

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference:INT/KOL/2022/147**

Mr. Amitava Ghosh..... Complainant

vs

Medica Superspecialty Hospital..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	08/08/2022	<p>We have considered the complaint. The complaint is based on medical/ non-medical issue that have been sufficiently explained by the CE in their response.</p> <p>The complaint would also relate to billing. The total bill was Rs. 2,65,926/- out of which TPA sanctioned a sum of Rs. 2,37,197/- and the CE, as per the TPA agreement, gave discount to the extent of Rs. 13,289/-. Balance sum of Rs. 15,440/- would amount to the cost of consumable that the TPA disallowed in terms of the insurance policy.</p> <p>Since the patient's amount would relate to consumable that would attract 20 percent discount as per our Advisory and a sum of Rs. 3088/- is payable on that</p>



		<p>score.</p> <p>Mr. Amitava Ghosh, the complaint, is present online. According to him, the CE deliberately escalated the bill. He would raise objection as to unnecessary requisition of gloves, sanitizer, although not required. CE charged toothpaste and toothbrush cost as medical item.</p> <p>We have considered the issue. We have also examined the response. According to CE, out of Rs. 2,65,926/- TPA sanctioned a sum of Rs. 2,37,197/- and the CE discounted the bill to the extent of Rs. 13,289/- as per TPA agreement. At the end of the day, the patient had to pay Rs. 15,440/- on account of consumable that would however, attract 20 percent discount as per our Advisory amounting to Rs. 3,088/- that the CE is agreeable to pay.</p> <p>Mr. Ghosh would however, contend, the escalated bill, although approved by TPA, would ultimately reduce the scope of using the policy in the same year.</p> <p>Although, we find justification in the contention of the complainant we express our inability as it would be</p>
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the contractual relationship between the patient and/or the insured on the one hand and the insurance company on the other hand. We cannot do anything in this regard. They would have remedy in law as against the insurance company for such alleged wrongful approval of the escalated cost.

The power of the Commission is restricted to the question as to whether the patient or the patient family is unnecessarily burned with escalated cost that they would have to pay as a cash patient.

We direct the complainant to share his bank details so that CE could transfer the said amount of Rs. 3,088/- to his account.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member



			<p>Sd/- Dr. Maitrayee Banerjee – Member</p> <p>Sd/- Smt. Madhabi Das – Member</p> <p><i>Authenticated</i> <i>[Signature]</i> Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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