

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/KOL/2022/121

Mr. Ram Krishan Khandelwal Complainant

vs

AMRI Hospital, Saltlake Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	13/06/2022	<p>We have heard the complaint. Although the complaint have two distinguishing issues in course of hearing, several issues surface including unpleasant incident that we would be narrating hereinafter.</p> <p>Patient was having treatment for about 23 days at the CE. Unfortunately, he breathed his last at the CE. In course of hearing, the patient was prescribed combutol whereas the patient was actually given 'Combunex' (ATD) which was a combination of two drugs. Patient was already having the second drug. This was noticed by the treating doctor and it was stopped immediately. By this process, one or two doses of the combination drug had already been given. The patient family was counseled</p>



by the treating doctor that no serious side effect could be had on that score. The complainant also complained with regard to prescription of antibiotic by the name of "Magnex Forte" that should not have been prescribed.

The second issue is a clinical one. It is a decision of the clinician. CE had nothing to do. The complainant is free to approach the appropriate forum for the same.

On the first issue, the CE admitted their mistake and counseled the patient family as stated hereinbefore. We do not wish to interfere.

Second mail of the complainant reveals something more serious. By the subsequent mail dated June 8, 2022 the complainant contended, the patient family was called by the CE and offered discount to the extent of Rs.70,000/- that the complainant did not agree. They were told, the Commission had already been apprised of the issue and offer was made in deference to the desire of the Commission and Commission agreed to such offer. The complainant would contend, it was said with the



intent of discouraging the patient family so that they would withdraw their complaint.

In course of hearing, the CE has tendered apology. According to the concerned person, being Operational Head, who has joined the hearing online. According to her, it was a sheer misunderstanding. However, she admits, the patient family was told about the appraisal of the settlement part to the Commission.

Members present at the hearing, have taken serious note of the above fact.

It is a consistent approach of the Commission to reach to a zero complaint target. Whenever, any complaint is received by the Commission the Commission in turn would contact the concerned CE and give them opportunity to have grievance redressal mechanism activated so that the complaint could be resolved even before it could be taken up for hearing. In this case, there was no departure. The Commission received complaint on May 30, 2022. Immediately on



receipt of the complaint the same day, it was sent to the CE through mail. Opportunity was given to the CE to have the dispute resolved. Accordingly, this matter has been placed for hearing today after about a fortnight. It is unfortunate, the CE has misused such process.

As usual, like all other cases, the Commission has reviewed the bill. It is found to be exorbitant. At the hearing, the billing head would admit, they are still billing the patients at the rate fixed by them that would have a serious conflict with the Advisories issued from time to time by the Commission.

The Commission has calculated the excess and has ultimately found, a sum of Rs. 95,498/- was billed in excess. However, a sum of Rs. 84,000/- has been given as discount leaving a balance sum of Rs. 11,498/-. This has been done to give an impression to the patient and / or the patient family that the CE would be discounting their bill which is in fact reducing the excess of the amount that has been billed in blatant violation of our



Advisory.

Pertinent to note, the patient was undergoing treatment for 23 days. It is true, the patient was critical. 190 under pads at the rate of Rs. 150/- have been charged aggregating to Rs. 28,500/- and that too, in addition to 14 diapers separately charged for the same purpose . The CE has miserably failed to address this issue to the satisfaction of the Commission.

Sister Aliama would however, try to justify use of 197 under pads by saying, actually 191 under pads were used and six under pads were returned out of 197 requisitioned. In addition, they used 14 diapers to avoid bed sore.

We are not fully satisfied with the explanation. We leave it to the CE to decide on the under pad issue and give appropriate benefit to the complainant if they so like. We do not wish to make any comment on that score.

Operational Head would assure Rs. 11,498/- would be immediately transferred to the account of the complainant

on sharing of his bank details.

She would also assure, in course of tomorrow, they would be changing their software giving strict compliance of each of the Advisories issued till date by the Commission and would file an affidavit to the said effect.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated
[Signature]

Secretary
West Bengal Clinical Establishment
Regulatory Commission