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PRESS RELEASE

DISCIPLINARY PUNISHMENT BY THE MALAYSIAN MEDICAL COUNCIL AGAINST ERRANT REGISTERED PRACTITIONERS IN THE YEAR 2008

BY

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THE PRESIDENT
MALAYSIAN MEDICAL COUNCIL

16 MARCH 2009

1. The Malaysian Medical Council meets every month to inquire into complaints against registered practitioners under its disciplinary jurisdiction.
2. Complaints are inquired under a two tier system where a Preliminary Investigation Committee initially investigates and if it finds that there are sufficient grounds to support the charge that it frames, it recommends to the Council to hold an inquiry.
3. It is the Council's earnest endeavour and desire to bring to book any errant practitioner who falls foul of the Code of Professional Conduct and any other related guidelines endorsed by us in relations to medical ethics. However the public are hereby informed that issues related to medical negligence does not fall within the realm and jurisdiction of the Council and are best settled through civil action in the courts. Often complainants are left disappointed when the Council rules that matters complained of are not within the disposal of the Council and solutions have to be sought elsewhere. Nevertheless every complaint is investigated in its own merit before a decision is made.
4. In 2008, a total of 87 complaints were received making a grand total of 223 complaints with a spillover from the previous years.
5. The five Preliminary Investigation Committees formed under the Council and the Council itself resolved 97 complaints during the year leaving a balance of 126 complaints at the end of 2008. Of this 17 complaints are still being inquired at the Council level.
6. The following were the outcomes of the inquiries held by the Council in 2008 where the practitioners were found guilty and sentenced:

- 6.1. Two practitioners had their names **Struck Off from the Medical Register** maintained by the Council under the Medical Act 1971. They were:-
- a. **Dr. Nusyirwan bin Mohd Syukur**, Registration No. 23520 of Pusat Perubatan Keluarga Shukran, Kuang was found guilty for falsely claiming to be a graduate of Universiti Kebangsaan Malaysia although he was actually a graduate of University of North Sumatera, Indonesia and repeatedly absconding from his place of practice and making false accusation of wrongful dismissal against his employers and subsequently demanding monetary compensation.
He had appeal to the High Court.
 - b. **Dr. Zubaidah binti Zabidin**, Registration No: 25757, in spite of possessing several addresses were not contactable during a substantial part of the inquiry. Innumerable attempts were made to communicate with her through the post, through advertisements in the local newspapers and personal delivery of documents. In spite of these attempts, she did not turn up at the inquiry by the Council. She was found guilty for associating herself with an unqualified and unregistered person, by allowing him to attend, treat and prescribe scheduled drugs to a patient, without her or any other registered practitioner's immediate personal supervision.
She did not appeal and the sentenced was carried out.
- 6.2. 11 other practitioners were found guilty and punished as follows:
- a. **Dr Kesaven a/l Thiagarajah**, Registration No. 27914 of Kumpulan Perubatan K.V.S was suspended from the register for a period of 6 months for having employed and associated himself with an unqualified and unregistered person and permitting the said person in his absence or without his or any other registered medical practitioner's immediate supervision to attend, treat and prescribe scheduled poisons to a patient in breach of the Poison's Act 1952.
 - b. **Dr. Ng Kok Kwang**, Registration No. 28599, of Leisure Bay Condo, Tanjung Tokong, Pulau Pinang was **suspended from the register for a period of one year but the suspension was suspended for a period of 2 years** for disregarding and/ or neglecting his professional responsibilities in:-
 - i. Despite being informed of the patient's specific election for an open procedure, went against the wishes of the patient and performed a who happens to be her mother Laparoscopically Assisted Vaginal Hysterectomy;
 - ii. Did not explain the risks to the patient, did not give prior notification to the patient nor seek the consent of the patient; and
 - iii. Failed to carry out competent and considerate inquiries post surgically to ascertain the well being of the patient and failed to provide appropriate and prompt action upon confirmation of the perforation of the patient's large intestine.

- c. **Dr. Thangarajo a/l Ponnusamy**, Registration No: 24978, of Klinik Shah Alam, Selangor was **reprimanded** for disregarding and neglecting his professional duties by employing and/or associating himself with a person not qualified and not registered by permitting him, in his absence and without his or any other registered medical practitioner's immediate personal supervision to attend, treat and prescribe scheduled poisons to a patient in contravention of the Poison's Act 1952.

