



## SINGAPORE MEDICAL COUNCIL

16 College Road, #01-01 College of Medicine Building, Singapore 169854

E-mail Address: [moh\\_smc@moh.gov.sg](mailto:moh_smc@moh.gov.sg)

Website: <http://www.smc.gov.sg>

Fax Number: (65) 6258-2134

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### PRESS RELEASE

#### DISCIPLINARY INQUIRY FOR DR MAH MUN MO MALCOLM

1. A Disciplinary Inquiry ("Inquiry") hearing was held on 12 January 2010 against Dr Mah Mun Mo Malcolm ("Dr Mah").
2. At the material time, Dr Mah was a general practitioner practising at Pacific Mah Medical, located at Blk 452 Ang Mo Kio Ave 10, #10-1773, Singapore 560542.
3. Dr Mah faced 9 charges of professional misconduct under Section 45(1)(d) of the Medical Registration Act in that he failed to exercise due care in the management of his patients in the prescription of Subutex and Benzodiazepines. Of the 9 charges, 8 charges related to the dispensation of the drug Subutex (Buprenorphine) and 1 charge related to the dispensation of Benzodiazepines.
4. The charges relating to Subutex against Dr Mah were that he had failed to exercise due care in the management his patients in that:
  - a) he failed to formulate any long term treatment plan for the treatment of the patient's medical condition;
  - b) he failed to record or document in the patient's Patient Medical Records ("PMR"), details or sufficient details of the patient's diagnosis, symptoms and condition throughout the period of treatment save for the initial consultation;
  - c) he failed to carry out an adequate assessment of the patient's medical condition;
  - d) he failed to refer the patient to a medical specialist and/or psychiatrist for further assessment and management;

e) he prescribed take-home dosages of Subutex more than the allowed 1-week dosage stipulated in the MOH Guidelines dated 26 October 2005 for the Treatment of Opiate Dependence (“MOH Subutex Guidelines”) for 1 patient;

f) he prescribed Subutex in combination with Benzodiazepine for 2 of the patients; and

g) he prescribed take-home doses of Subutex to 1 patient on 1 occasion even though the patient’s urinary test showed that the patient was using illicit opiates, in breach of the MOH Subutex Guidelines.

5. The charge relating to Benzodiazepines against Dr Mah was that he failed to exercise due care in the management of his patients in the prescription of Benzodiazepines in that:

a) he failed to formulate any long term treatment plan for the treatment of the patient’s medical condition;

b) he failed to record or document in the said patient’s PMR sufficient details of the patient’s diagnosis, symptoms and condition; and

c) he failed to carry out an adequate assessment of the patient’s medical condition.

6. Dr Mah pleaded guilty to all 9 charges at the Inquiry and accordingly, the Disciplinary Committee (“DC”) convicted him on the charges.

7. The DC emphasized that blatant disregard of the standards of the profession, or of guidelines prescribed to the profession will not be taken lightly. The DC noted that the long term prescription of Subutex, Benzodiazepines and Hypnotics may lead to drug dependence and tolerance and cause harm to patients; this is the reason why in such cases, a period of suspension and a fine will invariably be imposed on the defaulting practitioner. The DC also noted the sentencing precedents in previous cases involving the prescription of Subutex and/or Benzodiazepines.

8. The DC noted the mitigating circumstances. In deciding not to impose a suspension, the DC took into consideration the following mitigating facts and circumstances:

- a) there was a relatively low number of charges involving the prescription of Subutex and Benzodiazepines;
  - b) Dr Mah had voluntarily ceased medical practice since August 2007 and has not been practising as a medical practitioner since;
  - c) Dr Mah had demonstrated a desire to help his patients by consulting with the doctors of the Institute of Mental Health (“IMH”) on the management of his difficult patients, attended CAMP counselling sessions, workshops and conferences in connection with addiction management; and
  - d) testimonials provided by his patients, fellow medical practitioners and person associated with his voluntary work.
9. In conclusion, the DC reiterated that though in cases of misconduct involving prescription of Subutex and/or Benzodiazepines, a period of suspension and a fine will invariably be imposed, Dr Mah’s case ought not to be cited as a precedent as the decision not to impose a suspension in this case was justified on the mitigating factors as set out above.
10. Having reviewed the relevant circumstances and having taken into account the mitigating factors of the case, the DC ordered that Dr Mah:
- a) be fined a sum of \$5,000;
  - b) be censured;
  - c) give a written undertaking to the Singapore Medical Council that he will not engage in the conduct complained of or any similar conduct; and
  - d) pay the costs and expenses of the disciplinary proceedings.

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