



## SINGAPORE MEDICAL COUNCIL

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### PRESS RELEASE

#### DISCIPLINARY TRIBUNAL INQUIRY FOR DR WONG YOKE MENG

1. Dr Wong Yoke Meng ("Dr Wong") is a registered obstetrician and gynaecologist who was then practising at Clinique Suisse ("the Clinic") from January 2007 to November 2009, and he was the licensee having management and control of the Clinic.
2. On 7 May 2010, Dr Wong pleaded guilty in the then-Subordinate Courts and was convicted of 3 charges under section 5(1) of the Private Hospitals and Medical Clinics Act (Cap. 248) ("the Act") punishable under section 5(2) of the Act for operating a medical clinic in breach of a condition of the licence issued by the Ministry of Health ("MOH"), in respect of Dr Wong's actions of collecting specimens and/or samples from patients at the Clinic and sending them to foreign clinical laboratories that had not been accredited by an accreditation body approved by the Director of Medical Services for various tests and/or examinations. A fourth similar charge was taken into consideration for the purpose of sentencing. Dr Wong was sentenced to a fine of \$8,000 for each charge, resulting in a cumulative sentence of a fine of \$24,000.
3. Dr Wong was accordingly referred to the Singapore Medical Council ("SMC") for disciplinary proceedings. Before the DT, he faced 3 charges punishable under section 53(2) read with section 53(1)(c) of the Medical Registration Act (Cap. 174) ("MRA") for the matters stated in the preceding paragraph. Dr Wong pleaded guilty to the 3 charges before the DT and was accordingly convicted.

4. In its Grounds of Decision, the DT considered the issue of the appropriate sentence and determined that there was neither any injustice nor unfairness to further penalties under the MRA in appropriate instances as the proceedings in the court of law and the DT were completely separate and distinct.
5. In considering the appropriate punishment to be imposed on Dr Wong, the DT found that Dr Wong's actions, in failing to ensure that the foreign clinical laboratories to which he sent samples of matter derived from the human body, had been accredited by an accreditation body approved by the Director of Medical Services under the Act, reflected a disregard for the health and safety of his patients.
6. The DT noted that Dr Wong, having violated the regulations before in 2001 where he allowed his clinic to be used for cosmetic treatment and programme in breach of the conditions of the licence prescribed by the MOH, ought to have exercised greater caution whenever he thought of doing something out of the ordinary, such as taking the trouble to send human tissue samples to laboratories outside of Singapore for testing. As such, a mere censure would not be appropriate, as it would not accord sufficient gravity to the fact that Dr Wong had past antecedents. Furthermore, Dr Wong's present breaches could have put his patients at risk and it was plain fortuitous that no one suffered any physical and/or medical harm as a result of his transgressions. If there were, it would have been an aggravating factor.
7. In determining whether a suspension was appropriate, the DT was of the view that while Dr Wong was theoretically a repeat offender in view of his violations in 2001, as the underlying offences for the charge in 2001 and the present were starkly different, he was not a repeat offender under section 53(1)(c) of the Act. As such, the DT felt that a suspension would not be appropriate on the facts as from the precedents, the sentence for such offences was typically a fine of \$5,000 to \$8,000 per charge.

8. In considering the amount of fine to be imposed, the DT observed that the 3 charges were similar offences, namely sending samples of human tissue to 3 different unaccredited laboratories outside Singapore over a period of about 2 years. The DT preferred to view the penalty imposed as a global fine for the offences committed as a whole by Dr Wong and was mindful that the total fine imposed must not only be sufficiently deterrent considering Dr Wong's antecedents, but should also be proportionate in all the circumstances.
9. Having regard to the fact that Dr Wong's conduct involved issues of patient safety, and considering all the relevant circumstances of the case, including the nature of the offence, Dr Wong's early plea of guilt and the mitigation tendered, the DT ordered that Dr Wong:-
  - (a) Pay a penalty in the total sum of **\$24,000**;
  - (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) Pay the costs and expenses of and incidental to the proceedings, including the costs of the solicitors to the SMC.
10. The DT also ordered that the Grounds of Decision be published.

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