



SINGAPORE MEDICAL COUNCIL

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

E-mail Address: enquiries@smc.gov.sg

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

Fax Number: (65) 6258-2134

1 April 2014

PRESS RELEASE

DISCIPLINARY TRIBUNAL INQUIRY FOR DR GOH MIN YIH PETER

1. The SMC's Disciplinary Tribunal ("**DT**") held a disciplinary inquiry ("**Inquiry**") for Dr Goh Min Yih Peter ("**Dr Goh**"). Dr Goh is a registered medical practitioner specialising in General Surgery. At all material times, Dr Goh practised at Advanced Surgical Group Pte Ltd (formerly known as "**Aesthetic Surgical Group Pte Ltd**").
2. The disciplinary proceedings arose out of a complaint from the Ministry of Health to the SMC dated 8 December 2010.
3. Dr Goh faced 2 charges of professional misconduct under the Medical Registration Act.
4. Dr Goh contested both charges. The Inquiry was held over 4 days. The DT handed down its verdict on 18 February 2014 dismissing one charge and finding Dr Goh guilty of the other charge. The charge he was convicted of alleged as follows:
 - (a) That Dr Goh had performed "SCARLESS Laser EyeBag Removal" ("**EyeBag Surgery**"), a blepharoplasty procedure, on his patients even though he was not qualified to do so. In this regard, under the Guidelines on Aesthetic Practices for Doctors which took effect from 1 November 2008 ("**Guidelines**"), only plastic surgeons or ophthalmologists trained in oculoplasty are allowed to perform blepharoplasty.

5. In Dr Goh's defence, he canvassed the following arguments:
 - (a) That the EyeBag Surgery he performed was not blepharoplasty under the Guidelines;
 - (b) That the definition of blepharoplasty under the Guidelines was ambiguous;
 - (c) That he honestly believed that the EyeBag Surgery was not blepharoplasty and this view was supported by medical literature and his colleagues; and
 - (d) That the Guidelines are not law.

6. The DT found that the EyeBag Surgery was undisputedly blepharoplasty based on their review of medical literature and the evidence of the Prosecution's and Dr Goh's expert witnesses. Dr Goh had argued that the Eyebag Surgery utilises the transconjunctival approach whilst traditional blepharoplasty utilises the transcutaneous approach. The DT found that while different methods may be employed, e.g. method of incision, the use of different methods does not alter the nature of the underlying procedure.

7. Dr Goh's argument that the Guidelines were ambiguous was also found to be unmeritorious. The DC noted that the lack of a definition in the Guidelines did not entitle a medical practitioner to ascribe any definition that he may deem appropriate.

8. The DC further observed that if a medical practitioner wanted to carry out a particular procedure and was unsure as to whether that procedure was regulated by the Guidelines, rather than to run the risk of running afoul of the Guidelines, the onus was on him to seek clarification from the SMC as the regulating authority. This, the DT noted, Dr Goh failed to do.

9. The DT also found that considering his experience and seniority as a general surgeon, Dr Goh ought to have some working knowledge of blepharoplasty, contrary to his claims that he did not. The DT further found that Dr Goh did not take sufficient care to conduct his research prior to commencing the EyeBag Surgery procedure.

10. In addition, Dr Goh was also not able to adduce evidence from his colleagues whom he claimed had shared his views that the EyeBag Surgery is not blepharoplasty. Such a claim by Dr Goh was also contradicted by records of the procedure in the clinic documenting the procedure as “*Transconjunctival Blepharoplasty*”.
11. The DT was also of the view that it was misguided of Dr Goh to rely on the fact that there were other practitioners carrying out the procedure in breach of the Guidelines to justify his conclusion that the procedure was not regulated. The DT cautioned that Guidelines issued by the regulating authorities are often necessary to address a proliferation of undesired practices by medical practitioners, often driven by profit, and the medical profession must be on its guard against attempts by practitioners to subvert the regime of regulation.
12. The DT also rejected Dr Goh’s argument that the Guidelines were not law. The DC highlighted that the Guidelines were drafted by the SMC in consultation with the College of Family Physicians and the Academy of Medicine, Singapore, and represented a balance between the regulation of aesthetic practices on one hand, and the carrying out of such practices by medical practitioners on the other. Given that the objective of such Guidelines was the protection of the public from being subject to medical treatment by practitioners without the requisite training, medical practitioners must adhere to the Guidelines and any breach may result in disciplinary actions by the SMC. It was for those reasons that Dr Goh was found guilty of the performing EyeBag Surgery even though he was not qualified to do so.
13. At the conclusion of the Inquiry, after considering the mitigating factors including the fact that there was no evidence of harm to any of the patients that underwent the Eyebag Surgery by Dr Goh, the DT ordered that Dr Goh:
 - (a) pay a penalty of \$15,000.00;
 - (b) be censured;
 - (c) give a written undertaking to the SMC that he will not engage in the conduct complained of, or any similar conduct; and

(d) bear 70% of the costs and expenses to the proceedings, including the costs of the solicitors to the SMC and the Legal Assessor.

14. The DT also ordered that the grounds of decision be published.

- END -