



SINGAPORE MEDICAL COUNCIL

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23 August 2011

PRESS RELEASE

DISCIPLINARY COMMITTEE INQUIRY FOR DR KWAN KAH YEE

1. The Disciplinary Committee ("DC") of the Singapore Medical Council ("SMC") held a disciplinary inquiry for Dr Kwan Kah Yee ("Dr Kwan"), age 60 years, a registered medical practitioner practising as a General Practitioner at Superbcity Hospice, Blk 111, North Bridge Road, #07-27, Peninsula Plaza, Singapore 179098. The inquiry hearings were held in April, June and July 2011. The proceedings arose out of a complaint to the SMC dated 13 November 2009 by a family member of a deceased patient ("Patient").
2. Dr Kwan faced one charge of professional misconduct under the Medical Registration Act (Cap. 174) ("MRA"), in respect of his certification of the cause of death of the Patient. Dr Kwan contested the charge.
3. The charge alleged that Dr Kwan, in making his certification, wrongly certified Congestive Cardiac Failure ("CCF") as a cause of death. The certification was defective in that Dr Kwan did not have enough evidence to conclude that the Patient was suffering from CCF. The certification was also wrong in that CCF is not a cause of death but a mode of death.
4. The charge also alleged that Dr Kwan made a further error in certifying that the Patient had suffered from Ischaemic Heart Disease ("IHD") for a period of 6 years prior to the Patient's demise as he had no factual basis for doing so.
5. The DC heard full evidence and witnesses. At the end of the inquiry, the DC found Dr Kwan guilty of professional misconduct.

6. The DC was unable to agree with Dr Kwan's certification that the Patient's cause of death was CCF. The DC found that Dr Kwan had accepted during his cross examination that the cause of death of the Patient was IHD, and CCF was only a qualifier to that cause of death.
7. The DC was of the view that there was not enough evidence on clinical grounds or on the available medical records of the Patient to make such a conclusion. The only conclusion which could be made was that the Patient had hypertension.
8. Although the DC agreed with Dr Kwan that IHD would have taken some time to develop in the Patient, the DC found that there was no evidence that the Patient had developed IHD 6 years before her demise. As such, Dr Kwan's conclusion of IHD was unsubstantiated.
9. At the conclusion of the inquiry, the DC ordered that Dr Kwan:
 - a. be suspended from practice for a period of 3 months;
 - b. be fined the sum of \$5,000;
 - c. be censured;
 - d. to provide a written undertaking to the SMC that he would not engage in the conduct complained of or similar conduct;
 - e. to, within 30 days of the DC's decision, provide assistance to the Patient's family in respect of any necessary application to the Registry of Births and Deaths to rectify the death certificate; and
 - f. to pay the costs and expenses of the disciplinary proceedings.
10. The DC also ordered that the Grounds of Decision be published.
11. Dr Kwan's 3-month suspension took effect on 12 August 2011.

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