

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: ID- INT/KOL/2023/147

Present: Justice Ashim Kumar Banerjee (Retired), Chairman

Dr. Sukumar Mukherjee,

Dr. Makhan Lal Saha

Dr. Maitrayee Banerjee,

Smt. Madhabi Das.

Mr V Murli Krishna.....Complainant

- Versus-

R.N. Tagore HospitalRespondent

Heard on: September 7, 2023

Judgment on: November 17, 2023.

The patient Mr. Murli Krishna, 78 year old was admitted at R.N. Tagore Hospital on July 15, 2023 at 9.30 p.m. with a history of fall in a road accident. He was first admitted at TMC and thereafter at AMRI, Dhakuria where he was evaluated with traumatic cord compression with myelopathic change at C3, C4, C5 and C6 level. He had history of hyperuricemia and hypothyroidism. He had surgery on July 19, 2023 and was discharged after cure on July 28, 2023.

His son Mr. V. Murli Krishna made a complaint to us on August 20, 2023, to the effect that at the time of discharge CE did not inform him about the bed sore that his father was having at the time of discharge.

On August 3, 2023, after about 4-5 days of discharge he noticed the bed sore while the patient was being cleaned. The bed sore had a size of 20-20 which became life threatening. At the time of complaint, the patient was under care of skin specialist.

The complainant would complain about hospital negligence that resulted in bed sore of the patient while he was under treatment at the CE.

We asked for a response from the CE. CE gave a detailed response on day-to-day treatment of the patient. According to them, the skin

condition of the patient was clearly explained to the patient's relative at the time of his assessment done during admission. The braden score was 14 and the patient's body position was changed as per hospital protocol and back care was given as per patient's clinical condition. On the day of his discharge the braden score was 18. The skin in gluteal and back region was intact and dry. Skin care was given. The patient was discharged in hemodynamically stable condition.

We also understand from the response, the complainant made a phone call to Dr. Amitava Chanda, the concerned surgeon under whom the patient was admitted, on July 31, 2023 after about four days of discharge when he never raised any issue about the bedsore. The bedsore was complained for the first time on the second telephonic conversation made on August 4, 2023. To support their statement, the CE also sent medical records however, Nursing Assessment Register was initially not given that was subsequently shared with us.

We have evaluated the nursing records. The braden score 14 at the time of admission was not documented with counter signature from the patient relative. It appears that the Assessment Register recorded aberration. Such recording was made by Debosmita at 21:35 hours on

July 15, 2023 on the day of admission. The patient admission record was not disclosed. We also find a note of Debosmita dated July 15, 2023 to the effect, “ *patient party is clearly explained about the patient's skin condition*”. The signature of the patient family was conspicuously absent.

The photo of the bedsore was also shown at the time of hearing to us.

Even if we give full credence to what the CE would say, in absence of corroboration from the patient side and in absence of authentic evidence as to the counselling said to have been made at the time of admission, it would be difficult for us to believe the case made out by CE.

The patient was discharged on July 28, 2023. It was also the duty of the patient's relative to examine the patient's physical condition. Complainant made complaint after about 7 days. It is also a fact, it was a case of third admission by way of shifting. The patient had visited two clinical establishments before he was shifted to the third one being the CE above named. So, it is difficult to hold them fully responsible for the bedsore. At the same time, we deprecate the CE about the callous attitude of the nursing team. It was their duty to examine the skin condition at the time of admission and if the bedsore

was apparent they should have taken photograph of the same as also got it signed by the patient relative that was not done in the instant case. At least, we do not find any such record.

We impose a penalty of Rs. 10,000/- on the CE.

We also direct the CE to assist the complainant for treatment of the bed sore as and when required and asked for, free of cost except the medicine and procedure cost.

The complaint is disposed of accordingly.

Sd/-

(ASHIM KUMAR BANERJEE)

We agree,

Sd/-

Dr. Sukumar Mukherjee,

Sd/-

Dr. Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee,

Sd/-

Smt. Madhabi Das.

Authenticated
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission