DMC/DC/F.14/Comp.2252/2/2022/ 23rd March, 2022

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined acomplaint of Shri Prem Parkash, s/o late Shri Khem Chand, r/o- 226/1 GF, Mohalla Doonngara, Farsh Bazar, Trunk Wali Gali, Shahdara, Delhi-110032, alleging medical negligence on the part of the doctors of Dr. Hedgewar Arogya Sansthan Karkardooma, Delhi-110032 , in the treatment of the complainant.

The Order of the Disciplinary Committee dated 11th February, 2022 is reproduced herein-below:-

“The Disciplinary Committee of the Delhi Medical Council examined acomplaint of Shri Prem Parkash, s/o late Shri Khem Chand, r/o- 226/1 GF, Mohalla Doonngara, Farsh Bazar, Trunk Wali Gali, Shahdara, Delhi-110032(referred hereinafter as the complainant), alleging medical negligence on the part of the doctors of Dr. Hedgewar Arogya Sansthan Karkardooma, Delhi-110032 (referred hereinafter as the said Hospital), in the treatment of the complainant.

The Disciplinary Committee perused complaint, written statement of Dr. Sushil Kumar Medical Superintendent of Dr. Hedgewar Arogya Sansthan enclosing therewith written statement of Dr. Akshay Bahadur, Dr. S.D. Bisht, Dr. Yanshul Rathi, Dr. Jitendra Singh, copy of medical records of Dr. Hedgewar Arogya Sansthan and other documents on record.

The following were heard :-

1) Shri Ram Magwan Brother of the complainant

2) Dr. Akshay Bahadur Incharge-surgery, Dr. Hedgewar Arogya Sansthan

3) Dr. Yanshul Rathi Senior Resident-Surgery, Dr. Hedgewar Arogya Sansthan

4) Dr. Jitendra Singh Senior Resident-Surgery, Dr. Hedgewar Arogya Sansthan

5) Dr. Aryan Kumar Medical Superintendent, Dr. Hedgewar Arogya Sansthan

Dr. S.D. Bisht, Specialist Gr.1, Surgery, Dr. Hedgewar Arogya Sansthan failed to join the Disciplinary Committee proceedings, inspite of notice

Shri Ram Magwan, brother of the complainant Shri Prem Parkash stated that his brother Shri Prem Prakash has expired almost one and half years back.

It is noted that as per the complaint of Shri Prem Parkash it is averred that on 26.8.2017, the complainant presented to the emergency of Dr. Hedgewar Arogya Sansthan as he suffered a trauma (a nail has pierced) to the left foot. He received conservative treatment at the said hospital on OPD basis from 26.8.2017 to 06.9.2017, but the condition of his foot deteriorated. On 06.9.2017, Dr. Akshay performed debridement on his foot without following proper surgery protocols. Thereafter, he underwent ASD (Anti Septic Dressing) on 7.9.2017, 8.9.2017 and 9.9.2017, but there was no improvement in his condition. Subsequently, he developed gangrene and had to be admitted in RML Hospital on 16.9.2017 and undergo amputation of 4 digits of left foot. It is alleged that he had to face amputation because of negligence of Dr. Akshay and that stern action be taken against him.

