

Traditional Chinese Medicine Practitioners Board

PRESS RELEASE

Suspension of Registration as TCM practitioner

Ms Foo Tiam Thay (胡添娣) ["Ms Foo"] is a registered Traditional Chinese Medicine (TCM) Practitioner. At all material times, she practised primarily at Eng Chee Tong Medical Hall, located at Blk 84, Redhill Lane, #01-354, Singapore 150084.

2 On 22 March 2017, a complaint by way of statutory declaration ["Complaint"] was lodged with the TCM Practitioners Board against Ms Foo. The Complainant, in this case, alleged that Ms Foo had been providing TCM treatment to her (the Complainant's) elder brother (an intellectually challenged patient), for poor digestion and bowel issues for over three years, through remote consultations and prescribing and dispensing of TCM medication to the patient without adequate TCM clinical assessment and examination.

3 In accordance with medical records tendered to the Board, Ms Foo last saw the patient on 24 August 2014. There was no evidence of any face to face consultation or physical evaluation done by Ms Foo thereafter. Ms Foo only spoke to the patient's mother on a weekly basis over the phone to understand the patient's medical condition and then proceeded with prescription of TCM medications for the patient. The TCM medications were then mailed to the patient's home.

4 The Complainant also alleged, amongst other things, that Ms Foo had visited her residential home without prior consent to retrieve the unconsumed TCM medications which she had mailed to the Complainant's home and in the course of the visit, Ms Foo complained to the patient's mother that the complainant should not have lodged the Complaint to the Board. In the course of the investigation, Ms Foo produced Patient records that did not comply with the requirements of clause 4.1.2 of the Ethical Code and Ethical Guidelines for TCM Practitioners ["Ethical Code"].

5 Following the complaint and subsequent reviewing of the written explanation provided by Ms Foo, an Investigation Committee (IC) was convened to investigate the Complaint. The findings of IC 2019/2 in respect of the Complaint were as follow:

- (a) Ms Foo had failed to carry out adequate TCM assessments of her patient's medical condition through appropriate TCM clinical examination before prescribing and dispensing TCM medication and/or TCM treatments for an extended period of about three years in breach of Clause 4.1.1 (a) of the Ethical Code.
- (b) Ms Foo prescribed and administered TCM medications to the patient in the absence of face-to-face consultation and clinical evaluation for an extended period of about three years. She did so by way of remote consultation, mainly via telephone conversation with the patient's mother on a weekly basis and depending solely on information obtained from the patient's mother to arrive at the TCM

diagnosis and prescribed medications. Her conduct had amounted to a breach of Clauses 4.1.1(a), 4.1.1(c), 4.1.1 (e) and 4.1.3 of the Ethical Code;

- (c) Ms Foo did not keep proper and accurate medical records with clear, accurate and legible particulars and with sufficient details so as to enable proper aftercare and service for the patient, such that any other TCM practitioner or a registered medical practitioner reading them would be able to take over the management of the patient. This was in contravention of Clause 4.1.2 of the Ethical Code;
- (d) Ms Foo had failed to treat the Complainant, the patient and their family with courtesy, compassion and respect by going to the Complainant's home without prior consent on 16 February 2017 to retrieve the unconsumed TCM medications and to express her unhappiness over the Complainant's decision to file a complaint to the Board. Her actions had contravened Clause 4.2.1 of the Ethical Code;
- (e) Ms Foo was aware that the patient had a history of sigmoid volvulus and could possibly relapse and result in intestinal blockage. Despite having such knowledge, Ms Foo opted not to conduct any necessary and timely investigation to ascertain the patient's medical condition and thus exposed the patient to significant risks and potential harm.

6 Following the determinations made above, the IC was of the unanimous view that Ms Foo had failed to conduct herself with due regard to the standard of good TCM practice and failed to act in the best interests, safety and well-being of the patient. She had breached Clauses 4.1.1(a), 4.1.1(c), 4.1.1(e), 4.1.2, 4.1.3 and 4.2.1 of the Ethical Code, read in tandem with Regulations 2(2) and 3 of the Traditional Chinese Medicine Practitioners (Practice, Conduct and Ethics) Regulations and Sections 19(1)(f) and 19(1)(i) of the Act.

7 The IC took into account the following in deciding its recommendations to the Board:

- (a) Ms Foo had carried out the remote consultations at the request and approval of the patient's mother;
- (b) There is insufficient evidence that Ms Foo's TCM treatments caused harm or injury to the patient;
- (c) Ms Foo was apologetic and remorseful;
- (d) Ms Foo had admitted her mistakes and thereby avoided a protracted inquiry; and
- (e) This is the first complaint against Ms Foo.

8 Having carefully considered the foregoing, the Board decided to impose the following sanctions against Ms Foo pursuant to Section 19(2) of the Act:

- (a) A suspension of Ms Foo's registration as a TCM practitioner for a period of 2 months;
- (b) A financial penalty of \$5,000;
- (c) A censure, and
- (d) A written undertaking by Ms Foo that she will henceforth refrain from prescribing and dispensing TCM medications and/or TCM treatment without performing adequate TCM clinical assessments of her patient's medical condition in strict compliance with relevant provisions set out in Clause 4.1.1 of the Ethical Code.

9 Pursuant to Section 20(1) of the Act, the Board has also directed Ms Foo to pay for all costs and expenses of and incidental to the inquiry conducted and action taken against her.

10 The Board wishes to highlight that there may be potential patient safety risks to remote consultation. This is especially so for patients with special needs as they may not be able to communicate their medical symptoms or health conditions accurately to their caregivers. Face-to-face consultations are to ensure that the TCM treatments prescribed are appropriate and without compromising patients' safety. The Board urges registered TCM practitioners to familiarise themselves with the Ethical Code which clearly defines and sets out the required standard for good TCM clinical practice.

TCM PRACTITIONERS BOARD
6 August 2019

Media Contact: Ms Quah Ai Mui
Executive Secretary
Tel: 6355 2488
Fax: 6355 2489
E-mail: enquiries@tcmpb.gov.sg