

**THE WEST BENGAL CLINICAL ESTABLISHMENT
REGULATORY COMMISSION.**

Present: Justice Ashim Kumar Roy, Chairperson.

Dr. Sukumar Mukherjee, Member.

Dr. Makhan Lal Saha, Member.

COMPLAINT ID:KOL/2018/000288.

Mr. Biswanath Basak.....Complainant.

-versus-

Desun Hospital.....Respondents.

Date of judgment: 27th Nov, 2018.

J U D G M E N T.

According to the allegations leveled in the letter of complaint against the clinical establishment Desun Hospital, on 10.11.2017 at around 8.00 p.m. in the evening the father of the complainant who was a patient of chronic respiratory complications started feeling breathing problem. When the local doctor was called who advised for removal him to hospital. Initially they tried to get him admitted at Ram Krishna Mission Seba Pratisthan but due non availability of ICU bed he was taken to Desun Hospital. At the time of admission the complainant deposited Rs. 20,000/- and on the same day they were forced to pay another Rs. 40,000/-. The father of the complainant remained admitted at Desun from 10.11.2017 to 20.11.2017 and he paid a sum of Rs. 7 lakh in total but when the final bill was obtained. It was found the total bill was Rs. 2,68,449/-. It appears from the bill bed charge was Rs. 52,300/-, investigation charge Rs.65,040/-, doctors fees Rs. 18,950/-,equipment procedure Rs.5,950/-. It is not at all clear what it means "Purpose of investigation" and "equipment procedure. On account of other charges Rs.4,650/- was billed without any clarification. Bed charge on

10.11.2017 was charged twice. Half bed charge was charged for 10.11.2017 since his father was admitted at 2.00 a.m. and again Rs.7,900/- was charged for the same day. Due to this exorbitant the complainant was forced to remove his father to some other hospital.

In the complaint following areas has been identified where there was over billing.

- (i) Incompatibility in Bed-charges of 10/11/2017.
- (ii) Blood Gas Analysis more than once on a same day.
- (iii) Dengue NSI (ELISA) Test
- (iv) HIV Test
- (v) Difference in charges for the same test in different dates.
- (vi) USG- Whole Abdomen
- (vii) CT-Brain
- (viii) Fentanyl (10ml) applied twice in a single day which is absurd.
- (ix) Syringes used on 11/11/2017, 13/11/2017 & 14/11/2017 is mismatched with the requirement.
- (x) Domstal (10MgO 10 tablets on 16/11/2017 and again tablets on 17/11/2017, is not possible.
- (xi) Charges for Nebulisation is too high and it differs in different date.
- (xii) 20 Doctor's Visit in 10 days and Specialization of Doctors are not mentioned in particulars.
- (xiii) What is Daily Assessment Charges?

2. The clinical establishment submitted their reply, in the form of affidavit, denied all the allegations made against it.

3. Heard the complainant, his brother-in-law Pratik Sengupta and his counsel as well as the representative of the clinical establishment. The bills were very carefully scrutinized and the parties were heard on a number of occasion.

4. On scrutinization of the bill no discrepancy was found with regard to billing of bed charges on 10.11.2017. The patient was admitted at 2.00 a.m. on 10.11.2017 and half bed

charge was levied for 19 hours. Again from 12.00 noon bed charges were levied till 12.00 noon of next day and thereafter bed charges were billed for remaining 10 days.

As the patient was critically ill a large number of investigations were deemed necessary by the treating consultants and was advised accordingly. The investigations seemed to be justified as per medical records and protocols. Daily assessment charge is levied as daily nutritional assessment as per hospital policy and we do not find any wrong therein. It is however, true the charges for investigation and the consultation fees, of the doctors varied with the change of places where the patient were treated. When the patient was in ICU the doctors fees and investigation charges were more than what has been of the charges on the same account when he was in general bed. According to us this variation of charges is totally uncalled for and should be avoided at once. Since the charges so levied does not amount ^{to} any deviation from the declared fees and charges this cannot be held as over billing. As such no case for overbilling can said to have been made out.

In the result the case stands closed and disposed of.

Sd/-

Justice Ashim Kumar Roy
Chairperson.

Sd/-

Dr. Sukumar Mukherjee, Member.

Sd/-

Dr. Makhan Lal Saha, Member.

Authenticated
27/11/2018
ARSHAD HASAN WARSI
WBCS (Ex)
Secretary
W. B. C. E. R. C.