He had also been charged and pleaded guilty at the Shah Alam Magistrate Court for conspiring with and permitting the said person to attend, treat and prescribe scheduled poisons in contravention of the Poison's Act 1952 to a patient in his absence and without his and any other registered medical practitioner's immediate personal supervision.

- d. **Dr. Samsuddin bin Rahmat**, Registration No: 24462 of Poliklinik Penawar, Bandar Baru Bangi was **suspended from the register for a period of six months** for disregarding and neglecting his professional duties by employing or associating himself with a person not registered as a medical practitioner under the Medical Act to attend, treat and prescribe scheduled poisons to a patient in contravention of the Poison's Act 1952.

He was also charged and pleaded guilty and was convicted and fined RM3,000 in default of imprisonment for abetting with the said person to perform the abovementioned illegal act.

- e. **Dr. Lakha Singh a/l Teja Singh** of Jalan Bidor, off Jalan Landasan , Taman Summir , Klang was **reprimanded** for disregarding and neglecting his professional responsibilities for on his own admission for employing and associating himself with an registered person to attend and treat a patient at his place of practice without his supervision.

- f. **Dr. Ravindran Ramasamy**, Registration No: 29018 of Klinik Ravi & Surgeri, Nilai Negeri Sembilan was **suspended for 6 months and the suspension suspended for 2 years** for employing and/or associating himself with a person not qualified and not registered and permitting the said person to prescribe and supply scheduled poison to a patient.

- g. **Dr. Kong Sui Ming**, Registration No: 22628 of Klinik Kong & Rakan-Rakan of Cukai, Kemaman was **suspended for 6 months and the suspension suspended for 2 years** for abuse of professional privilege and disregard of professional responsibilities for pleading guilty and being convicted of an offence for breaches of the Poisons Act 1952 and fined RM 2000 and RM 3000 respectively, in default of 3 month imprisonment by the Kemaman Magistrates Court, Terengganu.

- h. **Dr. Kamalavathi a/p Nadarajah**, Registration No: 29562 of Petaling Jaya Selangor was **suspended for 6 months** for abuse of professional privilege and skills by producing reports which were untrue misleading and improper and by not taking the most scrupulous care in issuing documents in relation to medical examination carried out on foreign workers.

- i. **Dr. Ng Ah See**, Registration No: 25045 of QHC Medical Centre, Subang Jaya, Selangor was **reprimanded** for disregarding and neglecting his professional duties in failing to inform a patient that he was going to start a vaginal digital examination after a Pap Smear examination and failure to obtain and procure the patients valid consent as well as failing to inform the patient of his intention to do a vaginal and digital examination.
 - j. **Dr Cynthia Mary Miranda**, Registration No: 25880 of Clinic Medic Louise, Paka, Dungun, Terengganu was **suspended from the register for a period of 3 (Three) months** for using the complainant's Medical Report, who happens to be her mother, as an exhibit in her affidavit in a civil suit at the High Court Terengganu without obtaining the consent of the patient when such information can only be released or disclosed on the strict instruction of the patient and this being a particularly serious dishonest act committed in the course of her professional practice.
 - k. **Dr. S. Paramaswaran**, Registration No: 15356 of Sabah Medical Centre, Kota Kinabalu and Pantai Medical Centre, Kuala Lumpur was **reprimanded** for neglecting and disregarding his professional responsibilities when he failed to provide competent and considerate professional management by neglecting to explain the details of the procedure performed, other possible alternatives and the complications that many arise taking into consideration that the patient is a foreigner. The patient subsequently passed away.
7. It is the Council's ardent hope that medical practitioners from the mistakes of others and avoid making the similar mistakes in future.
 8. Based on the number of actively practicing practitioners from the 20,280 Annual Practising Certificates issued in 2008, the complaint per 1,000 registered medical practitioners was 4.3. Though the number is small, yet it is not acceptable. Being professionals, medical practitioners are expected to abide to ethical practices at all times.
 9. For the majority of the registered practitioners who have and always strived to provide their best for their patients, I would like to take this opportunity to thank each and every one of them for their hard work and dedication on behalf of the Council.
 10. Thank you.

Yours sincerely,



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