

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: WBCERC/HOO/235/2024-25

Mr. Sanjoy Prasad Ghosh Complainant

vs

Medica Superspeciality Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	12/02/2025	<p>The patient went for day care surgery for a gynecological problem.</p> <p>She was given an estimate of Rs. 55,000/- to Rs. 60,000/- with ten to fifteen per cent escalation. If we calculate, the maximum amount would come to Rs. 69,000/- .</p> <p>When the patient was discharged she was charged Rs. 81,931/- hence, the complaint.</p> <p>On receipt of the complaint we asked for response. The CE in their response particularly in Paragraph 4.4 stated:-</p> <p><i>“Lack of Communication and Consent: The patient</i></p>

relative had given consent and high risk consent for Hysteroscopy and endometrial biopsy. And they were verbally informed by the consultant that during the hysteroscopy, if polyp is found it is removed. Since patient was under spinal anaesthesia and was awake and conscious. Consultant informed her of polyp and removal of the same. Hysteroscopy is a diagnostic and therapeutic procedure and during examination if such polyp comes in view, they are removed. No separate Consents are required for removal of polyp during the procedure. Later the consultant after completing all her operation had counselled the relatives that there was a polyp that was causing all her problems and it was removed. All details are been recorded in medical records and in the discharge summary which was handed over to them at the time of discharge. Consultant have counselled over phone post surgery and also post operative they came for a follow up check up with the consultant and patient is now doing fine. "

Even if we accept what has been stated in reply to

the extent that the patient was verbally informed that there might be polyp and in case it was found it would be removed the same must have reflection in the estimate.

The CE would justify their bill by contending that polypectomy is a different procedure for which the bill has been raised.

It is a day care surgery, the patient was admitted after signing an estimate that would at best go upto Rs. 69,000/-. Chance of polyp being there, should have been taken care of while giving an estimate referred to above. It has not been done.

We direct the CE to retain Rs. 69,000/- being the maximum amount payable as per the consent and refund the balance amount.

At this juncture, Mr. Komal Dashora would point out that biopsy was done that was not covered by the package.

Let them retain also the biopsy cost while

refunding the amount.

The complainant is directed to share his bank details so that the money could be refund to him.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authenticated

[Signature]

Secretary
West Bengal Clinical Establishment
Regulatory Commission