

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:WBCERC/KOL/232/2024-25

Mr. Pradeep Chowdhury Complainant

vs

Fortis Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	05/02/2025	<p>The complaint would relate to billing in case of an insurance patient.</p> <p>The complainant has raised various issues on billing however, we refrain from going into the same as we feel, once the patient is admitted under an insurance policy the entire billing system would be guided by the saidpolicy. If there is any irregularity the complainant would be free to approach appropriate authority in that regard.</p> <p>We however, joinissue when we find, any amount wasdeducted from the bill by the insurer on the ground, it was not covered by the policy.</p>

			<p>We have perused the TPA approval memo where we find, three items were deducted from the bill that the CE realised from the patient.</p> <p>Three items therein, in our view, would be germane for our consideration.</p> <p>i) Consumable. ii) ICU charges and iii). Other charges.</p> <p>i) Consumable:-The CE has billed Rs. 67,155/-. The TPA deducted this amount not being covered by the policy. In such event, the amount would attract twenty percent discount as per our guidelines. We find from the deduction memo, the CE has already given discount on consumable amounting to Rs. 6,613/- whereas as per our calculation the amount should be Rs. 13,430/- hence, there is a short fall of Rs. 6,817/- that the CE would have to refund.</p> <p>ii) ICU Charges:- We have heard the CE in detail particularly, Mr. Sahin Biswas and Dr. Bapi Singh on the issue.</p>
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			<p>According to the Dr. Singh, Insurance policy always makes a capping on the bed charges. If any particular policy does not cover the charge of the bed used by the patient the deferential amount has to be paid by the patient. While we are ad-idem with what Dr. Singh would say, with all humility may we say, bed charge and ICU charge cannot be equated. There are different categories of beds and the patient has an option to choose a particular bed attracting a particular tariff. In case, such particular tariff does not suit the insurance policy the patient would have to bear the difference. However, in case of ICU, there is no gradation. If there is any capping as Dr. Singh would say, that might be applicable for the CE to charge the insurance company, not the patient.</p> <p>The TPA rightly rejected Rs. 28,500/- in that regard. CE is not entitled to recover this amount</p>
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			<p>from the patient. This amount must be refunded.</p> <p>iii) Other Charges:- In this category, the CE has charged Rs. 3,030/- on account of (a) biomedical waste (b) linen and laundry (c) medical record charges and (d) RMO charges. The medical record charge is definitely payable. A sum of Rs. 550/- has been charged on this count. The patient would have to pay. However, the other items are not liable to be paid.</p> <p>Biomedical waste, linen and laundry are built in charges. Once patient is admitted at the CE there cannot be any separate charge for the same. So is the case of RMO.</p> <p>We disallow the amount and direct refund of Rs. 2,530/- on this count.</p> <p>In conclusion, we direct the aggregate sum of Rs. 37,847/- as refund to be paid to the complainant on sharing of his bank details.</p>
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			<p>The complaint is disposed of.</p> <p>Sd/-</p> <p>The Hon'ble Chairperson</p> <p>Sd/-</p> <p>Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/-</p> <p>Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/-</p> <p>Dr. Maitrayee Banerjee – Member</p> <p>Sd/-</p> <p>Smt Madhabi Das – Member</p> <p><i>Authenticated</i></p> <p><i>[Signature]</i></p> <p>Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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