

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: INT/KOL/2022/123

Mr. Shymal Kumar Ghosh Complainant

vs

Ashok Nursing Home & Health Care Pvt. Ltd Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	13/06/2022	<p>The complaint would relate to hospital negligence. The complainant was admitted for Dialysis . He had fistula already done at a separate CE. As per the advice of the treating doctor, he was given first dialysis for two hours. However, the complainant would contend, there had been mis statement on the part of the CE where they would assert, the patient was having dialysis from 8 p.m. whereas till 8.40 p.m. the dialysis was not done and the patient was found having dinner at about 11 p.m..</p> <p>There might be some mistake in the recording. However, the hospital would assert, he was given two hours dialysis.</p> <p>The second dialysis was done through fistula however,</p>

Case Reference: INT/KOL/2022/123

		<p>at the time of withdrawal process the fistula channel got blocked because of some complications. The CE would contend, despite warning, the patient folded his hand causing the accident. We do not find any proper counselling process recorded in the Bed Head Ticket on that score.</p> <p>The complainant would also contend, the patient needed blood transfusion for which the requisition was handed over to him without MRD number and that too, by a carbon copy which was placed before the concerned blood bank who declined to entertain the requisition. The complainant had to come back again for original copy and MRD number. Thirdly, the patient was wrongly described as female that also caused annoyance to the complainant.</p> <p>The CE is present at the hearing. They would admit their fault on the second and third issue. However, on the first issue they would assert that the complication arose because of folding of hands. They immediately took care of it and shifted the patient to ICU. They did not</p>
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		<p>charge for ICU and whatever was needed to be done, was done. Femoral channel was done for further dialysis.</p>
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We have examined the Bed Head Tickets. We find that there had been clear interpolation by the CE. At 10 p.m. the concerned Doctor recorded the status of the patient including the vitals possibly, the same doctor also recorded the vitals on the next day at 10 a.m. in the morning. In between those two recordings there had been interpolation by another Doctor purported to have been done at 11.10 p.m. On a bear notice of such recording interpolation was apparent.

Although we find whatever was necessary for treatment, was done we cannot support such interpolation and we take serious note of it. Furthermore, the harassment relating to blood transfusion as admitted by the CE, was also not expected.

We impose a penalty of Rs. 50,000/- to be paid to the complainant by five equal monthly instalments of Rs. 10,000/-, each commencing from July 31, 2022 and



thereafter on the last day of each succeeding month until the entire amount is paid off.

In default of payment of anyone instalment, money then due, would become immediately payable along with interest @ 7% per annum until realisation.

The complainant is directed to share his bank details so that money could be directly transferred to his account.

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