

Case Reference: NAD/2018/000462

Mr. Rikdeb Biswas..... Complainant

vs

R.N. Tagore International Institute of Cardiac Sciences..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	19/03/2019	<p>We have heard the petitioner at length. It is unfortunate that the petitioner lost his dearest and nearest one, his mother, who was a kidney transplant patient, subsequently, diagnosed as suffering from meningitis. The patient was admitted in the hospital on 26th June, 2018 with the complain of fever. The condition deteriorated. The doctors explained the condition of the patient from time to time. Ultimately, she was transferred to the critical care unit on 22nd July, 2018. All necessary treatment, that was required, was given. The patient was shifted to the ITU on 30th July, 2018. However, the patient could not recover and went into coma on 4th August, 2018. The clinical establishment constituted a medical board on 10th August, 2018 but the patient unfortunately passed away on 11th August, 2018. The Members of this Commission including the doctors present here are unanimous of the view, required treatment was given. However, the patient did not respond to the treatment and ultimately passed away. From the complaint, we do not find any specific area that would raise doubt with regard to negligence on the part of the clinical establishment.</p> <p>The petitioner also raised doubt as to the billing. However, he was not definite on the issue. Complainant pointed out discrepancy in requisition of medicines from the pharmacy. The clinical establishment informed that the total billing was Rs.12 lakh approximately for the entire treatment for about 46 days and major part of it was either in ICU or ITU. The patient party paid a sum of Rs. 5.74 lakh. The hospital authority unilaterally allowed discount to the extent of Rs. 2.5 lakhs, yet, the balance amount was not paid. The petitioner is not willing to pay the balance amount.</p> <p>We are told, the hospital authority has not taken any punitive measure for realization of the balance amount. In such event, we reserve the right of the petitioner to raise such issue in case any such punitive measure is taken in future.</p>

With this observation we dispose of this complaint.

Before parting with, we wish to convey unanimous observation of the Doctors present here with regard to the medical counseling that should be undertaken by all medical establishments in a situation like the one in hand. It is not expected for a patient party to go into each and every condition recorded in the consent form. It is the duty of the medical establishment to make it known to the patient party and particularly, the form should be printed both in English as well as local language, so that it would be easier for the patient party to understand each and every purport of the said consent form.

Office to communicate this order to all concerned.

Sd/-

The Hon'ble Chairperson

Sd/-

Dr. Sukumar Mukherjee, Member

Sd/-

Dr. Makhan Lal Saha, Member

Sd/-

Dr. Madhusudan Banerjee, Member

Sd/-

Prof. (Dr.) Pradip Kumar Mitra, Member

Sd/-

Dr. Maitrayee Banerjee, Member

Arshad Hasan Warsi
ARSHAD HASAN WARSI
WBCS (Ex)
Secretary
West Bengal Clinical Establishment
Regulatory Commission
&
Joint Secretary
Health & F.W. Department