

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: KOL/2018/000358

Md. Mozammel Hossain..... Complainant

vs

**R-flaming Hospital (A Unit of Zodiac Medicare & Hospitals Pvt. Ltd)..... Respondent/
Respondents**

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	31/07/2019	<p>The patient was admitted in the clinical establishment with the symptom of SLE with hypertension, proteinourea and fluid overload. The patient was admitted in the ICU. However, the ICU did not have duly qualified regular in-house Doctor. However, it appears that the patient was admitted on February 13,2018 and on February 15, 2018 the patient was advised for shifting to higher setup. The relevant extract of the consent signed by the complainant is quoted below :-</p> <p><i>“My patient Razia Sultana condition is very critical condition and Now M. Ventilator suppor, prognosis is very Grave and Need H.Dialoisis. Doctor also Explain us to shift the patient to Higher Center for further management.</i></p> <p><i>We are agree with current treatment in Flaming Hospital. ↓</i></p> <p><i>Dr. Bhaskar Roy</i></p> <p style="text-align: right;"><i>witness</i></p> <p style="text-align: right;"><i>Sd/-Md. Mozammel Hossain</i> <i>Brother</i> <i>15.02.2018</i> <i>3.50 pm”</i></p>

Despite such advice for shifting, the patient was kept under treatment at the clinical establishment. Hence we do not wish to interfere on that score. On perusal of the medical records as well as the bill, we find lot of anomalies. We find, the hospital gave a discount of Rs. 70,000/-. We feel, interest of justice would be subserved, if we direct the hospital to refund the service charges of Rs 17,601/- that is not permissible. We also find, the hospital charged the patient party for medicine at the MRP, whereas at least 10% discount is available in any pharmacy. Hence, the patient party is entitled to such discount. We, thus, direct the clinical establishment to pay a sum of Rs.20,000/- to the complainant. The complainant is present. He is not willing to accept the said sum. We direct the clinical establishment to pay the said sum to Islamia hospital, a philanthropic organisation and file a report of compliance with us.

We also direct the clinical establishment to immediately appoint a regular critical care in-house Doctor, otherwise, we would be recommending cancellation of the licence of the establishment. With this observation, the complaint is disposed of.

Sd/-
Hon'ble Chairperson

Sd/-
Dr. Sukumar Mukherjee, Member

Sd/-
Dr. Madhusudan Banerjee, Member

Authenticated
[Signature]

Secretary
West Bengal Clinical Establishment
Regulatory Commission
&
Jt. Secy. Deptt. of Health & FW
Govt. of West Bengal