

T. Amalan v. District General Hospital, Mullaitivu

RTIC Appeal/66/2017 (*Heard as part of the meeting of the Commission on 25.09.2017*)

Chairperson: Mr. Mahinda Gammampila

Commission Members: Ms. Kishali Pinto-Jayawardena

Mr. S.G. Punchihewa

Dr. Selvy Thiruchandran

Present at Hearing: Mr. Piyathissa Ranasinghe, Director – General, RTI Commission

Appellant: Mr. Thavarasa Amalan

Notice issued to: Dr. P. Thayanantharupan, Director, District General Hospital, Mullaitivu

Appearance/ Represented by: Dr. P. Thayanantharupan, Director, District General Hospital, Mullaitivu (Designated Officer)

The Director of the Mullaitivu District General Hospital, Dr. Thayanantharupan who is the Designated Officer represented the Public Authority. The Appellant was absent.

Appellant had requested information as to why he had not been taken to surgery immediately after admission at the hospital after a motorbike accident. He also stated that he had been abused by the staff at the hospital and asked as to what action had been taken against his complaint regarding the abuse.

Since the Appellant was absent, the Public Authority was asked by the Commission to state its response to the Appeal. The Director of the Mullaitivu General Hospital provided an explanation as to what had occurred. He stated that on the 23rd of December 2016, the Appellant had been admitted to Ward No. 5 after an accident. The Ward Doctor had examined him. On the following day, the Consultant Surgeon had examined the Appellant and taken him to the operating theatre for a small surgery.

The Director of the Hospital stated that the Hospital had only one table in the operating theatre and that if it had been a real emergency then surgery would have been done immediately, but the Appellant only had superficial injuries. Superficial injuries were only operated on the post casualty day he stated.

The Director of the Hospital further stated that the Consultant Surgeon had indicated that it was not serious injuries nor life threatening. Upon further enquiry from the Commission if the medical records of the Appellant were handed over to him, the Director of the Hospital said that his diagnosis card had been provided to him and that it was only after four months the Appellant had brought this complaint.

The Director of the Hospital then stated that once the Appellant had made his complaint in the form of an information request he had called for an explanation from the Consultant Surgeon and the staff of the hospital about the allegations made by the Appellant. He had also replied

the Appellant stating that he had called for an explanation but the Appellant had preferred an appeal to the Commission.

The Commission enquired as to what response was received by the Director to his call for explanation and whether such response was provided to the Appellant. The Director of the Hospital stated that he was now in possession of the responses but they had been delayed and therefore not provided to the Appellant.

Order

The Commission records that responses have been received from the Surgeon in charge, the medical officers of Ward 05, and, the Ward Nurse. A report has also been prepared by the Hospital. These documents are to be given to the Appellant.

The documents provided by the Director of the Hospital which are to be furnished to the Appellant are:

1. Letter dated 10/07/2017 from the Consultant Surgeon addressed to Director, District General Hospital, Mullaitivu
2. Letter dated 11/07/2017 from Medical Officers of Ward 05 addressed to Director, District Hospital, Mullaitivu
3. Letter dated 24/07/2017 from Ward Nurse in charge addressed to Director, District Hospital, Mullaitivu
4. Report of the Mullaitivu District General Hospital dated 22/09/2017

The Appeal is concluded.
