**PRICING OF MEDICAL PROCEDURES IN INDIA - ARE THEY TRANSPARENT?**

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The investment in Indian health care is just 4% of the GDP. This level of investment is low compared to global standards. The public sector which has invested just 1.2% of the GDP, is mainly focused on primary and preventive health care. Public hospitals have a low footprint in secondary and tertiary health care. On the other hand, the private sector is mostly present in secondary and tertiary care. There are several corporate hospitals present all across the country. In Public sector hospitals, the cost of health care is is either free or subsidized. On the other hand, the cost of service in Private hospitals is high and many times beyond the reach of common people. People who have either deep pockets or have some kind of health insurance avail service from Private health care set-up. The other reason why people go to private hospitals is that public hospitals are too crowded and there is a long waiting time to get specific services. While private hospitals provide quality service, their pricing policy has been an issue of public concern. Their rates are abnormally high, arbitrary, opaque and many times exploitative. In the absence of a Regulator to monitor the pricing of medical procedures and services, the private health care industry has been skimming the market. In the recent past, their role in rigging the prices of some medical implants has come to light and the Government has taken action to correct the situation. When we buy any product from the market, we look at its MRP and decide whether to buy it or not. No seller can sell a product at a price higher than the MRP and in most cases, we get products at a discount. In many of the services also, we get to know the prices in advance like banking, Insurance, and hospitality. In the digital platform there are Aggregators , who provide comparative price of products and services. This helps consumers to make an informed and rational decision. But so far as Health care is concerned, its cost is not known till one gets admitted into a hospital. Should there not be Price transparency in health care ?. That is the moot question this article tries to address.

**Introduction** : It is a well known fact that cost of health care in private hospitals is very high and is beyond the reach of common people . Every now and then , newspapers bring out the atrocious price hospitals are charging in India. Corona pandemic has made the situation worse. Corporate hospitals at Delhi and other places are asking patients to deposit 4-5 Lakh before they could be admitted into the hospital. The billing is arbitrary without proper break-up and the patient has no option but to bite the bullet. Many of the hospitals are selling health care packages based on days of service or the quality of service ( 10days’ package , Economy/Sharing/Deluxe etc) Public hospitals with massive capacity constraints are not in a position to handle the health care demand of the country. On 15th June , The Hindu1 brought out a half page news titled “Price of admission”. The news item cited multiple instances of this issue and highlighted how even the well offs are at the mercy of the corporate hospitals. As a knee jerk reaction , the LG of Delhi UT , has issued an order whereby all the hospitals have to display their prices for both Covid and non-Covid patients. Health is a merit. Government should have created needed infrastructure and facility to meet the health care needs of the people. But that has not happened allowing private sector to exploit the market. If we closely look at the market structure , we can safely say that it is an oligopoly. There are limited number of big sellers and large number of buyers. Even if rule out some kind of cartel formation in this market , it is common sense to know that the seller is the price maker in this industry. Buyers have almost no influence on the price of health care service. According to **Clinical Establishment Act ,2012** hospitals are supposed to fix the prices of their services in consultation with the Central and State Government and should be within “Range of rates” fixed by the Government.. Most of the States have adopted this act . But there is hardly an enforcement which has allowed the hospitals to price as they wish. There is no regulatory body to regulate and monitor the prices either . There is also no system of audit of billings . Black marketing of beds has come out to the open during Corona pandemic . When we look at the global practice , most of the OECD countries excluding US and some other countries , the prices of medical procedures and services are fixed by the Government. In India NPPA , regulates the prices of pharmaceuticals and medical implants . But pricing of medical procedures is beyond its jurisdiction.The counter argument from Health care industry is that , it is practically not possible to fix price for every medical procedures , primarily for two reasons - (1) Each patient has unique medical condition and needs customized service. A young boy with no chronic illness will need less of attention and care compared to who has a history of hyperglycaemia and hypertension , even when the medical procedure is same (2) Each hospital is different in-terms of the infrastructure , geographical location , size , competency of manpower and the quality of care. Therefore one price fit all is not possible. But even if that argument is consider valid , it is not known why Health care providers do not disclose the price for items and services which are independent of the patient’s health condition , Some of these charges are for Bed , ICU , Diagnostics , Ambulance etc. Since a large segment of population is poor , Transparency is more important in India than other developed country. Moreover as per the WHO Report mentions that Indians meet more than 60% of their Health care cost from their pocket. Even when one has Insurance coverage , the patient also has to bear part of the cost because of deductions , co-payments and other capping on costs. Therefore only when prices are known in advance , a patient can make a informed choice of the service provider.

