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Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: WBCERC/KOL/294/2024-25**

Ms. Ria Paul ..... Complainant

vs

CMRI.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	17/04/2025	<p>A stroke patient was admitted on January 3, 2025. He was slowly improving in ICU and then shifted to HDU for some time. However, during stay in the hospital the patient acquired Aspiration Pneumonia (Klebsiella), a hospital acquired infection, resulting in deterioration hence, the patient was again shifted to ICU where he breathed his last on February 01, 2025.</p> <p>The patient was initially admitted under Mediclaim Policy where initial approval was asked for Rs. 1,38,000/- whereas authorisation was given for Rs. 10,000/- only. On January 13, 2025 the TPA</p>





enhanced the amount to Rs. 38,000/-. On January 16, 2025 the amount was enhanced to Rs. 2,00,000/-. On January 28, 2025 it was enhanced to Rs. 2.49 lakhs and ultimately the final approval came for Rs. 6,54,009/- against a bill for Rs.15,92,561.36/-.

After sanction of the TPA for Rs. 6,54,009/- the CE discounted the bill as per Mediclaim policy for Rs. 63,044.30/-. Taking into account the initial deposit of Rs. 9,500/- the complainant was to pay Rs. 8,66,008.03/- as outstanding.

The patient was the sole bread winner of the family consisting of the ill fated widow and only daughter who is a student.

The complainant contacted us on January 29, 2025 with a request to transfer the patient under Swasthya Sathi. We immediately advised the hospital to do the needful however, due to some technical glitch it could not be done.

SA

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During hearing Ms. Sumana, Insurance Executive of the CE, would submit, had it been transferred to the Swasthya Sathi the bill could have been reduced to Rs. 2.5 lakhs and the CE could recover a sum of Rs. 13,200/- from Swasthya Sathi. Even if we grant such benefit at this stage there would still be an outstanding to the extent of more than Rs. 4,00,000/-. The complainant is candid enough to submit, they are not in a position to pay the money.

The CE has issued a demand notice claiming the balance amount of Rs. 8,66,008.03 /- along with @ interest of 8 percent per annum.

Hence, this complaint.

We have considered the issue. It is unfortunate that the patient acquired Klebsiella, a hospital acquired infection resulting ultimate death after a prolonged treatment.

The complainant is not having any means of livelihood at present. Hence, question of payment of the balance outstanding with or without interest as claimed would be impossible.

Considering the entire scenario we feel, the hospital should not escalate the issue any further.

Dr. Bhattacharjee, the Medical Superintendent would fairly assure, they would adhere to the desire of the Commission.

We would also request the CE to form a Medical Board consisting of the treating doctors to explain the entire treatment protocol to the ill fated widow and the complainant, only daughter of the deceased so that they would know the reason for this untimely death.

Such Medical Board be formed at an early date with prior intimation to the bereaved family.



The complaint is disposed of accordingly.

Sd/-

The The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr.Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*



**Secretary**  
**West Bengal Clinical Establishment**  
**Regulatory Commission**

