

Office of the West Bengal Clinical Establishment Regulatory Commission  
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Case Reference:WBCERC/PUR/180/2024-25

Mr. Sanjoy Kumar Dey..... Complainant

vs

Fortis Hospital.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	27/11/2024	<p>The complaint would relate to billing. The complainant has approached Dr Debajyoti Dutta who prescribed cervical epidural steroid injection. Dr. Dutta gave an estimate of Rs. 16,000/- as told to us by Mr Dey, the complainant above named. However, the complainant chose to approach the CE when the CE gave an estimate of Rs. 1.65 lakhs under a mediclaim policy. Pre-authorisation was initially given by Star Health for Rs. 10,000/- that was enhanced to Rs. 50,000/- as we find from the pre-authorisation letter dated October 4, 2024</p>





		<p>shared by Star Health with the parties above named.</p> <p>Pre-authorisation would mention, initially the approved amount was Rs. 10,000/- on the basis of request for Rs. 47,000/- however, subsequent request was for Rs. 1.65 lakhs. Considering that the Star Health gave an approval for Rs. 50,000/-.</p> <p>Earlier pre-authorisation came on October 4, 2024 at 1.35 p.m. The modified pre-authorisation came on the same day at 3.27 p.m. The patient was admitted at 5 p.m after knowing that the total estimate was Rs. 1.65 lakhs whereas Star Health had approved Rs. 50,000/- that would require the patient to pay Rs. 1.15 lakhs.</p> <p>The complainant submits, soon after the admission he was administered the injection at the</p>
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		<p>OT and the concerned doctor discharged him accordingly. However, for reasons best known to the complainant and the hospital, he stayed there for one day, possibly to avail the insurance benefit.</p> <p>At the time of final authorisation Star Health stuck to their earlier approval of Rs. 50,000/- and rejected the balance claim that was made for Rs. 1,08,032/-. The hospital granted standard discount as per MOU for Rs. 12,498/- making the net amount of Rs. 95,535/- out of which 50,000/- had been sanctioned by the TPA requiring the patient to pay balance sum of Rs. 45,536/-.</p> <p>The complainant has now come up as against the additional amount that he had to pay.</p> <p>We find from the final authorisation, the</p>
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		<p>deduction was made on three counts; OT charges for Rs. 48,063/- that was reduced to Rs. 23,428/- disallowing to Rs. 24,635/-; procedure charges for Rs. 29,907/- allowing Rs. 19,000/- only disallowing Rs. 10,907/-. The miscellaneous charges was disallowed to the extent of Rs. 1,901/-.</p> <p>Our esteemed member Dr. Maitreyee Banerjee has expressed doubt as to how for administering injection even if with anaesthesia, could attract OT charges for Rs. 48,000/-. Similarly, the procedure charges which was estimated for Rs. 16,000/- by Dr. Dutta could not be Rs. 29,907/- as charged by the hospital.</p> <p>Mr Sahin Biswas, representing the CE, along with Medical Superintendent Dr. Suchandra Gadre would submit, the bill was made strictly as per the</p>
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		<p>tariff fixed by the MOU entered into between the insurance company and the hospital.</p> <p>Dr. Bapi Singh Insurance-In-Charge would support such contentions.</p> <p>We are not at all impressed.</p> <p>The entire procedure was estimated by the concerned Doctor himself for Rs. 16,000/-. Even if the hospital could impress the TPA that the patient would require monitoring, got a sanction of Rs. 50,000/-, the hospital is not entitled to charge the amount that was totally denied by the insurance being in excess of the maximum amount payable for the said item. Rs. 24,635/- and Rs. 10,907/- aggregating to Rs. 35,542/- could not have been charged.</p> <p>We direct refund of the said sum of Rs.</p>
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			<p>35,542/-.</p> <p>This direction for refund would however not preclude the hospital to approach the Ombudsman Insurance for sanctioning of the said amount if they so desire.</p> <p>The complaint is disposed of accordingly.</p> <p>Sd/- The Hon'ble Chairperson</p> <p>Sd/- Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/- Dr. Maitrayee Banerjee – Member</p> <p>Sd/- Smt Madhabi Das – Member</p> <p><i>Authenticated</i> <i>[Signature]</i> Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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