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PRESS RELEASE

DISCIPLINARY TRIBUNAL INQUIRY FOR DR HUANG HSIANG SHUI MARTIN

1. The Disciplinary Tribunal ("DT") of the Singapore Medical Council ("SMC") held a disciplinary inquiry hearing from 5 to 9 October and 28 October 2015 for Dr Huang Hsiang Shui Martin ("Dr Huang").
2. Dr Huang is a plastic surgeon in private practice.
3. The DT inquiry arose from a complaint made by the mother ("the Complainant") of one of Dr Huang's patients who was a female minor aged 17 at the time she consulted Dr Huang ("the Patient"). The complaint was made with regard to certain pre-procedure photographs taken of the Patient prior to a scar revision and contouring of underlying fat on the Patient's left upper medial thigh ("the Procedure"). Dr Huang was the doctor who carried out the Procedure, and the pre-procedure photographs were taken by a clinical photographer.
4. A Complaints Committee ("CC") was constituted to investigate this complaint. After investigation, the CC referred Dr Huang's case for a formal inquiry before a DT. Dr Huang was charged with two counts of professional misconduct, in that he failed to exercise due care in the management of the Patient by:
 - a) Failing to treat the Patient with courtesy, consideration, compassion and respect and to protect her right to privacy and dignity during a pre-procedure review on 29 November 2010 ("the 1st Charge"); and
 - b) Failing to inform and provide adequate information to the Patient in respect of the specific pre-procedure requirements such as to enable the Patient to make informed choices and participate in decisions in relation to the Patient's treatment. ("the 2nd Charge").

5. On the first day of the inquiry on 5 October 2015, Dr Huang pleaded not guilty to the charges and chose to claim trial. On the third day of the inquiry on 7 October 2015, after the SMC had called all its witnesses, Dr Huang informed the DT through his lawyers that he intended to “take a certain course of action” with respect to the charges.
6. When the hearing of the inquiry resumed on 28 October 2015, Dr Huang pleaded guilty to the 1st Charge, with the 2nd Charge to be taken into consideration for the purposes of sentencing.
7. After hearing submissions from the SMC and Dr Huang’s lawyers on sentencing and mitigation, the DT ordered that Dr Huang:
 - a) be fined S\$10,000;
 - b) be censured; and
 - c) give a written undertaking to the SMC that he would abstain from the conduct complained of or any similar conduct.
8. The DT also ordered that Dr Huang pay 70% of the costs and expenses of and incidental to the proceedings, including the costs of the solicitors to the SMC.
9. In coming to its decision, the DT highlighted section 4.2.1 of the SMC Ethical Code and Ethical Guidelines, which provides as follows:

“4.2.1 Attitude towards patients

Patients shall be treated with courtesy, consideration, compassion and respect. They shall also be offered the right of privacy and dignity. It is recommended that a female chaperone be present where a male doctor examines a female patient. This will protect both the patient’s right to privacy and dignity, as well as the doctor from complaints of molestation.

On the other hand, a doctor is not obliged to allow himself to be subjected to abuse of any kind by patients or their relatives. Where such abuse occurs, provided that there is no need for self-defence against physical harm, doctors shall not retaliate, but end the engagement with the patient as quickly as possible, in a professional manner.”

10. The DT found that Dr Huang had breached section 4.2.1 of the Ethical Code and Ethical Guidelines in that he failed to treat the Patient with the required courtesy, consideration, compassion and respect and did not take steps to protect her privacy and dignity in the operating room as expected of him at the material time before the pre-procedure photographs were taken. The DT noted that when the Patient was in the operating room, she was asked to remove all her clothing including her brassiere and her underwear, and was given an outer gown as well as an inner gown and disposable underwear to put on. When Dr Huang entered the operating room, he asked the nurse to remove both the Patient's inner and the outer gowns. The Patient felt uncomfortable and asked to put on her brassiere and Dr Huang agreed.
11. The DT further noted that the Patient was then required to remove her disposable underwear and a nurse approached her and assisted to pull down the Patient's underwear. Thereupon, the Patient appeared completely nude from waist downwards in front of strangers, and Dr Huang did not show any concern of the deep emotional trauma and distress the Patient felt at that time.
12. The DT found Dr Huang's conduct to be a serious offence, and was of the view that a clear message should be sent to the medical profession that treating a patient with courtesy, consideration, compassion and respect and offering the right of privacy and dignity is required of all medical practitioners. The DT explained that the sentence imposed on Dr Huang was intended to deter similar misconduct and to uphold the trust and respect the society has for the medical profession.

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