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Reg. No.....

Name.....

**FIVE YEAR B.A./B.B.A/B.Com./LL.B. (HONOURS) DEGREE
EXAMINATION, JUNE 2024**

Third Semester

FL 7—HEALTH LAW

(2022 Admissions—Regular/2018 to 2021 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any five of the following.
Each question carries 3 marks.*

- ✓ 1. Principles of primary health care.
- ✓ 2. National Health Mission.
3. Practice of defensive medicine.
- ✓ 4. Patient access to medical records.
- ✓ 5. Mental healthcare.
- ✓ 6. Euthanasia.

(5 × 3 = 15 marks)

Part B

*Answer any three of the following problems.
Each question carries 10 marks.*

7. Dr. 'A' provided a report to Mr. 'B' about the mental condition of his wife Mrs. 'B', who was a partner of Dr. 'A', without her consent. The report was later produced in divorce proceedings much to the shock of Mrs. 'B' who then sued Dr. 'A' for nervous shock. Decide.
- ✓ 8. 'S' was prescribed medication by her physician to treat a specific condition. However, she experienced severe adverse effects from the medication, which were not properly communicated to her. Can 'S' sue the doctor for his failure to warn her of the potential side effects ?
- ✓ 9. Mr. 'X', filed a complaint against Hospital 'Z' before the Consumer Disputes Redressal Forum claiming damages on the ground that his HIV (+) status which was required to be kept secret under Medical Ethics was disclosed illegally to his fiancée which resulted in calling off of his marriage. Decide as to maintainability and merits of the case.

Turn over

- ✓ 10. 'M' underwent a surgical procedure, and during the operation, a surgical instrument was negligently left inside his body. As a result, 'M' suffered significant pain and required additional surgery to remove the instrument. What legal principles apply in a case like this? Is the surgeon criminally liable? Decide referring to judicial decisions.

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

- ✓ 11. Discuss the concept of the "right to health" as a fundamental human right. What are its key aspects, and how does it relate to other human rights? Explain the obligations of States under international human rights law concerning the right to health. Also, discuss the challenges and limitations in realizing the right to health within the context of international law.
- ✓ 12. Analyze the key principles and ethical considerations underlying the doctor-patient relationship. What are the legal obligations and duties of doctors towards their patients? How do these obligations relate to patient autonomy, informed consent and confidentiality?
13. Examine the legal and ethical issues surrounding organ transplantation. Discuss the key principles, consent requirements, allocation policies, and challenges in this area.

(2 × 15 = 30 marks)