

## **PRESS RELEASE**

**BY**

**Y. BHG. TAN SRI DATO' SERI DR. HJ. MOHD ISMAIL BIN MERICAN  
THE PRESIDENT  
MALAYSIAN MEDICAL COUNCIL**

### **DISCIPLINARY PUNISHMENTS BY THE MALAYSIAN MEDICAL COUNCIL AGAINST ERRANT REGISTERED PRACTITIONERS BETWEEN JANUARY - JULY 2009**

**AUGUST 2009**

The Malaysian Medical Council meets on the second Tuesday of each month to discuss matters relating to the professional practice of medicine in this country. Concurrently on the previous day and on the morning of the same day, the Council also conducts inquiries under its disciplinary jurisdiction in the Medical Act 1971 against practitioners who had contravened the Council's Code of Professional Conduct.

While issues related to standard of care happens to be the common complaint, it is the more graver dereliction of the Code such as the peddling of psychotropic drugs over the counter by the practitioner or his or her staff to drug addicts, rampant selling of sick certificates without examining patients or when it is not warranted, and the conduct of non therapeutic abortion that undermines the trust of society towards the profession. Towards this end the Council wishes to assure the public that the welfare of the public is its paramount concern and such acts that affect society at large will be dealt with severely. As such, the public are hereby invited to forward any information of such unethical practice to the Council for it to investigate and to act upon.

The following registered practitioners have been found guilty and punished by the Council from January to July 2009.

**1. DR SIDHU DHARAM SINGH @ DARAM SINGH @ TONDUN SINGH S/O BAHAL SINGH**, NRIC NO. 440107-08-5737, (APC NO. 5382/2009, FULL REGISTRATION NO. 22298 DATED 20/10/2007) of Klinik Sidhu, 4 Jalan Melati 21, Taman Sri Melati, Selayang, 68100 Gombak was **STRUCK OFF** the Register for abusing his professional privileges and skills by supplying and making available drugs, including drugs of dependence, dangerous drugs and poisons other than in the course of bona fide treatment, contrary to the Code of Professional Conduct; and in addition, for storing, supplying and offering for sale such drugs in possible contravention of the provisions of the Dangerous Drugs Ordinance and Regulations as well as allowing and/or leaving his unqualified assistants sell scheduled poisons or preparations containing scheduled poisons to the public.

**An appeal against the punishment by the Council has been filed at the High Court by the Respondent on 09 SEPT 2009. As such, the execution of the punishment is stayed.**

The enforcement unit of the Pharmacy Division, Ministry of Health is currently in the process of prosecuting the practitioner under the Poisons Act.

Prescribing of drugs is a privilege conferred by law to a practitioner under the Poisons Act and/or the Dangerous Drugs Act.

The prescription of controlled drugs is reserved to members of the medical profession and of certain other professions, and the prescribing of such drugs is subject to statutory restrictions.

The Council regards as infamous conduct in a professional respect the prescription or supply of drugs including drugs of dependence otherwise than in the course of bona fide treatment.

Disciplinary proceedings may also be taken against practitioners convicted of offences against the laws which control drugs where such offences appear to have been committed in order to gratify the practitioner's own addiction or the addiction of other persons.

The contravention by a registered practitioner of the provisions of the Dangerous Drugs Ordinance and the Regulations made there under may be the subject of criminal proceedings, and any conviction resulting there from may be dealt with as such by the Council in the exercise of its powers under the Medical Act, 1971. Any contravention of the Ordinance or Regulations, involving an abuse of the privileges conferred there under upon registered practitioners, whether such contravention has been the subject of criminal proceedings or not, will, if proved to the satisfaction of the Council, render a registered practitioner to disciplinary punishment.

The employment for his own profit and under cover of his own qualifications, by any registered practitioner who keeps a medical hall, shop, or other place in which scheduled poisons or preparations containing scheduled poisons are sold to the public, of assistants who are left in charge but are not legally qualified to sell scheduled poisons to the public, is in the opinion of the Council, a practice professionally discreditable and fraught with danger to the public, and any registered practitioner who is proved to the satisfaction of the Council to have committed such offence will be liable to disciplinary punishment.

2. **DR. COLIN LEE SOON SOO**, NRIC. NO. 580301-01-5403, (APC NO. 7737/2009, FULL REGISTRATION NO. 24987 DATED 20/07/1984) of Damansara Women's Specialist Centre, 55 Jalan SS 21/56B, Bandar Damansara Utama, 47400 Petaling Jaya was **SUSPENDED** from the Register under Section 30(ii) of the Medical Act 1971 for a period of six (6) months for neglecting and disregarding his professional responsibilities in failing to obtain the patient's consent for surgery and the administration of anaesthesia immediately prior to the operation and instead, relying on the consent form signed by the patient almost seven (7) months prior to the surgery; in failing to inform the patient or to obtain the patient's consent for another practitioner to perform or to be involved in the performance of the operation on the patient; and in improperly delegating his medical duties to or permitting another practitioner to perform or to be involved in the performance of the operation on the patient without the patient's prior consent.

**An appeal against the punishment by the Council has been filed at the High Court by the Respondent on 20 APRIL 2009. As such, the execution of the punishment is stayed.**

3. **DR. CHAN KING WAH**, NRIC. NO. 471231-08-5453, (APC NO. 3429/2009, FULL REGISTRATION NO. 21365 DATED 3/05/1975) of Klinik & Surgery K.W.Chan, 8 Jalan Douglas, 35900 Tanjong Malim, Perak was **SUSPENDED** from the Register under Section 30(ii) of the Medical Act 1971 for a period of one (1) year for abusing his professional

privileges and skills in that he had failed to exercise the most scrupulous care in issuing documents, namely medical certificates, without examining the patients and by signing such certificates which were untrue, misleading and improper.

