



## SINGAPORE MEDICAL COUNCIL

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### **PRESS RELEASE DISCIPLINARY COMMITTEE INQUIRY FOR DR KONG KOK LEONG AND DR ERIC CHONG YU**

1. A Disciplinary Committee (“DC”) Inquiry (“Inquiry”) was held for Dr Kong Kok Leong (“Dr Kong”), age 41 years and Dr Eric Chong Yu (“Dr Chong”), age 38 years. The Inquiry concluded in August 2012.
2. The Inquiry proceedings arose out of a complaint by the Ministry of Health (“MOH”) dated 1 June 2007 relating to Dr Kong and Dr Chong’s practice at Kings Medical Clinic (“the Clinic”), located at 59A Serangoon Garden Way, Singapore 555955. The charges against Dr Kong and Dr Chong were similar and proceeded as a joint inquiry with both doctors’ consent.
3. Dr Kong faced 19 charges and Dr Chong faced 17 charges for failing to carry out a proper assessment of the condition of the patients before the prescription of Subutex in that:-
  - a. They failed to carry out direct visual supervision during the patient’s initial phase of therapy;
  - b. They failed to carry out weekly urinary tests, or urinary tests on a monthly basis as the case may be;
  - c. They failed to check the patient for signs of abuse of Subutex prescriptions by intravenous use, e.g. needle marks;
  - d. They failed to refer the patient to CAMP (acronym for “Community Addiction Management Programme”) for treatment by a specialist within 6 months of the Subutex treatment;
  - e. They failed to record sufficient details of the patients’ conditions in the patient’s medical records.
4. Subutex is used in opioid replacement therapy to reduce the use of illicit opiates, namely heroin, in an opiate-dependent patient.

5. Dr Kong and Dr Chong contested all charges at the Inquiry. The DC heard full evidence and witnesses. At the end of the Inquiry, the DC convicted Dr Kong of 16 charges and Dr Chong of 16 charges.
6. In reaching these findings, the DC emphasized that patients seeking Subutex treatment require strict monitoring during the treatment regime given their continuing addiction to heroin. The MOH Guidelines on the Treatment of Opiate Dependence (“MOH Guidelines”) had been issued for this purpose. In particular, the keeping of proper medical records was important given that doctor-hopping is common amongst such patients.
7. The DC found that Dr Kong and Dr Chong had failed to carry out direct visual supervision during the patient’s initial phase of therapy as required under the MOH Guidelines. The DC rejected the doctors’ defence that the patients were already on the maintenance phase of therapy before consulting them, and therefore did not require direct visual supervision. The DC took the view that Dr Kong and Dr Chong should properly ascertain whether the patients had just begun Subutex treatment or had reached a stable maintenance dosage of Subutex, prior to prescribing Subutex to them, which they did not do. For patients who had just begun Subutex treatment, the DC noted that the doctors did not always observe them taking Subutex at the clinic, as required by the MOH Guidelines.
8. The DC found that Dr Kong and Dr Chong had failed to carry out urinary tests as required under the MOH Guidelines to verify the patients’ abstinence from opiates. The DC held that the doctors’ practice of keeping the urine test sheets separately from the patients’ medical records cards and not referring to these test sheets during consultations with the patients was unacceptable as such a practice did not allow the doctor to have all available information to make an informed assessment of a patient’s condition, which was important when treating patients for opiate-dependence. The DC also found that it was not reliable to rely on the urine test sheets as there were numerous discrepancies which led the DC to conclude that the test sheets were not contemporaneous with the patient medical records.
9. The DC found that Dr Kong and Dr Chong had failed to carry out adequate checks for needle marks which would indicate intravenous use of Subutex.
10. The DC found that Dr Kong and Dr Chong had failed to refer the patient to CAMP for treatment by a specialist within 6 months of the Subutex treatment, as required under

the MOH Guidelines. The DC rejected Dr Chong and Dr Kong's contention that referrals by way of counselling to the patients, or writing referral letters to CAMP, was sufficient. The DC noted that while it is good to counsel patients on the benefit of a review by CAMP, this is not the same as making an actual referral. In respect of writing referrals to CAMP, the DC was of the view that to give effect to the MOH Guidelines, there must be some enforcement of the referral, for example by threat of withholding further treatment until the patient attended the review by CAMP. The DC also noted that the referral forms were not kept with the patients' medical record cards and hence there was poor record keeping by the doctors. The dates of the referrals also differed from the entries in the patients' medical record cards.

11. The DC found that Dr Kong and Dr Chong had failed to record sufficient details of the patients' conditions in the patient's medical records. The DC found that there were material omissions and irregularities in the patient's medical records. The DC further noted that the fact that Dr Kong and Dr Chong were unable to comment on certain aspects of the management of patients within the knowledge of the other, illustrated how the records were insufficient, given that both were co-managing the patients.
12. The DC concluded that the conduct of Dr Kong and Dr Chong had breached the standards of the medical profession as set out in the SMC Ethical Guidelines, and the MOH Guidelines. These guidelines codified the standards "observed or adopted" by the medical profession.
13. The DC considered the mitigating factors, and noted that Dr Kong and Dr Chong carried out periodic reviews of the patients which were documented and that some of the periods of consultations were short. However, the DC was of the view that all the charges involved a failure to document the treatment properly, which was a serious shortcoming. A fine would not do justice or uphold public confidence in the medical profession.
14. The DC ordered that Dr Kong:
  - (1) Be suspended from practice for a period of 4 months;
  - (2) Be fined a sum of \$7,000;
  - (3) Be censured;
  - (4) Provide a written undertaking to the SMC that he will not engage in the conduct complained of or any similar conduct; and
  - (5) Pay the costs and expenses of the proceedings, including the costs of the Counsel for the SMC and the Legal Assessor.

15. The DC ordered that Dr Chong:
  - (1) Be suspended from practice for a period of 4 months;
  - (2) Be fined a sum of \$5,000;
  - (3) Be censured;
  - (4) Provide a written undertaking to the SMC that he will not engage in the conduct complained of or any similar conduct; and
  - (5) Pay the costs and expenses of the proceedings, including the costs of the Counsel for the SMC and the Legal Assessor.
  
16. The DC ordered that the Grounds of Decision be published.
  
17. Dr Kong and Dr Chong's 4-month suspension took effect on 17 September 2012.

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