

Chair's final prescription for health reform

SANJAY MANDAL

Calcutta: Justice (retired) Ashim Banerjee, the outgoing chairperson of the West Bengal Clinical Establishment Regulatory Commission, said on Thursday that a large number of patient complaints stemmed from a trust deficit between private hospitals and insurers.

He said the commission, which regulates the private healthcare industry, had received complaints ranging from disputed insurance payments and forced diagnostic tests to lack of billing transparency and hospitals refusing to release bodies over unpaid dues.

The state health department on Wednesday notified the reconstitution of the commission. Banerjee, who took charge as chairperson on February 13, 2019, said he hoped the new government's "zero-tolerance policy" would address these issues.

"We have prepared draft regulations covering the journey of a patient — from visiting the OPD, admission and discharge to cases where a patient dies in a hospital. The draft has been submitted to Swasthya Bhavan. I hope the new government implements the regulations," he told **Metro**.

In the absence of regulations, the commission issues advisories, but these often face

legal challenges and are difficult to enforce, he said.

Insurance disputes

Banerjee said patients often suffer when private hospitals and insurance companies disagree over bills.

"We have seen many cases where the third-party administrator (TPA) does not approve the entire bill amount claimed by the hospital. However, hospitals make patients pay the disputed amount, which I think is unethical," he said. "If the insurance company has a problem with the bill raised by a hospital, why should the patient be made to pay?"

He said some hospitals also prevent discharged patients from leaving because of pending payments or delays in insurance approval, resulting in additional charges that insurers do not reimburse.

Banerjee said TPAs often reject payments for certain items and ask hospitals to recover the amount from patients. "This they cannot do," he said.

He cited a case where a TPA refused to reimburse the cost of sutures, calling them a non-medical expense. "We said sutures are part of the treatment and the TPA cannot deny reimbursement," he said.

However, insurance matters do not fall directly under the commission's jurisdiction.



Justice (retired) Ashim Banerjee at his residence on Thursday. (Sanat Kr Sinha)

"Hospitals, instead of fighting with insurance companies, are unethically charging patients. If any part of the bill relates to treatment, they should escalate the dispute with the insurer," he said.

Patient rights

Banerjee said doctors and hospitals cannot force patients to undergo diagnostic tests at laboratories of their choice.

The commission also received complaints about hospitals demanding large advance payments at the time of admission. Its advisory was that hospitals should take a minimum advance and give patients at least 24 hours to arrange payment.

"In case of insurance and government benefit schemes, patients should be given 24 hours to get clearance. Under no circumstances should treatment stop for want of

money or insurance approval," he said.

Transparency

Banerjee said the draft regulations proposed that hospitals provide patients and relatives with a detailed bill every 24 hours.

"In many cases, the bill is given only at discharge, and it is exorbitant. If patients know the daily bill, they can calculate and decide affordability," he said.

He said the commission had recently received a complaint that a hospital kept a deceased patient for 13 hours because the family could not clear the full bill. "This is a huge issue. We intervened, but such complaints still come. This needs zero tolerance from the new government," he said.

Overcharging

Banerjee said the commission had also found cases where bills lacked proper documentation.

"We saw bills mentioning doctor visits but not their advice in patient records. There should be proper documentation if a doctor is called to see a patient," he said.

He cited the example of a patient on ventilator support who was charged for 20 bottles of packaged water in the hospital bill.

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Patients first: New chief; fresh panel takes charge

SUBHAJOY ROY

Calcutta: Ensuring that every action of the West Bengal Clinical Establishment Regulatory Commission benefits patients will be his priority, the panel's newly appointed chairperson said on Thursday.

A notification issued by the principal secretary of the state health department on Wednesday announced the reconstitution of the 13-member commission, saying the new panel would take immediate effect. The previous committee stood dissolved following the formation of the new one, sources said.

Retired judge Biswajit Basu, who was appointed chairperson along with the new panel, said he would meet the commission's secretary in a day or two before convening a meeting of all members.

"I will need to study the law and understand the mandates of the commission. I will see that the commission works in a manner that benefits common patients," Basu told **Metro**. "I am yet to gather any information about the commission, something I intend to do over the next few days."



Basu said he would also check whether private hospitals had complied with their licence conditions and whether any complaints against them were pending. "The new government wants to establish the rule of law and I will work towards that end," he said.

Basu was also appointed chairperson of a commission formed by the BJP government to probe institutional corruption.

He said he had been told that health minister Sharadwat Mukhopadhyay wanted to meet the panel members.

The commission was set up in 2017 by the Mamata Banerjee government. All 13 members of the reconstituted panel are new faces.

Moumita Godara Basu, an IAS officer and secretary in the state health department, is the vice-chairperson. State director of medical education

Indrajit Saha is also a member.

The other doctor-members are gynaecologist Subhash Chandra Biswas; former director of medical education Susanta Kumar Bandyopadhyay; internal medicine specialist Narayan Banerjee; physician and rheumatologist Syamasis Bandyopadhyay; public health specialist and former director of the All India Institute of Hygiene and Public Health Madhumita Dobe; and general surgeon Sandip Ray.

The other members are Sarup Prasad Ghosh, director of the Maulana Abul Kalam Azad Institute of Asian Studies; Padma Shri awardee and former Maulana Azad College chemistry professor Narayan Chakrabarty; Dhanpat Ram Agarwal, a chartered accountant and intellectual property expert; and Gautam Mohan Chakrabarti, a retired IPS officer and former Calcutta police commissioner.

The new members were notified on Wednesday evening, replacing the previous panel hours after it had met to hear six complaints against private hospitals. Retired judge Ashim Banerjee was the last chairperson of the commission.