

**Traditional Chinese Medicine Practitioners Board
PRESS RELEASE**

Suspension of Registration as TCM Practitioner

CHUA BENG CHYE(蔡明财)

Mr Chua Beng Chye (蔡明财) of World of TCM Medicare Pte Ltd, located at 711 Geylang Road, #04-01, Oriental Venture Building, Singapore 389626 is a registered TCM physician.

2 A complaint was lodged with the TCM Practitioners Board against Mr Chua in relation to his conduct in prescribing and rendering TCM treatment to a patient. A fresh inquiry before a newly constituted Investigation Committee (“**IC**”) was ordered by the High Court, following Mr Chua’s decision to challenge the findings of a previous IC in relation to the complaint. The abovementioned complaint investigated had been lodged against Mr Chua by the Complainant, whose mother (“**Patient**”) had been diagnosed with lung and breast cancer by Western doctors in October 2014.

3 The Patient was diagnosed with early stage breast and lung cancers and was advised by her Western doctors to undergo surgical resection of the cancerous tumours in her lung and breast (the “**Surgery**”). The Patient had consented to undergo Surgery scheduled to take place on 4 November 2014. On 3 November 2014 (the “**First Consultation**”), when the Patient consulted Mr Chua about her medical condition, Mr Chua had offered the patient three options, namely, (i) to undergo the Surgery, as advised by her Western doctors, (ii) to undergo the Surgery and rely on TCM treatment for recuperation and recovery, or (iii) to postpone surgery for a period of three months to undergo TCM treatment administered by Mr Chua, with a CT scan after two months to determine the effectiveness of such treatment. The Patient accepted the third Option, i.e. to delay the Surgery, *contra* her Western doctors’ advice. The Complainant alleged that Mr Chua had, amongst other things, encouraged the Patient to delay the Surgery for three months and misled the Patient into believing that she could avoid and/or delay the Surgery by relying on TCM treatment alone. After the First Consultation, the Patient cancelled the Surgery originally scheduled for 4 November 2014.

4 After completing its investigation, the IC arrived at the following findings of fact:

- (a) Mr Chua had failed to carry out an adequate assessment of the Patient’s condition through good history taking and appropriate TCM clinical examination in his diagnosis, in breach of Clause 4.1.1(a) of the Ethical Code and Ethical Guidelines for TCM Practitioners (the “**Ethical Code**”).
- (b) During the First Consultation, Mr Chua wrongly informed the Patient that it was inconclusive as to whether her lung tumour was cancerous. Mr Chua misread a histopathology report issued by the National Cancer Centre (the “**NCC**”) that was handed to him by the Patient during the First Consultation. In trying to interpret the Patient’s Western medical reports and in professing such “*diagnosis*”, Mr Chua had failed to act within the

limits of his own competence, in breach of Clause 4.1.1(f) of the Ethical Code.

- (c) During the First Consultation, Mr Chua had informed the Patient that her breast tumour was cancerous. However, Mr Chua had wrongfully interpreted the fact that the Patient's "*blood indices*" were described as "*negative*" for "*ER*" and "*PR*" in another histopathology report issued by the NCC to be favourable for the Patient. He had alleged that this meant that the growth activity of the tumour would be slow. This was incorrect, as pointed out by an expert medical oncologist who gave evidence during the inquiry hearing. In fact, a delay in carrying out the Surgery would increase the risk of the Patient's cancer progressing. In trying to interpret the Patient's Western medical reports and in professing such "*diagnosis*", Mr Chua had failed to act within the limits of his own competence, in breach of Clause 4.1.1(f) of the Ethical Code.
- (d) On 5 November 2014 (the "**Second Consultation**") and before the IC, Mr Chua had alleged that undergoing the Surgery may cause the Patient's cancer cells to "*proliferate even faster and/or metastasis (sic)*". He also told the Patient that the tumour "*would not be life-threatening*". The expert medical oncologist who gave evidence before the IC "*methodically and effectively explained*" that Mr Chua had misread the Western medical literature" that he cited in support of his views. In representing to the Patient that the Surgery may cause her cancer cells to proliferate faster and/or metastasise and that her lung tumour was not life-threatening, Mr Chua had failed to act within the limits of his own competence, in breach of Clause 4.1.1(f) of the Ethical Code.
- (e) Mr Chua's proposed TCM treatment, which comprised 50 capsules containing powdered 15-year old ginseng as well as powder-form medicine, consisting of 24 different varieties of herbs to be consumed by the Patient, for the period from between 3 November 2014 to 3 February 2015, was not an appropriate and generally accepted method of TCM treatment. Mr Chua did not produce any literature that effectively supported his position that his TCM treatment could "*cure early stage cancer*". By failing to explain the contents of the powder-form medicine and/or any possible side effects that may result from taking it, Mr Chua had also acted in breach of Clause 4.1.3 of the Ethical Code.
- (f) Although there was insufficient evidence to conclude that Mr Chua's conduct was intentional, deliberate and calculated to cause the Patient to choose the third Option, i.e. to delay surgery, Mr Chua did recommend or otherwise encourage the Patient to delay undergoing the Surgery that had been recommended to her by her Western doctors. Mr Chua should not have put forward the Options to the Patient, in the first place. The third Option had consequences that could "*result in higher risk of mortality*", and is, in substance, neither "*an appropriate and generally accepted method*" of TCM treatment nor "*an option at all*".

- (g) By exploiting the Patient's vulnerability, Mr Chua had conducted himself in a manner which showed that he was indifferent to, or had a lack of concern for, the welfare / best interest of the Patient. Mr Chua had thereby acted in breach of Clause 4.4.1 of the Ethical Code. Mr Chua was neither remorseful for his conduct nor fully aware of the danger that he posed to the Patient.

5 In recommending that the Patient delay the Surgery that she was scheduled to undergo and misinforming her of the risks associated with such Surgery, Mr Chua had compromised the prospects of the Patient successfully recovering from her breast and lung cancer. Fortunately, the Complainant intervened and the Patient eventually underwent surgical resection of the tumours on 8 November 2014. Mr Chua had breached the duty of care that he owed to her, as a TCM physician, and had exceeded the limits of his own competence. The Board found Mr Chua to be guilty of serious professional misconduct, in breach of Clauses 4.1.1(a), 4.1.1(e), 4.1.1(f) and 4.4.1 of the Ethical Code as well as Sections 19(1)(i) and 19(1)(f) of the TCM Practitioners Act (Cap. 333A) (the "**Act**").

6 Having regard to the above, the Board decided to impose the following penalties against Mr Chua pursuant to Section 19(2) of the Act:

- (a) A suspension of Mr Chua's registration as a TCM practitioner for the maximum period of 3 years, with effect from 7 August 2018;
- (b) A financial penalty of \$10,000; and
- (c) a notice of censure.

7 Pursuant to Section 20(1) of the TCM Practitioners Act, the Board has also directed Mr Chua to pay for all the costs and expenses of and incidental to the inquiry conducted against him.

8 The Board advises TCM practitioners not to depart from accepted standards of TCM practice and to only provide recommendations in the best interest of their patients. They should always practice within the limits of their own competence and never exploit the vulnerability of their patients. The Board takes a serious view of such professional misconduct and will not hesitate to take disciplinary action in the event of any breaches.

TCM PRACTITIONERS BOARD 中医管理委员会
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