students obtain the consent form from the parent in 60% of the cases and in 30% from the guardian. The consent form plays a major role for the protection of the dentists to be on their safer side.

Other studies shows 88% of the dentists suggest the consent form for the child can be obtained from the parent and 22% suggest it can be obtained from the guardian at the need of time (1).

The obtained consent form is preserved in case of 90% of the dentists and 10% of them think it is not important to preserve it. In case of the students 97% of them preserve the consent form while 3% of them discarded it.

Other studies shows 91% of the dentists preserve the consent form while 8% of them discard it (6).

Approximately 90% of the dentists take consent from their patients prior to the start of any treatment procedure and the type of consent on which they rely is informed consent.

There is a choice among the dentists in providing a copy of the consent form to the patient. Mostly 50% of them ask for a reason to provide a copy of the consent form while 40%

of them do not provide a copy to the patient. Among the students majority of the do not provide a copy to the patients.

Other studies shows 81% of the dentists provide a copy of the consent form according to the patients wish and 15% of them do not provide a copy to the patient (3).

This study shows that the awareness of the consumer protection act has increased and the knowledge about the preservation of the consent form has also increased when compared to the previous studies.

### **CONCLUSION:**

Considering the present scenario, the dental practitioners have more awareness of consumer protection act compared to the students. The bond and the trust over the doctor have increased over the past few years. Obtaining a consent form has become necessary. Each and every dentists should obtain the consent form prior to the treatment .So, we must upgrade our knowledge on consumer protection act at all levels of our profession and change our attitude by inculcating a practice to spread the message of consumer protection act for delivering quality dental care. Therefore, dental professionals need to update their knowledge and understanding on CPA and its amendments to be on a legally safer side.

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