



Reflections on Rights of Health-Care Workers: A Study with Special Reference to State of Himachal Pradesh

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Received date: 20 December 2020; Accepted date: 27 December 2020; Published date: 31 December 2020

Citation: Sharma B, Verma R, Muqtadir M. Reflections on Rights of Health-Care Workers: A Study with Special Reference to State of Himachal Pradesh. SunText Rev Arts Social Sci 1(2): 112.

DOI: <https://doi.org/10.51737/2766-4600.2020.012>

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Abstract

The professional life of the doctors and other health-care workers is laborious due to the nature of their occupation. The primary and inherent peril of their occupation is risk of various infections. Their jobs may become life-threatening while treating patients having contagious diseases. They also have to deal with the physical and mental fatigue, the torment of difficult decisions, the agony of deaths of their patients and colleagues. The present situation in the world of Covid-19 has raised the challenges for them as the vast number of health-care workers got affected with it across the world. The state of Himachal Pradesh had slow emergence of the Covid cases and the present paper looks at how the government has implemented the rights of the health-care workers.

Keywords: Covid 19; Health care workers; Himachal Pradesh; World health organisation

Introduction

As per Guidelines of W.H.O., there are numerous rights of the health-care workers during the current pandemic. Some of important rights include to receive all necessary preventive and protective measures to minimize occupational safety and health risks; to receive adequate IPC and PPE supplies (masks, gloves, goggles, gowns, hand sanitizer, soap and water, cleaning supplies) in adequate quantity to healthcare and other staff engaged in caring for suspected or confirmed Covid-19 patients. They must be acquainted with technical updates relating to Covid-19 and provided appropriate tools to assess, test and treat patients. They should be able to disseminate infection prevention and control information with patients and the public. Their rights extend to obtain information, training as well as instruction regarding occupational safety and health such as refresher training on infection prevention and control (IPC). They also have to know the correct manner of use as well as disposal of personal protective equipment (PPE). The right to receive proper working hours with breaks; to respect the right to compensation,

rehabilitation and curative services if infected with Covid-19 after exposure in the workplace are included in the list of the rights. The right receive access to mental health and counselling resources is also primary. Due to a lack of personal protective equipment's, healthcare workers are being infected in hospitals. Others are also being infected outside hospitals, in their homes or communities. More than 3,000 healthcare workers from 79 countries around the world have died due to the novel coronavirus infection [1]. Almost 1,302 doctors have found positive for the virus. In terms of infections, private consultants and resident doctors count for the highest number of cases. Out of the total infected healthcare workers, resident doctors were 566, private consultants were 586 and house surgeons were 150. Till April 30, more than 5% accounted for healthcare workers. The above figure is expected to be a major undervalue due to a lack of reporting. They have also experienced reprimanding including arrests and dismissals from the authorities and their employers for voicing safety concerns. In some cases, they have been exposed to violence and stigma from members of the public. On 30th July, 2020 six months passed since a global health emergency was



declared under the International Health Regulations by the World Health Organisation. The research objectives of the present study are to discuss the rights of the health-care workers during Covid-19; to enumerate the measures taken by the Govt. of India and Govt. of H.P. for protecting the rights of health care workers and to study the enforcement of the rights of various health care workers in the state of H.P [2].

Ministry of Health and Family Welfare, Government of India vis-a-vis Rights of Health Care Workers

