Rajasthan's Right to Health Bill 2022

Why in news?

The Rajasthan government recently passed the Right to heath bill which faced several opposition from the doctors

What is the Rajasthan Right to Health Bill (RTH) 2022?

- Right to Health Bill (RTH) gives every resident of the state the right to avail free healthcare services to -
    - Out Patient Department (OPD) services and In Patient Department (IPD) services at *all public health facilities* and *any private facilities*
- The free healthcare services includes consultation, drugs, diagnostics, emergency transport, procedure and emergency care.

What are the Key features of the Rajasthan Right to Health Bill (RTH) 2022?

- **Resident Doctors** -Will be *entitled* to *emergency treatment* and care *without prepayment* of any fee or charges
- **20 rights** -The Bill extends a total of 20 Rights to the citizens of the state
- **Obligations on the state government** -The Bill sets certain obligations on the state government to ensure the right to health and maintain public health
- **Health Authorities** - Will be set up at the state and district level
- Health authorities will formulate, implement, monitor, and develop mechanisms for quality healthcare and management of public health emergencies
- **Grievance redressal** - The Bill provides a web portal and helpline center for resolving complaints against denial of services and infringements of rights
- The District Health Authority will take up unresolved complaints exceeding the above timeframe

What are the key issues of the RTH bill?

- **Violation of Article 19(1)(g)** –Since the bill mandates the private establishments to provide free services and don't contain provision for the reimbursement
- **Violation of right to privacy** –In grievance redressal mechanism a patient's medical information may also be part of the action taken report which is published in the web portal.
- **Shortage of health workers and resources** –May affect the effective implementation of the right to health.
- **Inclusion and exclusion error** - There may be an overlap between beneficiaries under Ayushman Bharat Scheme and RTH due to certain matching eligibility criteria
- **The Financial Memorandum of the Bill** -*Does not mention costs* related to any of

these factors(human resources, infrastructure development and public health functions) or any additional costs from providing free healthcare services to everyone in the state
- Implementing the Right to health may increase the financial obligation of the state.

Article 19(1) (g) of the Constitution guarantees the right to practice any profession or carry on any occupation, trade or business

What are the various reasons for failure of government health service?

- Government expecting private hospitals to implement the government's populist policies
- Corruption
- Low health infrastructure
- Shortage of man power
- Low funding
- Poor administration

What is the way forward?

- The Rajasthan government have to effectively implement the health schemes which are already in play. The schemes are
    - Chiranjeevi Health Insurance Scheme
    - Rajasthan Government Health Scheme for government employees
    - Nishulk Nirogi Rajasthan
    - Free Test scheme
- There is lack of clarity over the definition of emergency which needs to be addressed

References

1. The Indian Express | RTH Bill
2. PRS | RTH Bill
3. The Indian Express | RTH Bill

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