Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference:INT/WMID/2023/172

Mr. Santanu Chattopadhyay .... **Complainant**

vs

Divine Nursing Home,Kharagpur.....**Respondent/ Respondents**

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	04/10/ 2023	The complaint would relate to discharge as well as billing. We have gone through the complaint. There was lot of misunderstanding on the issue of discharge. According to the complainant, he got a phone call from a nursing staff that his mother would be released on August 24, 2023. Based on such telephonic communication he made all arrangements including booking of prepaid ambulance. When he reached the CE on the day fixed, along with the ambulance he was told that doctor did not discharge the patient. Under compulsion he had to sign

DORB / LAMA form to take back his mother.

In reply, CE in their reply would depict a complete different picture. According to them, there had been difference of opinion as the complainant wanted some undue favour from them by ante-dating the admission to make unlawful gain from his employer. CE did not agree. Hence, the complainant has made such ridiculous complaint.

CE would assert, the complainant wanted his mother to be discharged on that day despite the fact that the doctor did not discharge his mother. He signed DORB form and took his mother back.

We have considered the rival contentions. It would be very difficult to believe one story against the other.

The concerned treating doctor is present online. In deference to the desire of the Commission the concerned doctor has agreed to give a complete clinical summary about the condition of the patient at the time of admission including diagnosis, treatment given to the patient and

her condition at the time of discharge as well as post discharge advice that could be submitted by the complainant to his employer for reimbursement.

On the billing issue we find a serious dispute. The complainant would contend, the CE gave one receipt for Rs. 16,500/- and the other for Rs. 22,304/- that would amount to Rs. 38,804/- (wrongly written as Rs. 38,840/-). The CE would contend, they have a pharmacy in the same building being run as a complete separate entity. They submitted bill for Rs. 16,500/- for treatment and gave a separate bill for medicine and consumable for Rs. 5,804/- aggregating to Rs. 22,304/- for which receipt was issued.

They would explain the receipt for Rs. 16,500/- by contending, such receipt was initially given against the bill of cost that the nursing home raised on the patient however, on the request of the complainant who happens to be the neighbour of the owner of the nursing home a new receipt was given for Rs. 22,304/-.

We feel it difficult to believe the contention of the CE when we find receipt for Rs. 16,500/- was numbered as 960 whereas receipt for Rs. 22,304/- was numbered as 959 that would prove, receipt for Rs. 16,500/- was subsequently given.

To resolve the issue, we direct the CE to call back both the bills being the Nursing Bill and medicine and consumable bill and make a composite bill for Rs. 22,304/- less Rs. 2,820/- that was charged in excess as we find on examination of the bill.

Needless to mention, the CE must refund the said amount of Rs. 2,820/- to the complainant on sharing of his bank details in course of the day.

The complainant would be free to take appropriate legal step for recovery of the balance amount of Rs. 16,500/- that the CE has denied having received in excess of Rs. 22,804/-, in accordance with law.

The entire process of preparation of the new bill and refund of the sum Rs. 2,820/- must be completed

within a week from date.

We earnestly request the General Manager, South Eastern Railway, the employer of the complainant, to honour the bill that we hereby settle as and when the same is submitted by the complainant for re-imbursement.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Secretary
West Bengal Clinical Establishment
Regulatory Commission