**Literature Review**

In 2017 , KPMG2 researched into the transparency in health care in 32 countries (OECD and G20) on six different parameters . One of these parameters is Finance. Finance has been explained as to what extent the stake holders are aware of the cost of service. In the report India stands at 31st position with an overall score of 36 out of 100. Only country which is below India is China with a score of 32. In Finance parameter , India has scored 42 , which is low. The report says that while there is price transparency in Government hospitals and State sponsored Health care schemes , in private hospitals it is opaque.

In 2017 , Cognizant3 in their report highlighted that Price transparency is not a peripheral matter but a central issue of any health care contract. The patient must be aware of the price of critical care as well as non-essential care for making an informed choice. Further , this information should be made available digitally to enable him to compare the quotes of different service providers and decide from whom to avail the service. The report also mentions that Transparency will help a hospital not only in brand building but also will ensure long term survival in the market.The report also underscores the role of the regulator to ensure price transparency,

In 2017 , Accenture Consulting4 conducted a survey of 2000 consumers in USA to know how price transparency and affordability impact their behaviors related to medical services. The finding were in contradiction to the perception. It is noticed that most people use the price for budgeting for the hospitalization (46%) or to check if they can afford such a provider (41%) . Only a small percentage (11%) used the price for the purpose of comparison. Another interesting finding is most people (60%) go ahead in availing the service when the price information is readily available. In the absence of information , people either postpone taking the service or do not take the service at all.

In a research conducted by Christensen,H.B,et.al.5 Came out with the finding that Price Transparency Regulation(PTR) reduces the price charged for common, elective medical procedures by approximately 5%. If we extrapolate the findings to Indian market , we can say that the absence of a regulator has allowed the Providers to charge a price higher than a competitive price.

ICAI6 in this booklet throws light on the costing of medical procedures and how it is possible to arrive at a precise cost for each medical procedures. It uses the ICD (International Statistical Classifications Diseases) classification for its guidelines. Department of Health and Family Welfare also uses these codes for health care policies and processes.This code can be used not only to statistically analyse the combinations used for a medical procedure but also facilitates calculation of the bill for a treatment.

In a news item in The Hindu7( June 21,2020) , it is cited that based on the recommendation of a home ministry committee , Delhi Government has capped the charges for Covid beds in Private hospitals at Delhi between Rs8000/- to Rs18000/-. Currently the cost per day ranges between Rs24000/- to Rs54000/-. As per the recommendation, price range of Rs8000/- to 10000/- per day for isolation beds , between 13000/- to 15000/- for ICU without ventilators and between 15000/- to 18000/- for ICU with ventilators is allowed to be charges . All these rates include PPE and medicines. As can be seen from the news item, without the regulation , rates were three times of a reasonable rate.

In one of the report of WHO8 , the agency has underscored the need for a good pricing policy and regulatory system for universal health coverage.As per WHO , a good pricing system is one where the service is provided with high efficiency and expected outcomes. In the absence of complete information , individual negotiation of price with the service provider is not right as the service provider has an upper hand.Therefore a collective bargaining or a system of regulation is what is necessary to have a right kind of pricing for health care services.

Lambrecht,A,et.al.(2012)9 has reflected on the issue of price discrimination across service industries , where for the same service , different prices are charged by the Service provider , considering the heterogeneous nature of the service takers . Health care industry is no exception. Health Insurance companies negotiate prices with Hospitals which is much lower than the price normally charged by the hospitals. This prompts one to know what kind of profit health care providers keep while fixing their prices and why a uniform pricing policy can’t be adopted.

Health care Financial Management Association(2014)10 , in one of its report on Transparency has reinforced the need for price transparency in health care not only to protect those who have no insurance coverage but also all those who are covered under insurance but have to pay the balance billing , after the insurance has paid its portion.

Mehrotra,A.et.al.(2014)11 in theit article mentions how several states in USA have created their own Price Transparency websites to enable Service providers to upload their price and how consumers are using the prices for comparison and are taking decisions as to where from to avail the service. They observed , that large number of pateints used these information mostly for outpatient services and diagnostics.

Kyle,M,K & Ridley,D,B(2007)12 , in their article observed that transparency may adversely affect competition and affect lower price that the poor might be getting from the service providers on the Price discrimination methods. The authors said that needs of the poor patients also have to be ensured along with maintaining transparency in the health care pricing.

