

"IT'S UNSAFE! I WON'T WORK": CAN A DOCTOR REFUSE TO WORK DURING THE PANDEMIC?

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Dear editor,

India is 4th in the list with reported 3,32,424 cases and 9,520 deaths from novel coronavirus as of 15th June 2020 (Rath et al. 2020). Even though there are no accurate research findings, around 200 doctors died due to COVID infection in India (Iyengar et al. 2020). There are many places where doctors or nurses refused to work due to a lack of PPE (personal protective equipment). In some places, doctors were punished for raising the voices against authority (Dyer 2020). The question was raised multiple times if it's ethical to refuse the work during an emergency pandemic situation. From a moral perspective, a doctor cannot refuse his/her duty during a public health emergency. The Hippocratic Oath although mandates doctor to work in every extreme situation, it does not say about doctor's safety. The million-dollar question, "should doctors work in a situation like a warzone?" (SA et al. 2010) "Are doctors trained to work in life or death situations of their own"? If someone is voluntarily doing such holy work then it's well and good but what about doctors who refuse to work. There are no specific rules or guidelines when and where a doctor can refuse to work however a doctor might be penalized for negligence if there is no strong ground to refuse in providing the care (Sangram 2011). In few countries, there is an acceptable ground where a doctor can refuse to work even during emergencies, such as when there is a reasonable belief that safety is significantly endangered, and the health hazards are unacceptable. Also, doctors must notify their authority about the reasons for refusal. During the time of pandemic, employers must be ready to endure some degree of hardship to accommodate the safety concerns of the doctors. There should be atmosphere of nondiscrimination when refusal are based on genuine concerns. Some hazards might be acceptable, for example doctors working as a part of

disaster management with full protective gear. During time of pandemic, a physician might be in dilemma between "ethical duty to protect others" vs "promoting health and wellbeing of self" (Davies & Shaul 2010). There might be legal ramifications of both refusing to work and working in a significantly unsafe environment such as continuing the work without PPE or mask during the COVID pandemic (Davies & Shaul 2010, Rimmer 2020). Many countries have clear guidelines when a physician can ask for refusal till things get better however India does not have a proper legal or ethical framework.

To conclude, it is high time that the Indian Medical Association must come up with a general framework to tackle such dilemma during the time of a disaster. This will also enable the local politicians to work towards developing a safe environment instead of accusing the doctors of not working even though the environment is extremely unsafe. Risking a doctor and his family's life is an equal human rights violation like any common human being (Davies & Shaul 2010).

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