

Disciplinary Inquiries held by the Malaysian Medical Council January – June 2010

Dr Wan Mazlan b Mohamed Woojdy, Perumal A/L Chinaya, Dr Karen Sharmini A/P Sandanasamy

Suspensions

1. **DR. BASMULLAH YUSOF** NRIC No. 631206-03-5315 (Full Registration No. 28085 dated 01/2/1990 APC No. 15006/2010) of Poliklinik Al-Hilal, No. 55, Jalan 5/76B, Desa Pandan, off Jalan Kg. Pandan, Kampung Pandan, 55100 Kuala Lumpur, was charged with neglecting and disregarding his professional responsibilities:-

- (a) In the standard of medical care to his patient by his incompetent and inconsiderate professional management.
- (b) in failing to provide appropriate and prompt action when urgent intervention was needed, thereby causing permanent damage to the patient's penis, thereby contravening Section 1.1 of the Code of Professional Conduct.
- (c) in failing to obtain an informed consent by failing to explain the procedure or options available and not conducting a proper physical examination or test prior to the circumcision, thereby contravening Section 3.7 of the *Good Medical Practice* Guideline.

He was found guilty of infamous conduct in a professional respect under Section 29(2)(b) of the Medical Act 1971 on the following grounds:-

- (i) there was a serious error in his clinical judgement and also in relation to the clinical equipment used.
- (ii) there was a lot of laxity in his follow up procedure where there was no attempt by the practitioner to contact the patient when he did not turn up for his follow-up.
- (iii) during the follow-up there were many warning signs that could have been taken into consideration to achieve a better level of care.

The Council, at its inquiry on 11 January 2010, ordered that **DR. BASMULLAH YUSOF** NRIC No. 631206-03-5315 (Full Registration No. 28085 dated 01/2/1990 APC No. 15006/2010) of Poliklinik Al-Hilal, No. 55, Jalan 5/76B, Desa Pandan, Off Jalan Kg. Pandan, Kampung Pandan, 55100 Kuala Lumpur be **SUSPENDED** from the Register under Section 30(ii) of the Medical Act 1971 for a period of **SIX (6) MONTHS**.

Dr. BASMULLAH YUSOF is currently undergoing the punishment.

2. **DR. GOPALKRISHNAN S/O A.R. JAYARAM** NRIC No. 510104-02-5473 (Full Registration No. 23991 dated 21/01/1982 APC No. 11686/2010) of Klinik Krishnan & Surgery, No. 10, Jalan Nakhoda 7, Taman Ungku Tun Aminah, 81300 Skudai, Johor was charged with conducting himself in a manner derogatory to the reputation of the medical profession contrary to Part 3.2.2 of the Code of Professional Conduct, by accepting kick-backs in the form of monies as an inducement to refer patients to another practitioner and thereby subjecting himself to improper financial transactions and also influencing or committing dishonest acts in the course of a practitioner's professional practice by inducing falsification of x-ray reports.

He was found guilty of infamous conduct in a professional respect under Section 29(2)(b) of the Medical Act 1971 on the following grounds i.e.

There has been monies changing hands between Dr. A and the practitioner who had admitted receiving it as kick backs and signing the vouchers alleged as payment for locum working in his clinic which was untrue.

The Council, at its inquiry on 10 May 2010, ordered that **DR. GOPALKRISHNAN S/O A.R. JAYARAM** NRIC No. 510104-02-5473 (Full Registration No. 23991 dated 21/01/1982) APC No. 11686/2010) of Klinik Krishnan & Surgery, No. 10, Jalan Nakhoda 7, Taman Ungku Tun Aminah, 81300 Skudai, Johor, to be **SUSPENDED** from the Register under Section 30(ii) of the Medical Act 1971 for a period of **THREE (3) MONTHS**.

DR. GOPALKRISHNAN S/O A.R. JAYARAM is currently undergoing the punishment.

3. **DR. ABDUL MALEK BIN JAMAL BUHARI** NRIC No. 700506-71-5327, (Full Registration No. 34172 dated 1/08/1998 APC No. 6859/2009) of Hospital Pusrawi, Lot 149, Jalan Tun Razak, Kuala Lumpur was charged with neglecting and disregarding his professional responsibilities;-

(a) in that he had failed to provide and maintain a good standard of medical care for the patient as required under part 1.1(a) of the Code of Professional Conduct by failing to conscientiously assess the history, symptoms and signs of the patient's condition, after four (4) visits to his clinic.

(b) in that he had failed to provide and maintain a good standard of medical care for the patient as required under part 1.1 (d) of the Code of Professional Conduct by failing to take appropriate and prompt action upon evidence suggesting the existence of a condition requiring urgent medical intervention.

He was found guilty of infamous conduct in a professional respect under Section 29(2)(b) of the Medical Act 1971 on the following grounds:-

(i) There were no proper clinical records to show that he had taken a proper history or conducted basic professional examination on the first and subsequent visits on 14/10/2006, 17/10/2006, 19/10/2006 AND he admitted that he did not examine the patient adequately on 19/10/06.

