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# **The Most Important Sector In The World**

## **Introduction**

The health care sector is the most important sector in the world as it reduces human suffering. It is the noblest of all professions. Medical practitioners and health sector workers are highly respected, as they work to reduce human suffering and save the lives of the people. But sometimes it is disastrous. Health care fraud ordinarily alludes to the misleading acts done in the health industry. It includes medical insurance fraud, providing duplicate or false claim, excessive charging for services, clinical misrepresentation, billing of services which was not rendered and medication fraud or misrepresentation. The person committing such fraud often seeks new ways and opportunities for manipulating the parties involved or tends to ignore the laws of the state. WWC is carried out by elites who belong to a reputable group in society. These crimes are done during the due course of their occupation. White-collar offenders do have power, money, possession, access to technology and tend to exploit the powers entrusted for personal pleasure or for corporate gains. The offenders in the society maintain their respect till their crimes are exposed. The health care sector provides medical insurance, medical services and engages in manufacturing medicines, drugs, equipment to the patients. The people associated usually get away when it comes to punishment.

## **What is health care crimes and how does it work?**

White-collar crimes are described to be concealing, violation of trust, or deceit and do not involve physical force, violence or threat and are committed solely for personal benefits. These crimes are committed by health care organizations or companies that are providing medical services or distributing supplies to consumers. The government health care employees who are working in essential services or any other undertakings often get medical certificates for their absence for the sake of producing before the department for the purpose of justifying their absence. Medical practitioners get paid after providing them with a false sickness certificate in return. The other area in which WCC operates where misleading advertising or fake advertising making misleading or illegal claims in order to cure in magazines, newspapers, and other mass media results in misery. Similarly, advertisements for adulterated food & cosmetic products are highly prevalent also they are injurious to public health. Even though it does not violate the provisions of law, they commit such crimes which are antisocial in nature and highly injurious to society. Most common types of fraud include billing for services not rendered, billing the most expensive treatments or procedures, providing treatments or tests which are unnecessary, accepting kickbacks, etc.

## **What makes health care fraud so alluring**

Victims of medical fraud are exposed to unnecessary or unsafe medical procedures. WHO report on healthcare in India 31.4% of the allopathic doctors was found to be educated only till secondary level and surprisingly 57.3% did not have any medical degree. Only 46.2% of urban and 27.4% of rural dentists were having the minimum legal qualifications to practice.

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Trafficking organs for the purpose of transplantation is the fastest yet, least reported crime in India. Poor people who are in most need of money give their kidneys for money, then the dealer sells them for a higher price. The loopholes in the law make trafficking much easier. Documentation works are done smoothly in such a way that neither doctors nor hospitals suspect the victims. According to WHO South Asia is the world's leading transplant tourism center, while India tops among them when it comes to export.

The government-mandated transplant of human organs rules 2014, says that only organs of immediate blood relatives can be accepted for a transplant. The Indian registry on transplantation shows that in a year 1,00,000 to 2,00,000 needs kidney but only 5000 people manage to get transplanted. Former Union Minister of Health and Family Welfare Minister J P Nadda has said before the parliament that there is a huge gap in the demand and supply chain of organ transplantation. He also added that government gives priority to increasing the donation of organs in order to bridge the gap and to save lives. They tend to ignore the fact that the middlemen or people from the poverty line are suffering this shows the ugly edge of the health care sector in India.

According to WHO, statistics show that about 50% of the global population's health condition is deprived, 800 million people use the majority of their spending on medication and about 95 million people are plagued by poverty because of their medical bills.

For instance, the Gurgaon kidney scamsters, who had been captured for directing unlawful kidney transplants during the 1990s, sidestepped discipline and figured out how to run their exchange kidneys for quite a long time, clearly with the intrigue of law requirement specialists. It is realized that the fundamental blame sidestepped capture by paying off Delhi police authorities. Poverty and public ignorance is another contributing factor for health care fraud where people blindly believe whatever the doctors say.

Fake doctor in India infects 21 people with HIV by rewarding helpless residents for coughs, colds, and fever was infected by HIV by utilizing sullied syringes and needles. The doctor checked 566 individuals and 21 were HIV positive. Numerous townspeople depended on the doctor for treatment in the locality. Residents said they seldom observed him changing the needles. There are reports of specialists severed the appendages of needy individuals at the offering of the asking mafia. Needy individuals who opposed the extraction of their kidneys have apparently been worked upon at gunpoint.

Whereas donation of human organs voluntary is not properly utilized or promoted due to poor infrastructures in hospitals, shortage of cadaveric transplant surgeons, inefficient transportation systems for the timely revival of organs. Shortage of donors, patients, and doctors waiting for transplants involves illegal practices. And preferences are given in treating a commoner and a VIP. Numerous drug stores across Delhi are selling physician-recommended meds for heart maladies, melancholy, torment, and anti-infection agents for contamination without a medicine.

Pharmacists perform the duties of doctors in government dispensaries. In March 2010, when the news broke that a three-year-old girl died subsequent to taking 'anti-infection agents' that her father had purchased from a drug store to treat her fever.

Clinic specialists have would not discharge the assemblages of patients who died consideration because the family members couldn't bear to take care of the clinical tabs.

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There was an incident where a pregnant woman has been denied care since they are HIV positive.

Laws governing the health care sector:

- Homeopathy Central Council Act, 1973
- Dentists Act, 1948
- Indian Medical Degrees Act, 1916
- The Pharmacy Act, 1948
- Drugs and Cosmetics Act, 1940
- The Drugs and Magical Remedies (Objectional Advertisements) Act, 1954
- Indian Medical Central Council Act, 1970
- Indian Medical Council Act, 1954

Indian Penal Code, 1860 deals with offenses relating to quackery, forgery, punishments for causing miscarriage. Despite all these enactments health care fraud are still an issue in India. There is also a fear among people that if they report such matters to law agencies and consequences which they face the aftermath.

## **Ways to prevent health care fraud**

- There could be a centralized medical registered biometric or database along with their medical degrees under a public domain. Such details of certificates, degrees attached should be cross verified by an appropriate institution that offered them the courses. So that a patient can choose a practitioner as their choice.
- Deterrent punishment should be given for quacks choosing a career as a fake doctor. It begins in MBBS seats are sold for lakhs of rupees. Uncontrolled defilement exists at each level, from medical school affirmations, getting a degree, to enrolment with the medical gathering.
- Poverty is a major trap when it comes to organ transplantation scams, they easily approve the offers when it is exchanged for a job or money.
- Rewards can be awarded as an encouragement for health sector professionals.
- Whistle-blowers shall be protected and supported
- Refuse to acknowledge any favors from pharmaceutical organizations.
- Follow clinical morals and treat helpless patients equivalent to rich ones.
- Plug the escape clauses in the law on human organ transplants that empower transplant the travel industry and relationships for the motivations behind kidney 'gift'. A crusade must be begun to scatter fantasies on cadaveric gifts.
- The transplant program must incorporate an automated national database, proficient transportation, and a system of cutting-edge transplantation focus with master specialists.

## **Conclusions and suggestions**

Health Care Fraud will only continue to increase until people exist, and the allied services will substantially increase in the future. Health care fraud was not given enough attention by the public or by the media also they have contact with political members and government officials who are prominent. Many cases of medical negligence are still pending before various courts in

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India, there are about 3,000 cases of medical negligence which are still pending before the Supreme Court of India. It is high time to punish the offenders in order to prevent them from committing grave offenses.