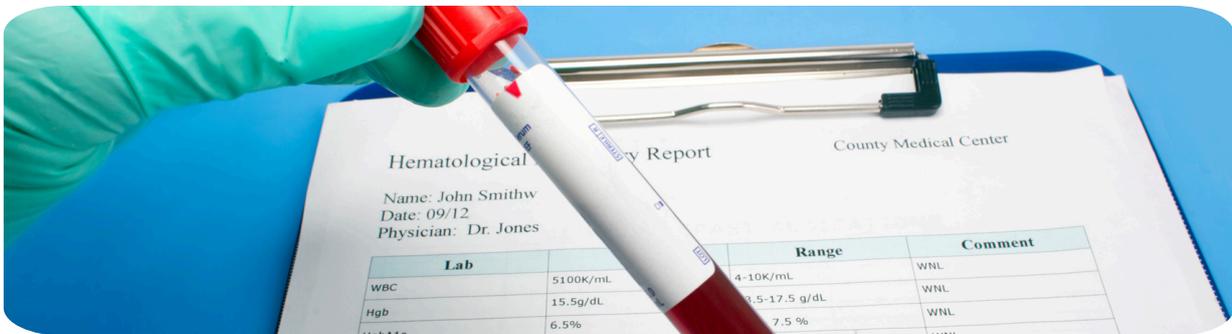


# RECOGNITION OF MDS ORAL PATHOLOGISTS AS LABORATORY REPORT SIGNATORIES: LEGAL, ACADEMIC, AND REGULATORY PERSPECTIVES

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## Abstract

Oral and Maxillofacial Pathology (OMFP) is a specialized field in dentistry that involves the diagnosis of oral, maxillofacial, and head and neck diseases using histopathology, cytopathology, hematology, microbiology, and molecular diagnostic techniques. Despite the extensive training imparted to MDS Oral Pathologists, their role as signatories for laboratory reports has been a subject of debate in India. However, multiple legal, academic, and regulatory frameworks support their eligibility for signing histopathology and laboratory diagnostic reports. The Dental Council of India (DCI) MDS Regulations, 2007 & 2017, as published in The Gazette of India, provide a solid foundation by explicitly stating that Oral Pathologists are trained in histopathology, hematology, cytology, microbiology, and serology. Additionally, rulings such as the Madras High Court Judgment (2023) recognizing BDS/MDS as modern medicine, Ministry of Health and Family Welfare (MoHFW) directives (2017, 2018, 2024), RTI responses from government institutions, and National Accreditation Board for Testing and Calibration Laboratories (NABL) approvals further strengthen this claim. From a legal standpoint, primary and secondary evidence under the Bhartiya Sakshya Adhiniyam, 2023 (corresponding to the Indian Evidence Act, 1872) provides documentary proof of their competency. This paper aims to comprehensively analyze the scientific, legal, and professional aspects of granting MDS Oral Pathologists the authority to sign laboratory diagnostic reports and recommends policy amendments for their formal integration into India's healthcare system.

## 1. Introduction

Pathology is the backbone of modern medicine, providing critical insights into disease processes. Oral and Maxillofacial Pathology (OMFP) focuses on diagnosing oral, maxillofacial, and head and neck diseases using histopathology, microbiology, cytology, and molecular pathology. Oral Pathologists play a crucial role in diagnosing oral cancer, potentially malignant disorders (PMDs), infectious diseases, odontogenic cysts, and tumors, among others. Their expertise in biopsy interpretation, fine-needle aspiration cytology (FNAC), immunohistochemistry (IHC), and molecular pathology qualifies them as diagnostic specialists.