Inspirational series on Healthcare Service Personnel has been launched by the MoHFW. The series include musical tribute to the health-care workers; break the stigma-do and don'ts; gratitude towards them; felicitation of the nurses etc. The series is made available in Hindi and English. Insurance Scheme for Health Workers Fighting Covid-19 under Pradhan Mantri Garib Kalyan Package was approved in the end of March 2020. It will provide an insurance cover of rupees fifty lakhs for ninety days [3]. It aims to cover around 22.12 lakh public healthcare providers, along with community health workers, approaching Covid-19 patients in direct contact and care. It will also embrace accidental loss of life due contracting Covid-19. Due to the extraordinary situation, private hospital staff, retired, volunteer, local urban bodies, contract, daily wage, ad-hoc, outsourced staff employed by States, Central hospitals, autonomous hospitals of Central or States or UTs, AIIMS & INIs or hospitals of Central Ministries can also be included. An advisory dated 18th June 2020 requires detailed instructions; activation of Hospital Infection Control Committee (HICC), stipulates Standard Operating Procedure for health work force deployment during COVID-19, different procedure to be adopted in case a health care worker reports symptoms suggestive of COVID-19 and mandates regular quarantine of healthcare workers after performing duty in COVID-19 areas. Country-wide Toll free helpline numbers have started under the aegis of the Ministry and under Indian Medical Association for psycho-social support for the various health professionals [4-8].

Government of Himachal Pradesh vis-a-vis Rights of Health-Care Workers

On 28th March, Himachal Pradesh State Government formed a 'HP Covid-19 Solidarity Response Fund' to offer personal protection equipment to the health workers and other related officials. It would ensure even supply of essential commodities such as food items and medicines. A new bank account with HDFC Bank, Chotta Shimla has been opened to allow donors for generous donating to help the persons suffering during the COVID-19 pandemic. A number of Guidelines and Advisories

have been issued by the Government of Himachal Pradesh dealing with Covid-19. List of Training resource material for the purpose of capacity building of health care professionals for Covid 19 containment was released in April, 2020. Committee for giving advisory for managing Health Care Work was constituted on 26th May, 2020. Covid Clinical Committees have been established in the six Government Medical colleges in State to monitor cases on day to day basis on 4th June, 2020. Additional incentive of Rs.1000 to all ASHA workers from March, 2020 to June, 2020 was announced on 26th June, 2020. HP SDMA Covid-19 State Disaster Response Fund is a secure way to contribute to the state of Himachal Pradesh efforts to respond to Corona pandemic. Essential supplies such as PPEs to various health workers and food, medicines etc. may be provided to communities with the assistance from this fund [9,10].

Study conducted in the State of Himachal Pradesh

The doctrinal and non-doctrinal methods of study have been adopted by the researchers. The health-care workers were interviewed through digital means. Around 25 questions were asked including the nature of job, district of posting, and the knowledge about the rights of the health-care workers. As on 30th July, 2020, the total number of cases in H.P. are 2403; active cases are 1057. Total 14 deaths have taken place so far in the State [11].

Universe of the study

The researchers have adopted convenience sampling. The universe of the study is state of Himachal Pradesh. Himachal Pradesh is located in the Western Himalayas and is one of the eleven mountain states and is characterized by an extreme landscape featuring several peaks and extensive river systems. It has a total population of 6,864,602. The state covers an area of 55,673 square kilometres (21495 sq mi) [12,13].

Nature of Respondents

108 respondents were included, from various categories of health care workers. Doctors, nurses, final year students, interns etc. constituted the respondents (Table 1) (Figure 1-5).

Findings

- Around 58% did not made any complaint regarding violation of their rights during Covid-19. Almost 20% of the respondents made violation of their rights whereas almost 22% made no complaint.
- Out of the respondents who made complaints, only 35% respondents found improvements after making the complaints. Whereas, for 65%, situation remained the same.

- 32.4 % respondents replied that they have not been provided any training on infection prevention and control; and use/disposal of Personal Protective Equipment. Whereas 67.6% respondents were provided the training.

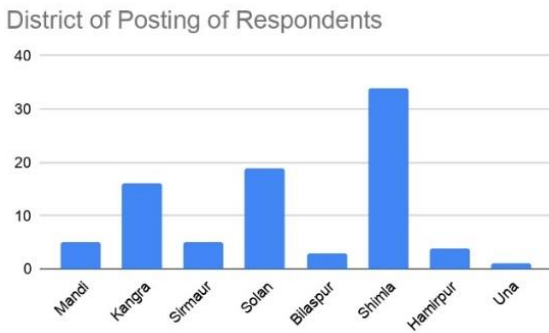


Figure 1: District of posting of respondents.

