

The Right to Morphine Availability

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Morphine is a cheap and potent analgesic. Because of its abuse potential, strict control on its availability in India was enforced through the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 which required patients to go through a lot of paperwork before availing it on prescription. The tough provisions which intended to prevent easy access and likely abuse of opioids, deprived the suffering patients from pain relief due to its difficult availability. The draconian provisions of the NDPS Act for inadvertent lapse had imprisonment as punishment. (1) Hence the medical doctors desisted from prescribing it and hospitals did not stock it.

Since the use of morphine was under strict regulation, the lengthy bureaucratic procedures discouraged its manufacturing in the country and limited its availability. (2) The misery was that in spite of the country producing >90% of global quantum of morphine, these were not easily available in own country for pain management. Generations of medical doctors in India did not see a tablet of morphine. (3)

The NDPS Act Amendment Bill was introduced in the Indian parliament in 2011 by the then Finance Minister Mr. Pranab Mukherjee. (4) The amendments prescribed the forms and conditions of the licence / permits for the manufacture, possession, transport, inter-state import - export, sale, purchase, consumption / use of essential narcotic drugs and charging fee for that. The Indian Association of Palliative Care relentlessly pushed for support to the passage of the amendment Bill in Indian parliament. (3) The Indian parliament passed this bill amending the NDPS Act on 20th Feb 2014 which recommended simplification of regulations for procuring and possessing narcotic medicine like morphine for medicinal purposes, so as to allow access to morphine as a pain-reliever. This amendment intended to enable

registered agencies to procure morphine by obtaining a single license from the respective State Drug Controller. The bill was passed by Rajya Sabha on 21st Feb 2014, got the assent of the President of India on 7th March 2014 and The Gazette notification was published on 10th March 2014. (4,5) Mr Pranab Mukherjee who had introduced this bill in parliament in 2011, now is the President of India. The simplified regulation removed the legal barriers that prevented the needy from accessing morphine. (3)

Some skeptics have expressed the fears that with the relaxation in NDPS Act, there will be a sudden surge in the demand for morphine, which may not be met as > 90% of the opium produced in India is exported. (3) However, such fears are misplaced and unfounded as the International Narcotics Control Board, which regulates the cultivation of poppy plants and the production of opioids, may not stand in the way of India's need to grow more poppy.

This amendment to the NDPS Act affirms that when the real political will to correct the anomalies is there, perseverance and sustained efforts get the desired change which is the term of the populations. Sociologically speaking every change is a slow process and is initially resisted. People are resistant to bring-in the change because status-quo provides them the psychological security of continuing with existing practices. The NDPS amendment also suffered hiccups and opposition. Good, that wiser sense finally prevailed over the political rulers who realized the suffocating laws and went liberal by easing off the stricter controls to make this naturally occurring, powerful analgesic available for clinical therapeutics.

In terminally ill patients, intractable and incurable conditions like carcinoma, and in extremely painful

conditions, the advantages of giving opioids outweigh their accompanying adverse reactions. Hence when the clinical justification for the use of opioids is strong, justifiable and tenable, the patients must have availability, accessibility, and affordability to Morphine unquestionably. Those, whose death is imminent, have the right to die peacefully rather than suffer a painful death. Under the new amendment these will have easier access to Morphine. (6)

Moving the NDPS (Amendment) Bill 2011 for consideration and passage in Rajya Sabha, minister of state for finance said "We need to get the crop, but at the same time, we will have to be cautious against trafficking. We need to make the drug available," further clarifying that with the new legislation, availability of morphines would go up by 40%. (7)

Generations of doctors have not dealt with morphine during their training period. Close to one million adults suffering from cancer require morphine in India, but only 0.22 per cent of them have access to it. (7) Now with increasing access, it calls for sensitizing the medical fraternity to providing pain relief, managing the opioids, teaching medical students about pain and palliative care, and training them to put this knowledge into practice. All this will naturally take some time.

Let us not worry unnecessarily about the misuse of morphine. Well controlled use decreases the misuse. There are so many useful medicines which continue to be misused and abused. The medical profession does not stop using these clinically for those fears. Why then step motherly treat Morphine?

Modern India needs more such activist steps to rationalize the therapeutics. Appreciations for all those who brought this amendment.

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