**Consumer Rights and Billing Disputes**

The Clinical Establishments (Registration and Regulation) Act, 2010 has been enacted by the Central Government to provide for registration and regulation of all clinical establishments in the country with a view to prescribe the minimum standards of facilities and services provided by them.

The Act14 is applicable to all types (both therapeutic and dignostic types) of Clinical Establishments from the public and private sectors, belonging to all recognized systems of medicine, including single doctor clinics. The only exception is Clinical Establishments run by the Armed forces.

As per the act , all the Hospitals are required to follow a particular template for display of the various rates related to PD, Investigation /diagnostic, emergencies, etc which is detailed in the draft documents issued by the Ministry.

The noteworthy point is health comes under state subject. Any rules or provisions by the Central Government will not be applicable directly upon the states and only can be treated as guidelines or advisory in character. As per the information provided by government website the Act has taken effect in the four States namely, Arunachal Pradesh, Himachal Pradesh, Mizoram, Sikkim, and all Union Territories except the NCT of Delhi since 1st March, 2012 vide Gazette notification dated 28th February, 2012. The States of Uttar Pradesh, Uttarakhand, Rajasthan, Bihar, Jharkhand, Assam and Haryana have adopted the Act under clause (1) of article 252 of the constitution.

Since there is no public display of rates , the billing done by hospitals are many times opaque and arbitrary , leading to disputes. Surya Kant vs Brahmashakti Sanjivani Hospital15, a relevant case related to overcharging in hospital bills in contravention to what they advertised . In this case National Consumer Dispute Redressal Commission (National Commission) came heavily upon the erring hospital and ordered to refund the extra amount charged.

In another case, Dinesh Joshi vs Dr. Gita Jindal Arrogya and Others16. where the National Commission awarded very high fine upon the treating doctor for negligence and inflated billing. Here the National Commission overturned the findings of both the District Commission and State Commission along with findings of Medical Board appointed by Director General of Health Services, Haryana. This shows the difficulty and collusion among the doctors/hospitals with regulatory agencies which makes it harder for the ordinary citizens to take up the issues of overcharging and unfair trade practices.

In recent times when Covid-19 pandemic is taking a toll on the humanity , some state Governments like Maharashtra17 , Odisha and Haryana have capped the prices for some of the Covid and non-Covid procedures under the rules of The Epidemic Diseases Act, 1897, and The Disaster Management Act, 2005. The price of (RT-PCR) testing for Covid-19 detection has been revised from Rs4500/- to Rs2400/- by the above State Governments in June-2020 . But such piecemeal actions leave the hospitals with ample opportunity to exploit the patients.

In an amendment to the Consumer Protection Act,198618 , the Government has excluded Health care service from the provisions of the Act in Aug-2019. This has diluted the patient’s right to quality health care . Clause 2(c) of the Act mentions about consumer’s right to be informed about the quality, quantity, potency, purity, standard and price of goods to protect the consumer against unfair trade practices.

**Objective of the Study**

To find out if the corporate hospitals in India disclose the prices of their Healthcare services in their websites.

**Methodology**

Websites of hospitals is one of the convenient source for the patients to get various information. In this study , we tried to find out to what extent hospitals disclose price information in their websites. A sample of 38(thirty eight) hospitals at Delhi and Bombay were taken for the study.Their price disclosures are shown at **Annexure-I**. We tried to find out if some Price related information is disclosed by the Hospital and if yes , what information.

**Findings**

1. From the data table at Annexxure-I , it is found that `only 7(seven) Hospitals ( appx. 20% ) have made a token disclosure of their price. These disclosures are related to wellness packages and health check-up packages.
2. There are 6(six) Hospitals ( appx. 20% ) who have disclosed the prices of some medical implants like coronary stent and knee joint implants. Such disclosure has happened only after the Central Govt capped the prices of these two medical implants and made it compulsory to make the prices public.
3. None of the hospitals have disclosed the prices of their medical procedures through almost all of them have listed the services that they provide. The list of services provided by Apollo Hospitals is quite exhaustive.
4. Even the prices of diagnostic tests , cabin rent , ICU charges etc. are not mentioned by any of the Hospitals.
5. This essentially means , the price of a procedure is told to the patient only after he visits the Hospital and makes up his mind to get admitted or is admitted without consultation due to emergency.