**An appeal against the punishment by the Council has been filed at the High Court by the Respondent on 05 JUNE 2009. As such, the execution of the punishment is stayed.**

4. **DR. CHAN HOCK SOON**, NRIC. NO. 581213-10-6203, (APC NO. 9297/2009, FULL REGISTRATION NO. 25576 DATED 16/07/1985) of Hospital Lam Wah Ee, Jalan Tan Sri Teh Ewe Lim, 11600 Penang was **SUSPENDED** from the Register kept under Section 11 of the Act for a period of two (2) years for abusing his professional privileges and skill, in that knowing a patient to be comatose and on life support system, he had signed as a witness to a purported will when he had not seen the deceased executing the said will. The Council directed that the application of the said order be immediately suspended for a period of two (2) years, on the condition that:

- (a) During the said period of two (2) years he is not to be found guilty of any similar offence, whereupon the said order will cease to have effect at the end of the said period; but
- (b) If he is found guilty of any similar offence during the said period of two (2) years, the said order shall take immediate effect

5. **DR. NORANA BINTI YACOB**, NRIC. NO. 620122-10-6506, (APC NO. 9498/2009, FULL REGISTRATION NO. 27861 DATED 1/08/1989) of Hospital Bersalin Razif, 33, 35, 37 & 39, Jalan Sri Sarawak 20A/KS2, Taman Sri Andalas, 41200 Klang, Selangor Darul Ehsan was **SUSPENDED** from the Register kept under Section 11 of the Act for a period of one (1) year. The Council directed that the application of the said order be immediately suspended for a period of one (1) year, on the condition that:

- (a) During the said period of one (1) year she is not to be found guilty of any similar offence, whereupon the said order will cease to have effect at the end of the said period; but
- (b) If she is found guilty of any similar offence during the said period of one (1) year, said order shall take immediate effect”.
- (c) She also has to provide evidence of improvement in her medical record system, provide evidence that she has attended courses to enhance her skills in the management of newborns, has employed adequately trained staff (i.e. doctors and nurses) and has improved the facilities at her clinic.
- (d) Documents supporting the above conditions have to be tendered to the Council on six (6) monthly basis.

6. **DR. LAN LEN PUI**, NRIC. NO. 600726-11-5561, (APC NO. 14588/2009, FULL REGISTRATION NO. 30275 DATED 29/02/1992) of Klinik Sura Gate, K-199 Jalan Sura Gate, 23000 Dungun was **SUSPENDED** from the Register kept under Section 11 of the Medical Act for a period of six (6) months for abusing his professional privileges and skills and/or disregarded his professional responsibilities in that he was convicted of three offences and sentenced under the Poison Regulations 1989, for each offence, to a fine of RM500.00 in default ten (10) days imprisonment. The Council directed that the application of the said order be immediately suspended for a period of one (1) year, on the condition that:

- (a) During the said period of one (1) year, he is not to be found guilty of any similar offence, whereupon the said order will cease to have effect at the end of the said period; but
- (b) If he is found guilty of any similar offence during the said period of one (1) year, the said order shall take immediate effect”.

7. **DR. HENRY OOI KWEE LIM**, NRIC. NO. 361223-07-5063, (APC NO. 7575/2009, FULL REGISTRATION NO. 1984 DATED 24/07/1969) of 9 Jalan Sungai Ujong, 10100 Penang was **REPRIMANDED** for having disregarded and neglected his professional duties to the patient, abusing his professional privileges and skills and conducting himself in a manner derogatory to the reputation of the medical profession in that he had failed to provide and/or neglected to provide sufficient and/or appropriate standard of medical care in the management of a patient.

**An appeal against the punishment by the Council has been filed at the High Court by the Respondent on 17 SEPT 2009. As such, the execution of the punishment is stayed.**

8. **DR. JASVIN KAUR JOSEN D/O JAGJIT SINGH**, NRIC. NO. 741104-05-5240, (APC NO.7206/2009, FULL REGISTRATION NO. 35906 DATED 02/08/2000) of Klinik Segara, CA 107E 4th Floor City Square Complex, Jalan Tun Razak, 50400 Kuala Lumpur was **REPRIMANDED** for having abused her professional privileges in that she issued a letter to an officer of the Canadian High Commission and improperly disclosed information as to the reasons for a patient’s visit to the clinic without the patient’s consent, in abuse of the patient-doctor relationship resulting in a breach of confidentiality.

**An appeal against the punishment by the Council has been filed at the High Court by the Respondent on 12 AUG 2009. As such, the execution of the punishment is stayed.**

**On 22 October 2010, the High Court had allowed the Appellant’s appeal and the punishment of Reprimand is set aside.**

While issues related to standard of care happens to be the bulk of the complaints received by the Council, it is the more graver dereliction of the code such as the peddling of psychotropic drugs over the counter by the practitioner himself or his staff to drug addicts, rampant selling of sick certificates without examining a patient or when it is not warranted and the conduct of non therapeutic abortion that undermines the trust of society towards the profession is our main concern.

Towards this end, on behalf of the Council, I wish to assure the public that the welfare of the public has always been our paramount concern and such dastardly acts that affect society at large will be dealt with severely.

As such the public are hereby invited to forward any information of any unethical practice to the Council for further investigation and action.

Thank you.

Yours sincerely,

**(TAN SRI DATO’ SERI DR. HJ. MOHD ISMAIL MERICAN)**