

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: KOL/2018/000387

DwaipayanBasu..... Complainant

vs

MedicaSuperspeciality Hospital. Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	20/08 /2019	<p>The complaint would principally pertain to billing dispute. The patient was admitted in the clinical establishment for 17 days, mostly in Critical Care Unit. The hospital authority charged a sum of Rs. 13,71,965/-out of which the patient party paid a sum of Rs.3.54 lakhs. The hospital authority recovered Rs. 6,98,238/- from the Insurance Company. However, Mr. Dosera would contend, they ultimately received a lesser amount to the extent of Rs. 6.14 lakhs being a sum of Rs. 3,35,238/-. The complainant would contend, he had complain of the medical negligence as well as billing.</p> <p>The patient died on February 20, 2018. There was no contemporaneous complaint raised by the complainant . The complaint was lodged with us on May 18, 2018 after receipt of the demand notice for the balance outstanding amount on May 14, 2018. Hence, Medical negligence and hospital deficiency could not be justified. However, the billing dispute sounds logic. The members present in the panel would point out irregularity that would at best be Rs. 61,000/-</p>



approximately .

We find, the hospital authority claimed a sum of Rs. 8500/- for daily bed charges, however, that is not inclusive of the charges for the simple procedures that is necessary and available in a Critical Care Unit like RMO charges, insertion of catheter and other routine procedure required in CCU. Moreover, the monitor taking reading of some parameters were also separately charged. Mr. Dasora would contend, it is done as per the guidelines made by the insurance company. According to the insurance company, they have to break up the CCU charges by giving details of the procedures and they followed insurance company guidelines. The patient was charged for ventilator at the rate of Rs. 5000/- per day whereas separate charges were levied for insertion of ventilation system, this also cannot be justified . The logic so advanced by Mr. Dasora is not acceptable to us. However, this amount would involve Rs. 60,000/- to Rs. 70,000/- whereas the outstanding dues are Rs. 3.35 lakhs. Dr. Saha would also point out blood counts have been done both as automated and manually separately on the same day whereas the doctors in the panel are unanimous of the view, this would be a single procedure followed by two different methods and could not be charged separately.

The complainant would also dispute his signature appearing on the foot in the bill that is outstanding as on the date when the patient's body was handed over to the patient party. He may raise such issue at the appropriate time before appropriate forum.



We permit the clinical establishment to take appropriate legal measures for realisation of their bill, if, they are so advised with liberty to the complainant to defend the same in accordance with law.

The complaint is disposed of.

Sd/-

Hon'ble Chairperson

Sd/-

Dr. Sukumar Mukherjee, Member

Sd/-

Dr. Makhanlal Saha, Member

Sd/-

Dr. Madhusudan Banerjee, Member

Sd/-

Dr. Maitreyi Banerjee, Member

Sd/-

Dr. Debasis Bhattacharya, Member

Authenticated
[Signature]

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