**Suggestions and Conclusion**

In the absence of adoption and enforcement of the Clinical Establishments (Registration and Regulation) Act,2010 , no Hospital will be forthcoming to disclose the price of their clinical procedures and other service charges. When the price is private , there is enough opportunity to exploit the consumers. Therefore , State Governments should mandate all the hospitals to disclose their prices as per the template of the Act in both online and offline platform.

The practice of inflated billing and unnecessary procedures by the hospitals is well known to the Health Insurance companies. Therefore they have fixed the prices of various clinical procedures that they will pay to a hospital if their insured customers get hospitalized . If Insurance companies can make hospitals to agree to specific prices , the State should also be in a position to fix prices for various health care services . It should be like an MRP and no hospital can charge any price more than that , while they are at liberty to charge lower price.

NPPA regulates the prices of all pharmaceuticals and medical implants. However , it has no authority over the hospitals and the prices they charge for various health care procedures. The Government should either empower NPPA to take up this responsibility or appoint another exclusive Regulator for the purpose.

If a Health care system is not affordable , it is no health care system. Such a system caters only to the creamy later of customers and indulges in profiteering through various malpractices. It is high time that the Government intervenes and establish a patient-centric transparent Health care system.

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16. Dinesh Joshi vs Dr. Gita Jindal Arrogya and Others., NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION, NEW DELHI, REVISION PETITION NO. 2381 OF 2016
17. Hospitals miffed as Maharashtra caps cost of private healthcare during pandemic" <https://www.livemint.com/news/india/hospitals-miffed-as-maharashtra-caps-cost-of-private-healthcare-during-pandemic-11588352478294.html> 21st June 2020
18. <http://ncdrc.nic.in/bare_acts/Consumer%20Protection%20Act-1986.html> , “The Consumer Protection Act, 1986”