(ii) There were conflicting and contradictory statements in the medical report dated 23/12/2006 by the practitioner and his statement in his statutory declaration and also those of his witness with regards to the need for admission in spite of a serious abdominal complaint.

The Council, at its inquiry on 8 March 2010, ordered that **DR. ABDUL MALIK BIN JAMAL BUHARI** NRIC No. 700506-71-5327 (Full Registration No. 34172 dated 1/08/1998 APC No. 6859/2009) of Hospital Pusrawi, Lot 149, Jalan Tun Razak, Kuala Lumpur to be **SUSPENDED** from the Register under Section 30(ii) of the Medical Act 1971 for a period of **SIX (6) MONTHS**.

DR. ABDUL MALIK BIN JAMAL BUHARI has appealed against the punishment and the appeal is pending disposal at the High Court.

Reprimand

1. **DR. AIDIL AZRY BIN MOKHTAR** NRIC NO: 770822-14-5577 (Full Registration No: 39537 dated 12/08/2003 APC No: 11393/2009) of HSC Medical Centre, Lot 3.01, Menara PGRM 2, No. 8, Jalan Pudu Ulu, Cheras, 56100 Kuala Lumpur, was charged with advertising in an article whereby:-

(a) in the said article of the August 2007 issue of *Majalah Nona* August 2007 he had directly or indirectly advertised for the purposes of obtaining patients by promoting his own professional advantage, skill, knowledge and services which is contrary to public interest and discreditable to the profession of Medicine.

(b) he associated himself with an aesthetic centre and with a non-registered practitioner whereby he had influenced or appeared to have influenced his attitude towards the treatment of his patients thereby creating conflicts of interest with the patients.

He was found guilty of infamous conduct in a professional respect under Section 29(2)(b) of the Medical Act 1971 on the following grounds:-

(i) The practitioner had admitted:-

- (a) to having taken part in the interview, when he provided a list of services available at the centre.
- (b) that he was promised directorship if he did well and following this interview, there was an increase of patients/clients.
- (c) to the many errors in the article and his failure to write a letter to correct or protest against the inaccuracies.
- (d) that he did not possess the skills and experience in some of the procedures on the list of services available at the centre.

(ii) The article :

- (a) did draw attention to his own personality as well as his own medical practice.
- (b) provided professional endorsement of procedures and the safety of the centre which may be misleading.

The Council, at its inquiry on 8 February 2010, ordered that **DR. AIDIL AZRY BIN MOKHTAR** NRIC NO: 770822-14-5577 (Full Registration No: 39537 dated 12/08/2003 APC No: 11393/2009) of HSC Medical Centre, Lot 3.01, Menara PGRM 2, No. 8, Jalan Pudu Ulu, Cheras, 56100 Kuala Lumpur, to be **REPRIMANDED** under Section 30(ii) of the Medical Act 1971.

Disciplinary Inquiries Held by the Malaysian Medical Council July - December 2010

Dr Wan Mazlan Mohamed Woojdy, Dr Karen Sharmini, Mr Perumal Chinaya
MMC Secretariat

Suspension

1. Dr. Kong Sui Ming @ Kong Si Ming (NRIC No. 480408-11-5019 APC No.9485/2010 Full Registration No. 22628 dated 7/08/1978) being a medical practitioner registered under the Medical Act 1971 ("the Act") practising at Klink Kong & Rakan-rakan , K-7733, Jalan Jakar, Cukai 24000 Kemaman , Kuala Terengganu was charged with abusing his professional privilege and skills:

"by purchasing, storing with the purpose of prescribing and supplying 'ProsezineLinctus' contrary to Part 2.1.1 of the Code of Professional Conduct.

Further in contravention of the Dangerous Drugs Ordinance and the Regulations made thereunder resulting in his conviction and sentence in a Court of law, he had acted contrary to Part 2.1.2 of the Code of Professional Conduct."

He was found guilty of infamous conduct in a professional respect under Section 29(2) (a) & (b) of the Medical Act 1971 on the following grounds:-"that he had pleaded guilty to the charge; and he was not able to produce any evidence and did not take the opportunity to convince the Council that he had conducted his practice professionally."

The Council, at its inquiry on 8 November 2010, ordered that Dr. Kong Sui Ming @Kong Si Ming (NRIC No. 480408-11-5019) (APC No. 9485/2010), (Full Registration No.22628 dated 7/08/1978) of Klink Kong & Rakan-rakan , K-7733, Jalan Jakar, Cukai 24000 Kemaman , Kuala Terengganu to be **SUSPENDED for a period of one (1) year** from the Register under Section 30(ii) of the Medical Act 1971.

DR. KONG SUI MING @ KONG SI MING is currently undergoing the punishment from 29/12/2010 to 28/12/2011.