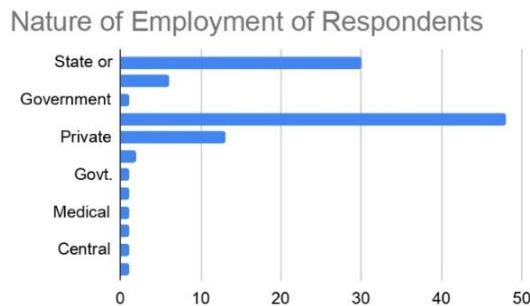


Figure 2: Nature of employment of respondents.

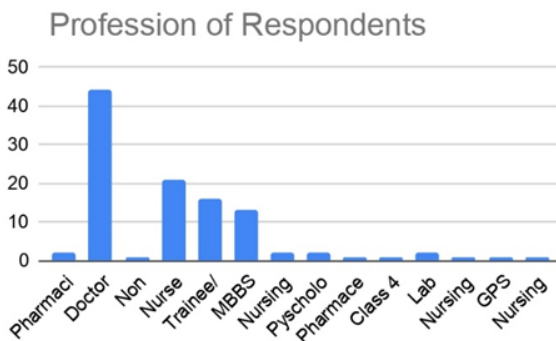


Figure 3: Profession of respondents.

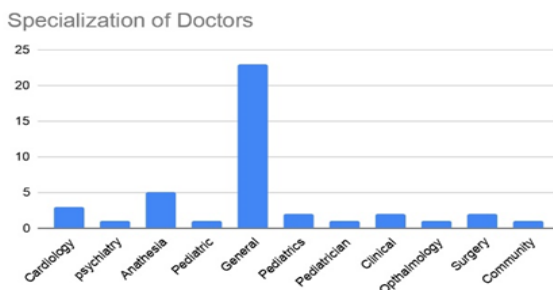


Figure 4: Specialization of doctors.

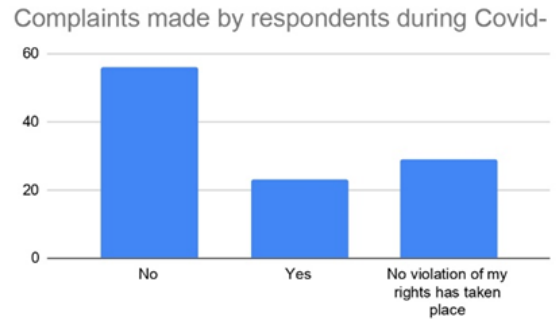


Figure 5: Complaints made by respondents during Covid.

Table 1: Respondents from different parts of H.P.

S.No.	District	Percentage of Respondents
1.	Bilaspur	3.4%
2.	Hamirpur	4.6%
3.	Kangra	18.4%
4.	Mandi	5.7%
5.	Shimla	39.1%
6.	Solan	21.8%
7.	Una	1.1%
8.	Sirmaur	5.7%

- 58.3 % respondents answered that mental health and counselling services exist in your workplace, if required by a health-care worker. 41.7 % answered the absence of such services for the health care workers.
- 62.6% respondents were not aware of the toll-free helpline – “08046110007” for psycho-social support for health care workers in India. Only 37.4 % of the respondents had knowledge of this Toll-Free Helpline.
- 76.5% respondents found adequate availability of equipment’s like pulse ox meter, temperature measuring devices etc. in their hospital or college. 23.5% answered negatively.
- Regarding regular sanitization of the hospital or the medical college, 64% respondents believed that their workplaces were sanitized whereas more than 20% of the respondents had no knowledge of sanitization. 16% believed that the hospital or college were not sanitized.