**Annexure-I**

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| --- | --- | --- | --- | --- |
| Sl No. | Name of the hospital | Web link | Price Transparency | Details |
| 1 | [Aakash Healthcare Super Speciality Hosptial, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=221) | [www.aakashhealthcare.com](http://www.indiahealthcaretourism.com/www.aakashhealthcare.com) | D | Wellness Packages |
| 2 | Bhagwati Hospital | <http://www.bhagwatihospital.in/Default.aspx> | ND |  |
| 3 | [Batra Hospital & Medical Research Centre, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=171) | [www.batrahospitaldelhi.org](http://www.indiahealthcaretourism.com/www.batrahospitaldelhi.org) | ND |  |
| 4 | [Bhatia Global Hospital & Endosurgery Institute, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=197) | [www.bhatiaglobalhospital.com](http://www.indiahealthcaretourism.com/www.bhatiaglobalhospital.com) | ND |  |
| 5 | BLK Super-specialty Hospital | [http://www.blkhospital.com](http://www.blkhospital.com/) | D | Health Check-up Packages |
| 6 | Delhi Heart and Lungs Institute | [www.dhli.in](http://www.indiahealthcaretourism.com/www.dhli.in) | ND |  |
| 7 | [Dharamshila Hospital And Research Centre, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=123) | [http://www.dhrc.in](http://www.dhrc.in/) | ND |  |
| 8 | [RAJAN DHALL FORTIS HOSPITAL, DELHI](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=118) | [http://www.fortishealthcare.com](http://www.fortishealthcare.com/) | ND | Ortho knee plant pricing/Stent Pricing |
| 9 | [Fortis Escorts Heart Institute, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=36) | [http://www.fortisescorts.in](http://www.fortisescorts.in/) | ND |  |
| 10 | [Ganga Medical Centre & Hospitals Pvt Ltd, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=198) | [www.gangahospital.com](http://www.indiahealthcaretourism.com/www.gangahospital.com) | ND | Prices of orthopedic implants mentioned. |
| 11 | [Holy Family Hospital, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=195) | [www.hfhdelhi.org](http://www.indiahealthcaretourism.com/www.hfhdelhi.org) | ND | Prices of orthopedic implants mentioned. |
| 12 | [Indian Spinal Injuries Centre](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=107) | [http://www.isiconline.org](http://www.isiconline.org/) | D | Health Check-up package Prices |
| 13 | Medanta - The Medicity, Gurugram | <https://www.medanta.org/gurugram/> | ND |  |
| 14 | [Indraprastha Apollo Hospitals](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=48) | <https://delhi.apollohospitals.com/> | ND | Knee Implant and stent price./Lists exhaustive list of medical procedures and health check-up |
| 15 | SCI IVF Hospital, Delhi | <https://www.sciivf.com/> | ND |  |
| 16 | [Jeewan Hospital & Nursing Home Pvt Ltd](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=210) | [www.jeewanhospital1.com](http://www.indiahealthcaretourism.com/www.jeewanhospital1.com) | ND |  |
| 17 | [Maharishi Ayurveda Hospital](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=65) | [http://maharishiayurvedaindia.org](http://maharishiayurvedaindia.org/) | D | Prices of packages including accommodation |
| 18 | [Manipal Hospitals Dwarka](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=264) | [www.manipalinternationalpatientcare.com](http://www.indiahealthcaretourism.com/www.manipalinternationalpatientcare.com) | D | Health Packages |
| 19 | [Max Super Speciality Hospitals](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=108) | [http://www.maxhealthcare.in](http://www.maxhealthcare.in/) | ND | Only stent prices |
| 20 | [Max Super Speciality Hospitals](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=110) | [http://www.maxhealthcare.in/index.php/hospital-](http://www.maxhealthcare.in/index.php/hospital-network/max-super-speciality-hospital-patparganj) | ND |  |
| 21 | [National Heart Institute, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=251) | [www.nationalheartinstitute.com](http://www.indiahealthcaretourism.com/www.nationalheartinstitute.com) | D | Only Health Check-up |
| 22 | [Primus Super Speciality Hospital, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=79) | [http://www.primushospital.com](http://www.primushospital.com/) | ND |  |
| 23 | [Pushpawati Singhania Research Institute, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=82) | [http://www.psri.net](http://www.psri.net/) | ND |  |
| 24 | [RG Stone Urology & Laparoscopy Hospital, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=290) | [www.rghospitals.com](http://www.indiahealthcaretourism.com/www.rghospitals.com) | ND |  |
| 25 | [SCI International Hospital, Delhi](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=304) | [www.scihospital.com](http://www.indiahealthcaretourism.com/www.scihospital.com) | ND |  |
| 26 | Asian Heart Institute,Mumbai | [www.asianheartinstitute.org](http://www.indiahealthcaretourism.com/www.asianheartinstitute.org) | ND | Prices of coronary stent. |
| 27 | [BNH HCG Cancer Centre, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=25) | [http://www.hcgoncology.com](http://www.hcgoncology.com/) | ND |  |
| 28 | [Breach Candy Hospital Trust, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=358) | [www.breachcandyhospital.org](http://www.indiahealthcaretourism.com/www.breachcandyhospital.org) | ND |  |
| 29 | [Gangamai Hospital, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=191) | [www.gangamaihospital.com](http://www.indiahealthcaretourism.com/www.gangamaihospital.com) | ND |  |
| 30 | [Holy Spirit Hospital, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=262) | [www.holyspirithospital.org](http://www.indiahealthcaretourism.com/www.holyspirithospital.org) | ND |  |
| 31 | [Jaslok Hospital & Research Centre, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=50) | [http://www.jaslokhospital.net](http://www.jaslokhospital.net/) | ND | Estimate for Health Packages provided on request. |
| 32 | [Jupiter Hospital, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=51) | [http://www.jupiterhospital.com](http://www.jupiterhospital.com/) | ND |  |
| 33 | [Kaya Skin Clinic, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=55) | [http://www.kayaclinic.com](http://www.kayaclinic.com/) | ND |  |
| 34 | [Krishna Hospital and Medical Research Center, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=248) | [www.kimskarad.in](http://www.indiahealthcaretourism.com/www.kimskarad.in) | ND |  |
| 35 | [P.D. Hinduja Hospital & Medical Research Center, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=116) | [http://www.hindujahospital.com](http://www.hindujahospital.com/) | ND |  |
| 36 | [Seven Hills Healthcare, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=93) | [http://www.sevenhillshospital.com](http://www.sevenhillshospital.com/) | D | Health Check-up packages |
| 37 | [Tata Memorial Centre, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=117) | [https://tmc.gov.in](https://tmc.gov.in/) | ND |  |
| 38 | [Wavikar Eye Institue, Mumbai](http://www.indiahealthcaretourism.com/hospital_details.php?hospid=140) | <http://www.wavikareye.com/> | ND |  |

**Source** : <http://www.indiahealthcaretourism.com/hospital_lists.php?location=11>

ND - Not Disclosed , D - Disclosed