Dr. Akshay Bahadur Incharge-Surgery of Dr. Hedgewar Arogya Sansthan in his written statement averred that that the complainant Shri Prem Parkash attended casualty DHAS first time on evening of 26.8.2017 with complaint of swelling of left lower limb for 7 days due to prick injury, his blood sugar was 227 mg/dl. He was referred to surgery where he was examined by Dr. Jitendra Singh, SR surgery and diagnosed as a case of Cellulitis left foot: Dr. Jitendra Singh prescribed antibiotics and referred to medicine department for management of diabetes. The complainant again came to casualty on 27.8.2017 where he was referred to surgery emergency but he didn’t report to surgery department. He again came to OPD on 28.8.2017 where antibiotics and sumag dressing was advised and was referred to medicine OPD for control of blood sugar. He again came in the evening of 28.8.2017 of surgery emergency where senior resident surgery examined the complainant and found diffuse swelling left leg with raised temperature and redness. He diagnosed it as Cellulitis left leg with uncontrolled type II DM and mentioned that the complainant was not on regular medication. He advised medication with sumag dressing. He again came on 30.8.2017 and 1.9.2017 in OPD where dressing was advised. On 4.9.2017 SR surgery mentioned Cellulitis/diabetic foot with known case of DM type II uncontrolled blood sugar and advised medication with dressing. On 4.9.2017, he was referred to dietician for counselling diabetic diet, but he did not turned up to dietician. Dietician mentioned that complainant was not available for diet counselling and counselled the attendant for diabetes. In fact, the complainant made multiple OPD cards and was taking treatment from different doctors on simultaneously without informing doctors. On 6.9.2017 only, he took treatment from three different doctors. The complainant alleges that on 6.9.2017 Dr. Akshay took the complainant to OT for minor operation and Dr. Akshay, without the surgery norms, rules and facility made several operations and because of that, the complainant is facing lots of problem/pain and advised him to go to some private hospital. These allegations are false. Neither the complainant first reported to surgery casualty on his call day nor on any occasion he was treated in surgery OPD. Being incharge of surgery department, Medical Superintendent, DHAS sent a slip mentioning his name. It is only the relative of the complainant, who came to him on 6.9.2017 requested to get the complainant treated on priority basis in long queued OPD. He asked Dr. Gaurav Sharma, SR surgery to get the complainant examined and discuss. Dr. Gaurav Sharma SR surgery examined the complainant and did debridement of the diabetic foot and referred the complainant to physician for control of blood sugar. It is inappropriate to suggest that there was any negligence in treating the wound by surgical team. There was no negligence by the surgery department or part of the surgical management of diabetic foot of the complainant. The complainant’s wound was adequately managed by the surgical team by prescribing antibiotics, regular dressing and cleaning and debridement of the wound in minor OT, following appropriate surgical protocol. The complainant was repeatedly advised to consult the physician for blood sugar control, as the complainant’s blood sugar was never under control. The complainant’s disease and amputation, as visible in photos submitted by the complainant is the part of the disease in a patient who has uncontrolled diabetes, on irregular medications, not obeying instruction given to him.

Dr. Yanshul Rathi, Senior Resident-Surgery, Dr. Hedgewar Arogya Sansthan in his written statement averred that the complainant for the first time was attended in surgical emergency when the complainant got injured by an iron nail, by the surgery residents and treated primarily. The complainant was being managed on OPD basis on surgical grounds viz. regular debridement and dressings with appropriate antibiotic cover and the supportive medications which is evident from his (the complainant) OPD registration slips. The complainant was clearly explained the course of the disease and motivated to visit physician and dietician in order to maintain a satisfactory level of blood sugar by monitoring and diet control under the cover of oral hypoglycemics. The complainant was repeatedly sent to the physician for continuously raised blood sugar, but he did not follow there also. In the meantime, debridement and dressings were going on and were performed by the surgeons in minor OT. The complainant did not appear for follow-up for around one month as per the data available and got his part of the limb amputation from RML hospital without consulting/ informing them.

Dr. Jitendra Singh, Senior Resident-Surgery, Dr. Hedgewar Arogya Sansthan in his written statement averred that he had seen the complainant only once when he showed up in emergency on 26th August, 2017 at 19.08 hrs with complaint of pain and redness in foot following injury by iron nail 7 days back. The complainant was attended by main casualty doctor, where the complainant was given primary treatment and his (the complainant) Random Blood sugar(RBS) 227 mg/dl was noted and the complainant was referred to him for surgery opinion. He attended the complainant in surgical emergency and as per condition of foot which was showing signs of cellulites (local inflammations). The complainant was prescribed best available broad spectrum antibiotic alongwith analgesic and supportive treatment, thereafter, the complainant was seen by the Resident doctor of medicine department in view of uncontrolled diabetes (RBS-227) where the complainant was given rest of treatment. The complainant was counselled to review in OPD for follow-up. Medicine prescribed by him tablet Amoxy+clav 625 mg TDS (amoxicillin+calvulanate), tablet Omez 20 mg OD (omeprazole), tablet Diclofenac 50 mg TDS (diclofenac Na). Above medications alongwith medicines prescribed by medicine doctor were given to the complainant, as mentioned in registration slip. Beyond this consultation, he doesn’t recall any consultation for the complainant from his side. It is evident from the complainant’s medical record that the complainant was in follow-up in hospital from next day of this prescription and was seen by various doctors in OPDs.

