

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/KOL/2022/175

Dr. Kishloy Roy Complainant

vs

AMRI, Dhakuria..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	23/09/2022	<p>The complaint would relate to a very specific issue.</p> <p>On July 13, 2022 the patient reported at the CE with the history of fall at the toilet where she was found unconscious for hours together. However, the patient was conscious when she was admitted at the CE. The patient was seen by Dr. Mohua Bhattacharya, the concerned treating doctor at about 2.30 p.m. when she specifically advised CT brain to be done along with other investigations. Unfortunately, the same was not done by the CE until it was pointed out on the next day.</p> <p>The complainant would contend, when he went to see his patient on the next day i.e. on July 14, 2022 at about 5.30 p.m. he came to know, the CT brain was not</p>



		<p>done. He alerted the nursing staff. When he came back home at about 7.30 p.m. he got a phone call from the CE, CT brain had been done.</p> <p>Dr. Sukumar Mukherjee, esteemed member of our panel, has examined the medical records. According to him, fortunately, there was no change in the condition of the patient in between.</p> <p>Dr. Bhattacharjee is also present online. According to her, when she examined the patient she found her conscious. Delayed CT brain did not hamper the treatment protocol.</p> <p>Dr. Mukherjee would also agree with her on that score. However, the members present at the panel, are unanimous of the view, when the concerned treating doctor advised CT brain at 2.30 p.m. on July 13, 2022 why it was done after about 30 hours that too, after the complainant would alert the concerned nursing staff.</p> <p>Dr. Bagchi, representing the CE, would contend, Dr. Bhattacharya advised so many investigations, one</p>
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after the other were done.

CT brain was not an important issue at the crucial hour as the patient was clinically found stable and conscious.

We fully agree with Dr. Bagchi. Even then, we cannot exonerate the CE who should have acted strictly as per the advice of the treating doctor.

We impose a penalty of Rs. 25,000/- on that score.

As we do in all other cases, we have also examined the bill. We find a sum of Rs. 17, 847/- charged in excess. The substantial part of the bill was cleared by TPA approval. Only 14 percent of it was paid by the patient family. Hence, the proportionate share of the patient family being Rs. 2,506/- should also be refunded to the complainant.

The complainant is directed to share his bank details with the CE. CE must pay at their earliest.

The complaint is disposed of accordingly.



			<p>Sd/- The Hon'ble Chairperson</p> <p>Sd/- Prof. (Dr.) Sukumar Mukherjee – Member</p> <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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