Reprimand

1. Dr. Selva Ganesan a/l Sockalingam (NRIC No. 680429-04-5087 APC No. 3942/2009 Full Registration No. 31447 dated 16/06/1995) being a medical practitioner registered under the Medical Act 1971 ("the Act") practising at Hospital Pakar Bersalin dan Sakit Puan (Ganesan Medical Practice Sdn. Bhd.) at No. 3 & 5A, Jalan Bandar Rawang 5, Bandar Bahru Rawang, 48000 Rawang, Selangor Darul Ehsan, was charged with neglecting and disregarding his professional responsibilities:

"In that he had failed to provide and maintain a good standard of medical care for the baby in not taking appropriate and prompt action during the transfer of the baby to Hospital Selayang upon evidence suggesting the existence of a condition requiring urgent medical intervention thereby contravening Section 1.1(d) of the Code of Professional Conduct. "

He was found guilty of infamous conduct in a professional respect under Section 29(2)(b) of the Medical Act 1971 on the following ground:-

“That he had given priority to a postnatal patient in preference to a baby that he considered ill enough to be transferred to the hospital. “

The Council, at its inquiry on 1 July 2010, ordered that DR. SELVA GANESAN A/LSOCKALINGAM (NRIC No. 680429-04-5087 APC No. 3942/2009 Full Registration No. 31447 dated 16/06/1995) of Hospital Pakar Bersalin dan Sakit Puan (Ganesan Medical Practice Sdn. Bhd.) at No. 3 & 5A, Jalan Bandar Rawang 5, Bandar Bahru Rawang, 48000 Rawang, Selangor Darul Ehsan to be **REPRIMANDED** under Section 30(ii) of the Medical Act 1971.

2. Dr. Fauziah Binti Ahmad (NRIC No. 630629-04-5422 APC No. 14049/2010 Full Registration No. 27898 dated 01/08/1989) being a medical practitioner registered under the Medical Act, 1971, practising at Klinik Keluarga Dr. Fauziah Sdn. Bhd, No. 3, Jalan Seri Duyung ½, Taman Seri Duyung, Seksyen Satu, 75460 Bandar Melaka, Melaka was charged with advertising and canvassing whereby: “She had procured, sanctioned and/or acquiesced to the publication of the article that commented on or directed attention to her professional skills, capabilities, knowledge, services and qualification.

By such article, drawn public attention to her capability and skills, which are acts tantamount to disseminating information in an unethical manner.

She had self-advertised herself in the article, contrary to the Code of Professional Conduct against advertising and canvassing, directly and/or indirectly for the purpose of obtaining patients or promoting her own professional advantage.

She had by the article advertised the value of the medically unproven Sonotron treatment in the treatment of the various medical conditions described in the article, using unacceptable anecdotes which do not constitute evidence based medicine.

She had made sweeping and erroneous statements about treatments of various medical and orthopaedic conditions implying that Sonotron is the only option for these conditions, thereby misleading the public.”

She was found guilty of infamous conduct in a professional respect under Section 29(2)(b) of the Medical Act 1971 on the following ground:-

“by her own admission she had pleaded guilty on all the charges proffered against her.”

The Council, at its inquiry on 8 November 2010, ordered that Dr. Fauziah Binti Ahmad (NRIC No. 630629-04-5422 APC No. 14049/2010 Full Registration No. 27898 dated 01/08/1989), of Klinik Keluarga Dr. Fauziah Sdn. Bhd, No. 3, Jalan Seri Duyung ½, Taman Seri Duyung, Seksyen Satu, 75460 Bandar Melaka, Melaka, to be **REPRIMANDED** under Section 30 (ii) of the Medical Act 1971.

3. Dr. Hla Myat U @ Ahmad Umar (Passport No: 349318 APC No. 9126/2010 Full Registration No. 31202 dated 01/04/2008) being a medical practitioner registered under the Medical Act 1971 (“the Act”) practising at Penjara Kluang, Batu 8, Kampung Gajah, Jalan Mersing, 86000 Kluang, Johor Darul Takzim was charged with neglecting and disregarding his professional responsibilities whereby:

“He had violated the expressed condition of his Full Registration Certificate that was awarded to him by the Malaysian Medical Council by practising as Medical Practitioner at the Accident and Emergency Unit of the Kluang Utama Specialist Centre Sdn. Bhd., No. 1, Susur 1, Jalan Besar, 86000 Kluang, Johor Darul Takzim (“the said Specialist Centre”) on or about June 2008 up to 11th September 2008.”

He was found guilty of infamous conduct in a professional respect under Section 29(2)(b) of the Medical Act 1971 on the following ground:

“By his own admission he had been engaged in locum practice on 11th September 2008 at 8.45 p.m at the Kluang Utama Specialist Centre in Kluang, Johor in violation of the condition that is stipulated in his Registration Certificate which states that he can only practise in Penjara Kluang, Batu 8, Kampung Gajah, Jalan Mersing, 86000 Kluang, Johor Darul Takzim.

He was at that material time caught by raiding team of the Enforcement Division, UKAPS to be practising as a locum at the said premise.”

The Council, at its inquiry on 14 December 2010, ordered that , Dr. Hla Myat U @ Ahmad Umar (Passport No: 349318 APC No. 9126/2010 Full Registration No. 31202 dated 01/04/2008) practicing at Penjara Kluang, Batu 8, Kampung Gajah, Jalan Mersing, 86000 Kluang, Johor Darul Takzim, to be **REPRIMANDED** under Section 30(ii) of the Medical Act 1971.