

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference:WBCERC/HOW/171/2024-25

Ms. Banalata Kundu..... **Complainant**

VS

CMRI.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	22/11/2024	<p>The complaint would relate billing.</p> <p>84 years female patient was admitted for about 14 days. She was admitted on June 28, 2024 and discharged as per medical advice on July 12, 2024. Since the patient was covered by mediclaim initially the preauthorisation estimate was given for Rs, 5,04,468/-. Final authorisation came for Rs. 5,41,129/-whereas the total bill amount was Rs. 6,82,707.14/-.</p> <p>As per the TPA final authorisation memo, substantial amount was disallowed in the category of medicine for Rs.75,699/- being non-payable on account of Uro-meter, glass, thermometer, mouthwash, lotion,</p>

gloves etc. that, in no stretch of imagination, could amount to such a huge amount.

We have examined the bill in detail.

We also do not find any cohesion on that count.

The Consumable was also disallowed being outside the mediclaim policy to the extent of Rs.27,960/-. Package cost was found to be in excess of Rs. 23,670/-.

The complainant has no grievance as against the excess amount of Rs. 23,670/- as it would be exceeding the limit prescribed in the mediclaim policy. She has also no grievance with regard to consumable as it would be outside the policy. However, the main grievance would relate to Rs.75,699/- and we find justification on that score.

The CE has given a reply after about a month. Pertinent to note, we received this complaint on October 22, 2024. We sent a copy thereof to the CE. CE has replied to the same just on the eve of the hearing

being dated November 20, 2024.

We do not find any assistance from the response as it is nothing but a copy paste of the particulars from the TPA approval memo, discussed above.

Despite our categoric notification given in the mail that the response must be shared with the complainant. As usual, the CE has not done so. They have tried to explain the reason that cannot impress us at all.

At the hearing, although they would agree that this was an abnormal deduction they cannot throw any light on the issue. The billing representative would submit, in case the complainant raised her voice at the time of discharge they could have taken it up with the TPA.

The complainant would contend, the reality was otherwise. As soon as the TPA clearance came the billing department compelled her to pay the balance amount of the bill amounting to Rs.1,41,416/- before the patient could be taken back home.

What the complainant would say, would impress us

		<p>particularly considering the conduct of the CE. Even if we accept the version of the billing executive we fail to appreciate how they could be oblivion even after receipt of the complaint sent by the Commission for their response. They waited for a considerable period to reply to the complaint however, they do not make any venture to enquire from the TPA as to the break-up of the said amount of Rs.75,699/-.</p> <p>The consumable has been charged outside the policy and that too at MRP.</p> <p>We feel, the complainant would deserve appropriate discount on the said sum.</p> <p>Dr G Bhattacharya, the Medical Superintendent, in his usual fairness, has offered his assistance to the complainant. He would assure, they would make an in-house inquiry to find out as to justification of this deduction. They would also escalate the issue with TPA and duly communicate the result to the complainant. In case any amount is liable to be refunded it would be done</p>
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without any delay.

On such assurance being given, we permit the CE to give a complete re-look to the bill particularly the amount which they have realised from the complainant after it was disallowed by the TPA.

In the meantime, as and by way of interim measure, we direct payment of Rs.50,000/- to the complainant.

We make it clear, in case any final amount found to be paid to the complainant after inquiry, exceeds Rs.50,000/- this amount would be adjusted against the final amount.

We make it clear, irrespective of the result of the inquiry and re-look, our direction to make payment of Rs. 50,000/- would be final.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authentic

Secretary
West Bengal Clinical Establishment
Regulatory Commission