

Gujarat Medical Council

No.GMC/7/21

of

2019

1ST Floor, Old Nursing College
Building, Nr. M. P. Shah Cancer
Hospital, Civil Hospital Campus,
Asarwa, AHMEDABAD-380016

Tele-Fax: 079-22680534

E.mail: mail@gmcgujarat.org

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ADVISORY REGARDING ADVERTISING IN MEDICAL PRACTICE

It has come to the notice of Gujarat Medical Council recently, that in today's era of competitive medical practice, corporate hospitals and private practitioners have been knowingly or unknowingly overstepping the Laxmanrekha of Ethical advertising. This results in violation of Code of Professional Conduct, Etiquette and Ethics 2002 under the IMC Act. Violation of this act is punishable and Gujarat Medical Council has legal obligation to take suitable actions against registered medical practitioners violating the code of ethics.

In such circumstances, the Gujarat Medical Council decided to issue an advisory to all its registered medical practitioners to exercise great caution while advertising and take abundant precaution not to violate the code of ethics by unethical advertising.

Herewith are mentioned the situations and circumstances wherein a registered medical practitioner is allowed to advertise in an ethical manner (clause 6.1 of code of ethics)

1. On starting practice
2. On change of type of practice
3. On changing address
4. On temporary absence from duty
5. On resumption of another practice
6. On succeeding to another practice
7. Public declaration of charges

Also herewith are mentioned some relevant unethical acts and professional misconducts as defined by the Code of Professional Conduct, Etiquette and Ethics 2002, for wider awareness of all registered medical practitioners.

ADVERTISEMENT

Soliciting of patients directly or indirectly, by a physician, by a group of physicians or by institutions or organizations is unethical

Not to invite attention to him or to his professional position, skill, qualification, achievements, attainments, specialities, appointments, associations, affiliations or honours and/or of such character as would ordinarily result in his self aggrandizement

Printing of self photograph, or any such material of publicity in the letter head or on sign board of the consulting room or any such clinical establishment shall be regarded as acts of self advertisement and unethical conduct

ENDORSEMENT

A physician shall not give to any person, whether for compensation or otherwise, any approval, recommendation, endorsement, certificate, report or statement with respect of any drug, medicine, surgical, or therapeutic article, apparatus or appliance or any commercial product or article with respect of any property, quality or use thereof or any test

FEE SPLITTING/COMMISSIONING

A physician shall not give, solicit, or receive nor shall he offer to give solicit or receive; any gift, gratuity, commission or bonus in consideration of or return for the referring, recommending or procuring of any patient for medical, surgical or other treatment

A physician shall not directly or indirectly, participate in or be a party to act of division, transference, assignment, subordination, rebating, splitting or refunding of any fee for medical, surgical or other treatment

All registered medical practitioners are hereby advised to adhere strictly to the norms of advertisement as well as all other norms laid down in Code of Professional Conduct, Etiquette and Ethics 2002 and all further amendments made to it without fail. Breach in this code will invariably lead to suitable actions/punishment by the Gujarat Medical Council


I/C REGISTRAR,
GUJARAT MEDICAL COUNCIL

NOTE: The council also hereby deems it appropriate and relevant to bring to the notice of concerned registered medical practitioners about the judgment given by MCI on the appeal filed by Shri Rameshkumar Khatri, wherein the MCI ordered to remove the names from IMR for 15 days of 10 Registered Medical Practitioners working in a multispeciality hospital in Sonapat, Haryana, as their names with photographs appeared in advertisements. The council interpreted such advertisements as an act of violation of code of ethics.