Conclusions and Suggestions

Health care workers have played a significant role in the global comeback to the Covid-19 pandemic. Across countries, they have put their health and wellbeing at peril. They continue to work in very difficult circumstances and with very little support, to ensure that people are able to access the essential services they need. It must be accepted that the health-care workers are a dominant

resource and their lives are precious for everyone. Recognizing and accepting that every health system is vulnerable would help to trace any existing gaps and would enable the protection of both health workers and the public at large.

- The national and state governments must take measures such as provision of food, rest and care for Health care workers and their families.
- The psychological support for Health Care Workers also needs to be focused.
- Adoption of proper security and sanitization measure by the hospitals and its supervision by the dedicated department of the Government.
- Enhanced incentive scheme for work over-time and extra shifts.
- Organized training and emergency drill sessions for the health workers.
- States should ensure that employers provide all health and essential workers with adequate PPE to protect themselves during the Covid-19 pandemic, in accordance with international standards, as set by W.H.O.
- States should place Covid-19 under the category of an occupational disease. The workers who contract Covid-19 as a result of work-related activities should be allowed to claim compensation and medical and other necessary care. This should comprise all health and essential workers regardless of the nature of their contract.
- Health and essential workers safety concerns must be attended to and addressed in a suitable manner. There must be no adverse action against workers for raising concerns or lodging a complaint related to health and safety.
- Prompt investigation in an independent and fair manner of any by attacks or acts of violence against health and essential workers must be done by authorities. Perpetrators must be brought to explanation.
- The States should acknowledge that health care workers are at a higher risk on account of their work.
- Effective, comprehensive and independent reviews should be undertaken regarding preparedness for and responses to the pandemic.
- Data on the basis of occupation, who have been infected by COVID-19, and how many have died as a result should be collected and published by States.

References

1. Exposed, silenced, and attacked: Failures to protect health and essential workers during the COVID-19 Pandemic. Amnesty Int. 2020.
2. Pradhan mantri garib kalyan package: Insurance scheme for health workers fighting COVID-19. 2020.

3. Ensure that all preventive measures like frequent washing of hands/use of alcohol-based hand sanitizer, respiratory etiquettes (using tissue/handkerchief while coughing or sneezing), etc. are followed at all times. He/she shall use appropriate PPE at all times while on duty. Under buddy approach, two or more-person team is formed amongst the deployed hospital staff who share responsibilities for his/her partner's safety and well-being in the context of appropriately donning and doffing of PPEs, maintaining hand hygiene and (iii) taking requisite steps on observing breach of PPEs. Any breach in PPE and exposure is immediately informed to the nodal officer/HoD of the department. HCWs after leaving the patient care units (wards/OPDs/ICUs) at the doctor's duty rooms/hostels/canteen or outside the HCF must follow social distancing and masking to prevent transmission to/acquiring infection from other HCWs who may be positive. Pregnant/lactating mothers and immuno-compromised healthcare workers shall inform their medical condition to the hospital authorities for them to get posted only in non-Covid areas.
4. Hospitals shall activate its Hospital Infection Control Committee (HICC).The HICC in the health facility is responsible for implementing the Infection Prevention and Control (IPC) activities and organizing regular trainings on IPC for HCWs.
5. All the Healthcare workers must report every exposure to COVID-19 to the concerned nodal officer and HOD of the concerned department immediately. The Nodal officer will get the exact details of exposure to ascertain whether the exposure constitutes a high risk or low risk exposure.
6. If any healthcare worker who is manifesting signs and symptoms suggestive of COVID-19, he/she will be isolated immediately.
7. Updates about COVID-19. Indian Med Association.
8. Himachal Pradesh government forms 'HP COVID-19 solidarity response fund' for health workers. 2020.
9. Common place for all government orders, advisories and media bulletins.
10. Himachal Pradesh district Wise COVID Data. 2020.
11. Indian Himalayan region
12. <https://himachal.nic.in/en-IN/at-a-glance.html>.
13. How to conduct empirical research.