Despite their specialized training, MDS Oral Pathologists' authority to sign laboratory reports has been a subject of regulatory ambiguity. However, multiple legal and academic sources confirm their eligibility. The Gazette of India, as published under the DCI MDS Regulations, 2007 & 2017, recognizes that MDS Oral Pathologists are extensively trained in laboratory diagnostics. Additionally, judicial precedents, such as the Madras High Court judgment of 2023, RTI responses, NABL accreditation approvals, and Ministry of Health and Family Welfare (MoHFW) directives (2017, 2018, 2024), further validate their role in laboratory medicine. This article aims to provide a structured, evidence-based argument for recognizing MDS Oral Pathologists as authorized laboratory signatories in India.

## 2. Academic and Regulatory Framework Supporting MDS Oral Pathologists as Laboratory Signatories

### 2.1 Recognition by the Dental Council of India (DCI) and the Gazette of India

The Dental Council of India (DCI) MDS Regulations, 2007 & 2017, published in The Gazette of India: Extraordinary (Part III, Section 4), serve as the primary regulatory framework for MDS Oral Pathologists in India. These regulations explicitly outline that MDS Oral Pathologists are trained to conduct and report laboratory investigations, including histopathology, hematology, cytopathology, microbiology, serology, and molecular diagnostics. Specific references to these competencies can be found in:

- Page 87 of the DCI MDS Regulations, 2007 & 2017, which states: “An Oral Pathologist is expected to perform the routine histopathological evaluation of specimens relating to oral and perioral tissues and carry out routine diagnostic procedures, including hematological, cytological, microbiological, immunological, and ultrastructural investigations” (DCI, 2007) [1].
- Page 91 under "Clinical Pathology", which specifies: “Laboratory investigations – Hematology, Microbiology, and Urine Analysis” (DCI, 2007) [1].
- Page 94 under "Scheme of Examination", which mandates that an MDS Oral Pathologist should be competent in “Smear preparation (cytology or microbial smear) and histopathology slide discussion” (DCI, 2007) [1].

### 3. Judicial and Ministry of Health and Family Welfare (MoHFW) Recognitions

#### 3.1 Judicial Precedent: Madras High Court Judgment (2023)

The Madras High Court (2023) ruled that BDS and MDS degrees qualify as part of modern medical practice, establishing legal precedence for Oral Pathologists in laboratory diagnostics [3].

#### 3.2 Ministry of Health and Family Welfare (MoHFW) Notifications (2017, 2018, 2024)

In November 2017, the MoHFW acknowledged that MDS Oral Pathologists, under DCI guidelines, are qualified to sign histopathology reports. This was reaffirmed in March 2018, stating that Oral Pathologists' reports are valid under the Dentists Act, 1948 [4,5]. In 2024, MoHFW officially recognized Oral Pathologists as authorized laboratory signatories, paving the way for policy amendments in the Clinical Establishments Act [6].

### 4. NABL Accreditation and Clinical Establishments Act

The National Accreditation Board for Testing and Calibration Laboratories (NABL) grants laboratory accreditation in India. Tohana Manglam Diagnostics, accredited in 2022 & 2024, lists Dr. Bhuvan Nagpal (MDS Oral Pathology) as an NABL-approved signatory for hematology, clinical pathology, microbiology, serology, and biochemistry, reinforcing their authority to sign diagnostic reports [7].

### 5. Conclusion

The legal, academic, and regulatory evidence overwhelmingly supports the recognition of MDS Oral Pathologists as laboratory report signatories. The Gazette of India (DCI MDS Regulations, 2007 & 2017), MoHFW notifications, RTI responses, NABL accreditation decisions, and judicial rulings establish their competency and long-standing practice in diagnostics. The next step is the formal amendment of the Clinical Establishments Act to explicitly include MDS Oral Pathologists as recognized signatories in medical laboratories across India.

### References

- [1] The Gazette of India: DCI MDS Regulations, 2007 & 2017.
- [2] National Medical Commission, 2017.
- [3] Madras High Court Judgment, W.P. (MD) No. 4882 of 2023.
- [4] MoHFW Notification, November 2017.
- [5] MoHFW Notification, March 2018.
- [6] MoHFW Notification, 2024.[7] NABL Accreditation of Tohana Manglam Diagnostics, 2022 & 2024.