

<http://www.pharmabiz.com/NewsDetails.aspx?aid=62393&sid=1>

DMAI urges govt to reconsider drafts of Mental Health Act of 1987, Mental Health Care Act 2010

Suja Nair Shirodkar, Mumbai
Saturday, April 16, 2011, 08:00 Hrs [IST]

Disease Management Association of India (DMAI) has urged the government to reconsider the revised draft of the mental health act of 1987 and the proposed draft of the Mental Health Care Act 2010 as it was drafted without proper consultation from relevant bodies like MCI, Indian Medical Association and other bodies. They feel that the recommendation in the draft for a new independent specialities such as clinical psychology, PSW and mental health nursing without any supervisory role of a psychiatrist is absurd.

Rajendra Pratap Gupta, president and director, DMAI, informed that they have observed that, the Medical Council of India (MCI) and other professional organisations of general health have not been consulted before drafting it. Gupta, added, "Getting the opinion of these essential bodies was very important, as the changes which are evident in the draft bill have far reaching consequences in terms of the way the modern medicine is taught and practised currently in India."

The process of revision of the Mental Health Act 1987 was initiated about a year back, to make it compliant to the United Nations Convention on the 'Rights of Persons with Disability'. Dr Saumitra Pathare, a private psychiatrist and Dr Jaya Sagade, a lawyer from Pune were in charge of conducting the regional consultations on behalf of the Ministry.

Gupta informed that over the last one year, there have been five regional consultations with various stakeholders. The major stakeholders consulted have been users, care providers, professional bodies in mental health, mental health institutions and state government representatives.

According to Dr Sanjay Kumawat, member secretary of Mental Health Authority, the Mental Health Care Act 2010 has many loopholes in it. "Firstly it is trying to impose an act that shows global commitment even though we are not yet ready for it. The government should go slow as this particular draft is trying to widen the scope of medical health professionals in spite of the fact that they are not qualified for it. The Mental Health Care Act 2010 should have been customised and trailer made according to the demands of urban India and rural India. It can not be mixed up randomly according to the wishes of some."

Stating his displeasure over the inclusion of Ayush in the mental health care act, Dr Kumawat states that in Ayush doctors are not trained on mental healthcare and thus lack knowledge on the

same. Further he states that for mental healthcare there is need for medicines that can be rationalised scientifically which is not the case with Ayush drugs. He said that all this should have been discussed in full length with competent authority before drafting.

Proposed changes suggest that even people who have not been trained to be physician which includes clinical psychologist, psychiatric social worker, psychiatric nurse should be entrusted with independent examination, diagnosis and admission of patients in mental health facilities.

“Our point is how can a person's comment who is not qualified to treat a person and is not qualified to deal with such patients be taken into account when drafting such an important act,” Gupta said.

Currently, this role rests with a psychiatrist who is a medical doctor (MBBS) trained in psychological medicine. In modern system of medicine, only a physician with MBBS can diagnose a patient. How can a person who is not qualified to treat a person be given the responsibility to diagnose mental disorders by only doing psychological examination questions Gupta.

He said, “The only role a psychiatric nurse, clinical psychologist or a psychiatric social worker can do is to assist by nursing the patient, helping him in psychological interventions, helping him in psycho-social interventions respectively. They cannot be substituted from the overall care of a psychiatrist who is the leader of the mental health team.”