

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/KOL/2023/008

Mr. Partha Pratim Chakraborty Complainant

vs

Peerless Hospital..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	30/01/2023	<p>The complaint would relate to billing.</p> <p>The complainant has approached us after about two and a half years of admission.</p> <p>Delay is unexplained. Yet, for ends of justice we condone the delay.</p> <p>We have heard the complainant as well as the CE on merits.</p> <p>The complainant would raise two issues:-</p> <p>I) The bill was not prepared at the corporate rate.</p> <p>II) Medicine costing about Rs. 76,000/- was given to patient against cash payment and no</p>



			<p>receipt was given.</p> <p>The CE would deny both the allegations.</p> <p>At the hearing, the complainant would contend, the patient was the spouse of a retired Air India employee who was entitled to get treatment as a corporate patient. Hence, the hospital was obliged to bill the patient at the corporate rate that was not done . However, he has not specifically pointed out any alleged irregularity in the bill.</p> <p>On the second issue, the complainant would contend, a particular medicine was not available in the State of West Bengal. As a life saving drug, doctor requested the pharmacy in charge to help the complainant to get the medicine by any other means. Accordingly, the pharmacy in charge contacted a distributor and got the complainant introduced to the said distributor. The said distributor supplied the medicine upon payment of cash.</p> <p>Dr. Mitra, representing the CE, would contend,</p>
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		<p>Air India had a tie up with the CE upto 2017. Such tie-up agreement has never been renewed thereafter. Even then, considering the old relationship the CE still entertains Air India employees and gives them appropriate corporate benefit under the agreement that was prevalent prior to 2017. Since the patient was the spouse of a retired pensioner the cashless facility was not available under the agreement, and as such, the patient was billed as a cash patient although, at the corporate rate.</p> <p>On the second issue, Dr. Mitra would contend, hospital was not at all involved in the process.</p> <p>We have considered the rival contentions.</p> <p>On the first issue the complainant would insist, either the hospital should make the bill according to the corporate agreement or consider the bill as a cash patient requiring appropriate implementation of the Advisories time to time issued by the Commission including discount on medicine and consumable and Covid</p>
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			<p>protection charges.</p> <p>Dr. Mitra would seriously oppose such contentions. According to him, the complainant has not pointed any irregularity as to the billing as per corporate rate. They would still adhere to the said agreement as a good gesture. Hence, question of applying the Advisory as a cash patient would not arise.</p> <p>We find his contention justified.</p> <p>We direct the complainant to approach Dr. Mitra with a proper calculation of irregularities where, according to him, excess billing had been done beyond the corporate rate.</p> <p>The CE must review and revised the bill accordingly.</p> <p>In case refund is payable they would extend such refund to the complainant.</p> <p>The second issue is quite serious. However, on hearing the complainant, we find, the hospital had no</p>
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hand in it rather, as a benevolent approach the pharmacy-in-charge got the complainant introduced to the particular distributor from whom medicine was purchased on payment of cash. The second complaint thus fails.

The complaint is disposed of.

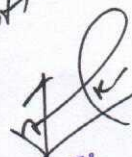
Sd/-
The Hon'ble Chairperson

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

