

## Disciplinary Inquiries held by the Malaysian Medical Council January - June 2011

### *MMC Secretariat*

#### Suspension

1. **Dato Dr Che Rozmey bin Che Din** was charged with neglect and disregard of his professional responsibilities in that he had:

- a. caused untrue information to be provided in the advertisement boards and articles by stating that he was a specialist in obesity research when he did not have such qualification;
- b. procured, sanctioned and/or acquiesced to the publication of the articles that commented on or directed attention to his professional skills, capabilities, knowledge, services and qualification;
- c. by such advertisement boards and articles drawn public attention to his capability and skills, which are acts tantamount to disseminating information in an unethical manner;
- d. self-advertised himself in the articles and advertisement Boards, contrary to the Code of Professional Conduct against advertising and canvassing, directly and/or indirectly for the purpose of obtaining patients or promoting his own professional advantage;
- e. by the advertisement boards and articles advertised the value of the herbal medicine in the treatment of obesity and in the lightening of skin, which is of unproven efficacy and of an undisclosed nature or composition; and
- f. by the advertisement boards and articles associated himself with the distribution and sale of the herbal medicine, which was a commercial undertaking in which he had a pecuniary interest.

The Council, at its inquiry on 11 January 2011, found **Dato Dr Che Rozmey bin Che Din** guilty and ordered that he be **SUSPENDED for 2 years** from the Register under Section 30 (ii) of the Medical Act 1971.

**He is currently undergoing the punishment from 15 March 2011 to 15 March 2013.**

2. **Dr Thanalingam s/o Kasipillay** was charged with abuse of his professional privileges and skills and conducted himself in a manner derogatory to the reputation of the medical profession and violated the Code of Professional Conduct as adopted by the Malaysian Medical Council in that he breached his professional responsibilities by issuing medical certificates No. 1346, 1352 & 1396 for the period 6 May 1998 to 17 August 1998 containing false and/or inaccurate statements as to the condition of Ramesh s/o Ramasamy (NRIC No: 701022-05-5523).

The Council, at its inquiry on 9 May 2011, found **Dr Thanalingam s/o Kasipillay** guilty and ordered that he be **SUSPENDED for 1 year** from the Register under Section 30 (ii) of the Medical Act 1971.

**Dr Thanalingam s/o Kasipillay has appealed against the punishment and the appeal is pending disposal at the High Court.**

### **Suspended the Suspension**

**Dr Shamsulbaharin bin Abd Ghani** was charged with neglect and disregard of his professional responsibilities in that he:

- a. signed false medical reports pertaining to injuries said to have been sustained by the named persons, without at any time having attended to such persons;
- b. issued false receipts and medical certificates for persons he had never attended to; and
- c. falsely represented to the complainant that such persons had sought treatment at his clinic, when the same was not true.

The Council, at its inquiry on 10 January 2011, found **Dr Shamsulbaharin bin Abd Ghani** guilty and ordered that he be **SUSPENDED for 2 years and SUSPENDED THE SUSPENSION for 2 years** from the Register under Section 30 (iv) of the Medical Act 1971.

### **Reprimand**

1. **Dr Nor Yatimah bt Moin** was charged with neglect and disregard of her professional responsibilities in that she failed to provide a conscientious assessment of the history, symptoms and signs of the Infant's condition when attending to him at the hospital on 4 February 2007 in that no examination was conducted thoroughly or at all.

The Council, at its inquiry on 8 February 2011, found **Dr Nor Yatimah bt Moin** guilty and ordered that she be **REPRIMANDED** under Section 30 (iii) of the Medical Act 1971.

2. **Dr K Vijaya Bhaskaran** was charged in relation to his interpretation of the pathology report dated 20 April 2007 in which he had failed to provide thorough professional attention to the histopathology report, and had thereby caused delay in treatment of a serious breast cancer and caused anguish to the complainant, and therefore had failed to provide a good standard of medical care to his patient contrary to Section 1.1(c) of the Code of Professional Conduct.

The Council, at its inquiry on 8 February 2011, found **Dr K Vijaya Bhaskaran** guilty and ordered that he be **REPRIMANDED** under Section 30 (iii) of the Medical Act 1971.

**Dr K Vijaya Bhaskaran** appealed to the High Court but subsequently withdrew the appeal.

3. **Dr Myinth Myinth Htwe** was charged with having abused her professional privileges by practicing Medicine at a place not permitted under her full registration certificate and Annual Practising Certificate.

The Council, at its inquiry on 14 March 2011, found **Dr Myinth Myinth Htwe** guilty and ordered that she be **REPRIMANDED** under Section 30 (iii) of the Medical Act 1971.