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Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference:WBCERC/SOU/209/2024-25

Mr. Ashok Kumar Prasad Complainant

vs

Medica Superspeciality Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	09/01/2025	<p>The complaint would relate to treatment protocol as well as billing.</p> <p>From the records it would appear, the patient was too critical. The elderly patient was there for about 24 days. She unfortunately died out of hospital acquired infection “Elizabethkingia.”</p> <p>The complainant, the son of the patient, is present online. So is the other brother of the complainant, doctor by profession.</p> <p>They would admit, the patient was too critical. However, Dr. Arun Prasad, one of the sons of the patient, would submit, he was apprehensive of the</p>



		<p>situation. When the patient was getting better after treatment he requested the treating doctor to get her released. However, there had been delay in release of the patient. Ultimately the unfortunate incident happened when the patient was attacked by the hospital acquired infection that resulted in her death. He would also admit, he should have gone for DAMA at that stage however, he was waiting for one or two days to make arrangement for dialysis and in between the unfortunate incident happened.</p> <p>Mr. Komal Dashora, representing the CE, would submit, although the patient was affected by the hospital acquired infection her co-morbidities could also be added to the cause of death.</p> <p>In our view, whether the treating doctors should have acceded to the request of Dr. Prasad in early discharge of the patient, is a question that would be touching the medical issues being outside our domain. The complainant would be free to approach appropriate</p>
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		<p>authority if he so likes.</p> <p>The complainant would also raise billing issue.</p> <p>The patient was admitted under CGHS category. The hospital billed according to CGHS rate as submitted by Mr. Dashora. For 24 days treatment, the hospital billed Rs. 6,74,744/- out of which CGHS sanctioned Rs. 4,48,867/- and the complainant had to pay Rs. 2,25,877/- principally on account of consumable and other non-medical expenses. Mr. Dashora would submit, the bill was prepared with strict adherence to the CGHS tariff hence, there could hardly be any scope to interfere on that score.</p> <p>Even if we give full credence to what Mr. Dashora would say on billing we feel, when, despite 24 days strenuous efforts of the treating team the hospital could cure the patient who breathed her last at the hospital the hospital should have shown some empathy particularly, on the issue of payment that the complainant had to pay.</p> <p>We appeal to the wisdom of the CE and expect them</p>
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to have a complete relook to the issue.

At this juncture, in deference to the desire of the Commission, Mr. Dashora, would agree to pay Rs. 45,000/- (approximately 20%) as refund to the complainant.

The complainant is directed to share his bank details with the CE so that money could be refunded to his account at once.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authentic
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission