



# Association of Minimal Access Surgeons of India (AMASI)

*A section of Association of Surgeons of India*

29.01.2022

**Dear Esteemed Member,**

The office of AMASI wishes you and family covid free good health and seasons greetings

The Executive committee of AMASI have come to know that certain mobile apps are being utilized in the country as aggregators and to direct patients to surgeons / doctors who have signed contracts with these companies. The engagement is for a particular service Eg. Appendicectomy operation. The payment is made to the mobile app company and the company pays an amount to the surgeon after reduction of commission.

This practice is highly unethical. It jeopardises adequate clinical judgment by a trained person regarding need for surgery and decision as to the type of surgery that would be optimum for the particular patient. The apps are made for the sole purpose of making money.

The Indian Medical council (Professional conduct, Etiquette and Ethics) Regulations 2002 states that: 'A physician shall not give, solicit, or receive nor shall he offer to give, solicit or receive any gift, gratuity or bonus in consideration of or return for the referring, recommending or procuring any patient for medical, surgical or other treatment. A physician shall not directly or indirectly participate in or be party to the act of division, transference, assignment subordination, rebating, splitting or refunding of any fee for medical, surgical or other treatment.' (Section 6.4.1)

It has also been emphasized that, ' the physician shall not use touts or agents for procuring patients.' (Section 7.19}

Hence AMASI takes this sort of alliance as highly unethical, illegal and unbecoming of a prestigious member to be in contract with these tout like application companies.

At its Emergency EC meeting held on 28th January 2022 it was resolved that any member who has made such a contract should disengage immediately after receiving this notification failing which a member found to be in contract thereafter may be liable for disciplinary action by regulatory authorities .

Also it may be noted that in case of any litigation arising from such unholy alliance the member will not be defended by the association during legal process by way of expert opinion or otherwise.

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