

Case Reference: INT/KOL/2022/130

Ms. Debjani Dasgupta Complainant

vs

Bhagirathi Neotia Woman & Child Care Centre, Newtown Respondent/
Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	04/07/2022	<p>The complaint would relate to post surgical complication in a Caesarean C Section.</p> <p>The complaint would reveal, the patient was billed Rs. 1,43,590/- out of which the TPA package approved Rs. 74,997/- and the patient had to pay the balance sum of Rs. 68,593/-.</p> <p>The complainant would contend, had the complication been noticed at the earliest the situation could not have reached a critical stage. This question would be outside our domain.</p> <p>The complainant would also raise an ethical issue. She was admitted for Caesarean C Section under a</p>


Secretary
West Bengal Clinical Establishment
Regulatory Commission

package. She knew beforehand, she would be discharged after delivery as a cashless patient. Hence, the additional burden should not be foisted upon her. While we appreciate her perception we cannot agree with her.

Medical issue would be outside our domain. Unless and until we come to a definite conclusion that the complication arose due to negligence on the part of the CE we cannot ask them to waive off the entire additional sum. However, we feel, complication arises hardly in one or two percent cases. In such situation, when the patient party is not prepared with further resource to plug in to combat the complication the CE should come forward to take a compassionate approach and raise their bill in a way to ameliorate the grievance of the patient.

Dr. Indrani Subramonium representing the CE, would assure us, she would talk to the Management on the issue and in case any favourable decision is taken such benefit would also be extended to the present complainant.

We have perused the bill. The medicine and consumable have not been discounted. Dr. Subramonium



Secretary
West Bengal Clinical Establishment
Regulatory Commission

would contend, since the patient was a TPA patient they followed the TPA guidelines that would require 7 % discount on the additional amount that have already been given.

Whatever, discount they have given, would be as per TPA guidelines. We are not concerned with that. We have made our Advisories clear on the issue. To the extent the patient and/or the patient family would have to pay in cash our Advisory would be squarely applicable. In this case, the medicine and consumable have not been discounted. As per our Advisory a sum of Rs. 3,850/- is due on that count. Dr. Subramonium would state that 7 percent discount has also covered these items. She may recalculate the discount as per our Advisory by taking appropriate benefit of the earlier discount and pay the same.

We have also raised issue with regard to doctor's fees and OT charge. The explanation given by Dr. Subramonium seems be justified on that score and we do not wish to interfere.

[Handwritten signature]

[Handwritten signature]

Secretary

West Bengal Clinical Establishment
Regulatory Commission

The complainant is directed to share her bank details so that the amount could be transferred directly in her account. The CE is also directed to inform the complainant as well as the Commission about the outcome of the policy decision that they would be taking as stated by Dr. Subramonium. We hope and trust, she would further discount the bill in deference to the desire of the Commission.

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
Secretary
West Bengal Clinical Establishment
Regulatory Commission

Bas