Dr. S.D. Bisht averred in his written statement averred that after careful perusal of the attached patient records and complaint dated 26.10.2017 of Shri Prem Prakash, it is evident that at no stage the complainant was seen by him, therefore, it is not possible to give any statement as treating doctor.

In view of the above, the Disciplinary Committee makes the following observations:-

1. It is noted that the complainant Shri Prem Parkash, a 37 years old male was a known case of type II diabetes mellitus (not on regular medication) for 12 years. On 26.8.2017, he presented to the said hospital with complaints of swelling of left lower limb for seven days due to prick injury. His RBS was 227 mg/dl. He was prescribed medicines and referred to surgery department. The SR surgery diagnosed him with DM (diabetes mellitus) and Cellulites left foot. He prescribed antibiotics and referred to medicine department for management of DM. The complainant was recorded to have diabetic foot and, thus, prescribed medication accordingly. The complainant then reported to the said hospital on 28.8.2017. On examination, there was diffuse swelling present in left leg, local rise in temperature, redness present. He was again prescribed antibiotics and sumag dressing once daily. On 4.9.2017, the complainant was again noted to have uncontrolled blood sugar, underwent dressing with sumag and advised limb elevation. On 6.9.2017, the complainant’s left foot was debride and again counselled for control of blood sugar and limb elevation. Thereafter, on 7.9.2017, 8.9.2017 and 9.9.2017, the complainant underwent Antiseptic Dressings (ASD) at the said hospital. The complainant was subsequently admitted in RML Hospital on 16.9.2017, as he developed gangrene in left foot and underwent amputation of four digits of left foot.
2. It is observed that the complainant with uncontrolled diabetes, who developed diabetic foot, was examined and treated as per accepted professional practices in such cases. However, deterioration of such a medical condition, in all likelihood, inspite of treatment, can lead to patient developing gangrene requiring amputation, as happened in the present case.

In light of the observations made herein-above, it is the decision of the Disciplinary Committee that no medical negligence can be attributed on the part of the doctors of Dr. Hedgewar Arogya Sansthan Karkardooma, in the treatment of the complainant.

Complaint stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Shri Bharat Gupta) (Dr. Subodh Kumar)

Chairman, Legal Expert, Expert Member,

Disciplinary Committee Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 11th February, 2022 was confirmed by the Delhi Medical Council in its meeting held on 24th February, 2022.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Shri Prem Parkash, s/o late Shri Khem Chand, r/o- 226/1 GF, Mohalla Doonngara, Farsh Bazar, Trunk Wali Gali, Shahdara, Delhi-110032.
2. Dr. Akshay Bahadur, Through Medical Superintendent, Dr. Hedgewar Arogya Sansthan, Karkardooma, Delhi-110032.
3. Dr. S.D. Bisht, Through Medical Superintendent, Dr. Hedgewar Arogya Sansthan, Karkardooma, Delhi-110032.
4. Dr. Yanshul Rathi, Through Medical Superintendent, Dr. Hedgewar Arogya Sansthan, Karkardooma, Delhi-110032.
5. Dr. Jitendra Singh, through Medical Superintendent, Dr. Hedgewar Arogya Sansthan, Karkardooma, Delhi-110032.
6. Medical Superintendent, Dr. Hedgewar Arogya Sansthan, Karkardooma, Delhi-110032.

(Dr. Girish Tyagi)

Secretary