Office of the West Bengal Clinical Establishment Regulatory Commission

1st Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.

Phone:- (033) 2262-8447 , Email: wbcerc@wb.gov.in Website: www.wbcerc.gov.in

Case Reference: INT/KOL/2024/110

Ms. Ruma Ghosh .... **Complainant**

vs

Apollo Hospital..... **Respondent/ Respondents**

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	24/05/ 2024	The complaint would relate to robotic surgery that was substantially disallowed by the TPA. The facts would reveal, it was a case of planned surgery and the concerned Gynaecologist attached to the CE, categorically assured, it would be properly allowed by TPA that we find from her letter and the whatsapp message annexed to the complaint. The complainant came to us when insurance was about to repudiate the entire claim. We forwarded the complaint to the CE. Ce has submitted their response. It appears from the response, the CE billed a sum of Rs. 4,05,496/- out of which Rs.

			3,08,376/- was sanctioned by the TPA leaving a balance sum of Rs. 97,120/- for the patient to pay. We have examined the TPA approval memo where we find, on two counts, the claim was disallowed; Rs. 8,075/- on account of non medical consumable and Rs. 90,000/- on the ground of "beyond reasonable and customary charges." The patient has been discharged without realisation of said sum of Rs. 97,120/-. At the hearing, the complainant would agree to pay Rs. 7,120/- on account of non-medical consumable and ready to approach Ombudsmen Insurance for the balance sum of Rs. 90,000/-. She is also prepared to adhere to the decision of the Ombudsmen Insurance to be had. Mr. Yosodhara Ghosh representing CE, would however, not agree with the approach made by the complainant. According to her, the patient was admitted under an insurance policy. If they are dissatisfied with the approval they would be at liberty to approach appropriate

authority. The CE is not concerned with the same. CE should be given appropriate liberty to take legal measure for recovery of the balance amount from the patient.

The parties are not ad-idem. The patient has already been released. There is no eminent problem hence, we do not wish to interfere. Parties would be free to ventilate their grievance before the appropriate forum as they would be entitled to.

The complaint is disposed of accordingly.

Sd/-
The Hon'ble Chairperson

Sd/-
Prof. (Dr.) Makhan Lal Saha – Member

Sd/-
Dr. Maitrayee Banerjee – Member

Sd/-
Smt Madhabi Das – Member

Authenticated

Secretary
West Bengal Clinical Establishment
Regulatory Commission