

Standardization of Education, Regulation and Registration of Allied and Healthcare Professionals in India through the NCAHP Act 2021

Dr. Abhay Saraf¹, Dr. Maajid Mohi Ud Din Malik^{2*}, Shweta Chougule³

¹ Director, Dr. D. Y. Patil School of Allied Health Sciences, Dr. D. Y. Patil Vidyapeeth, Pune (Deemed to be University), Pimpri, Pune, India

^{2*} Assistant Professor, Dr. D. Y. Patil School of Allied Health Sciences, Dr. D. Y. Patil Vidyapeeth, Pune (Deemed to be University), Pimpri, Pune, India

³ Academic Coordinator, Dr. D. Y. Patil School of Allied Health Sciences, Dr. D. Y. Patil Vidyapeeth, Pune (Deemed to be University), Pimpri, Pune, India

Abstract:- The National Commission for Allied and Healthcare Professions Act 2021 provides the legislative framework to standardize allied healthcare education, establish central and state-level regulatory bodies, maintain an online central register of professionals and ensure compliance with a code of ethics in India. This paper analyzes key provisions of the Act and their potential impact on improving access, quality and safety of allied healthcare services in the country through standardized education and regulation.

Keywords: allied healthcare, education, regulation, National Commission, India

1. Introduction

Allied healthcare professions like physiotherapy, occupational therapy, medical laboratory technology, etc., play a crucial supportive role in healthcare delivery. However, in India, the education and practice of these professions lacked proper regulation and standardization for long. This led to inconsistencies in education quality, lack of a central register of professionals, and absence of standardized codes of ethics.

The Government of India introduced the National Commission for Allied and Healthcare Professions (NCAHP) Bill in Parliament to address these issues in 2020. The Bill received the assent of the President on May 25, 2021, becoming the National Commission for Allied and Healthcare Professions Act, 2021.¹

This landmark legislation aims to bring reforms in allied healthcare education, practice, and regulation in India through a uniform framework. This article aims to comprehensively review the key provisions and expected impact of the NCAHP Act 2021.

2. Objectives and Definitions

The objectives of the NCAHP Act include establishing uniform education standards, facilitating inclusive infrastructure growth, ensuring the availability of adequate and high-quality professionals, maintaining a central register of professionals, and formulating a code of conduct.

The Act separately defines allied healthcare professionals and healthcare professionals. Allied healthcare professionals refer to those practising in 21 categories listed in the Schedule, like physiotherapy, occupational therapy, etc. Healthcare professionals refer to practitioners of modern scientific medicine and surgery.

3. Institutional Framework

The Act provides for the constitution of a National Commission for Allied and Healthcare Professions as the overarching regulator. The Commission will consist of representatives from the government, allied healthcare institutions, and professionals.

It will determine policies, frame regulations, and oversee the functioning of four autonomous boards - for undergraduate education, postgraduate education, professional registration, and professional ethics.

Corresponding State Allied and Healthcare Councils will be constituted in each state/UT. They will have representations from state medical universities and allied healthcare institutions. The Councils will implement the standards set by the National Commission.

4. Regulation of Education

The Act empowers the National Commission and State Councils to regulate all aspects of allied healthcare education, including:

- Minimum standards and regulations for institutions, infrastructure, faculty and course curriculum.
- Approval of new/higher courses based on demand, availability of resources and compliance with regulations.
- Determining and regulating the process of admission to undergraduate and postgraduate programs.
- Conducting accreditation of institutions and programs periodically.
- Monitoring compliance with regulations and acting against defaulters.

These provisions are expected to standardize education nationwide by developing common standards and curriculums, approving only competent institutions and regulating new courses.

5. Central and State Registers

The Act provides for online Central and State Registers of allied healthcare professionals. The Central Register maintained by the National Commission will contain details of all registered professionals in India.

The State Councils will also maintain online State Registers of licensed professionals in their respective jurisdictions. These centralized registers will help address the lack of a single source for verification of qualifications and licenses.

They will also help regulatory authorities keep track of licensed professionals and take necessary actions against persons practising without required qualifications/licenses. Overall, the centralized registers under the Act are expected to bring more transparency and accountability to the sector.

6. Regulation of Professional Ethics and Conduct

The Act empowers the Professional Ethics Board at the National Commission to formulate a Model Code of Ethics and Etiquette for allied healthcare professionals.²

The State Ethics Boards will be responsible for adopting the Model Code, overseeing its implementation,³ and establishing mechanisms to ensure compliance, like continuing education programs.⁴

The Act also lists actions that can be taken for code violations, like removal or suspension from registers after the due inquiry process.⁵ This is expected to standardize professional conduct across the country.

7. Offences and Penalties

The Act lists various offences like impersonation of a registered professional, failure to surrender certificate on removal from register, and contravention of provisions with imprisonment up to one year or fine up to Rs. 5 lakhs or both.

It also holds the heads of defaulting institutions responsible. This will help deter malpractices and ensure effective compliance with regulations.⁶

8. Funding and Accounts

The Act provides for the constitution of National and State Allied and Healthcare Funds to be used for the welfare of professionals and implementation of the Act.⁷

The funds will comprise government grants, fees collected, corporate social responsibility (CSR) funds, and other sources of income. Annual statements of accounts and audit reports will ensure transparency in the utilization of funds.

9. Powers of Central and State Governments

The Central and State Governments have oversight powers to issue directions, call for information, and amend rules under the Act.⁸

They can also supersede the National Commission or State Councils in the public interest for a specified period. This oversight mechanism will help address implementation issues and evolve the regulatory framework over time-based on feedback.⁹

10. Analysis of Key Provisions

The NCAHP Act 2021 is a pioneering legislation that addresses long-standing issues of inconsistent standards and lack of regulation in the allied healthcare sector. Some of its key strengths are analyzed below:

- An institutional framework with representation from professionals and academia ensures ownership and feasibility of regulations.
- Comprehensive regulation of all aspects of education like infrastructure, faculty, curriculum, and approval of institutions/courses, will help standardize quality across the country.
- Central and State registration of qualified professionals will bring transparency, mobility and accountability to the sector.
- Model Code of Ethics and mechanisms for its implementation can help promote uniform professional standards and ethics.
- Adequate penalties and oversight powers make the regulatory framework robust with deterrence against violations.
- Dedicated funds provision ensures the long-term financial sustainability of the proposed institutional structures.
- Provision for annual reports and audits promotes transparency, while oversight powers allow for course correction.
- Defining allied and healthcare professionals separately brings much-needed clarity to their scope of practice.
- Including 21 categories in the Schedule ensures that all major professions are covered under the regulations.

However, effective implementation of the Act will remain a key challenge given the diversity in India and resource constraints in some states. Ensuring representation of all professions and regions will also be important. Regular reviews may also be needed to strengthen the framework over time.

11. Expected Impact and Benefits

If implemented effectively with the participation of all stakeholders, the NCAHP Act 2021 is expected to transform the allied healthcare sector in India.¹⁰ Some of the major benefits include:

- Standardized and upgraded quality of education through common standards and regulations.
- Enhanced employability of professionals and recognition of new job roles with centralized registration.¹¹
- Mobility of professionals across states and countries due to a common minimum accepted qualification.
- Access to qualified professionals in rural and remote areas by attracting more talent and investment.
- Curbing of malpractices through strict monitoring of qualifications and Code of Conduct.
- Possibility of introducing uniform national-level entrance exams and counselling for admissions.
- Growth of the allied healthcare sector and availability of standardized services.

- Overall improvement in the country's access, quality and safety of healthcare services.
- Potential to adopt best practices from global regulatory frameworks over time.
- Generates employment opportunities matching India's demographic dividends.

12. Conclusion

In conclusion, the National Commission for Allied and Healthcare Professions Act, 2021, is a pioneering legislation that addresses long-standing issues around inconsistent standards in India's allied healthcare sector.

Implementing it effectively through participatory processes can transform the sector by standardizing education, maintaining central registration, and promoting uniform professional conduct.

This will go a long way in improving the quality and availability of allied healthcare services nationwide. While implementation challenges remain, the Act provides a strong foundation for a robust regulatory framework in the long run.¹² Its success will depend on continuous reviews and multi-stakeholder cooperation.

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