



## SINGAPORE MEDICAL COUNCIL

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### PRESS RELEASE

#### DISCIPLINARY TRIBUNAL INQUIRY FOR DR HENG BOON WAH JOSEPH

1. A Disciplinary Tribunal (“**DT**”) held an inquiry (“the Inquiry”) into a complaint against Dr Heng Boon Wah Joseph (“**Dr Heng**”) on 26 July 2016.
2. Dr Heng, aged 66, was practising as a general practitioner at Heng Clinic & Surgery located at Block 740 Bedok Reservoir Road #01-3183, Singapore 470740 at the material time.
3. The Inquiry arose from a complaint dated 30 December 2011 from the Health Sciences Authority to the Singapore Medical Council (“**SMC**”).
4. Dr Heng pleaded guilty to 47 charges of professional misconduct for failing to exercise due care in the management and/or treatment of his patients relating to the inappropriate prescription of hypnotic medication, commonly known as sleeping pills. In addition, a further 31 charges were taken into consideration by the DT for the purposes of sentencing.
5. The particulars of the charges preferred against Dr Heng include:-
  - (a) inappropriate prescription of hypnotic medication to his patients; and
  - (b) failure to refer his patients to a medical specialist and/or psychiatrist for further and/or joint management.
6. Counsel for Dr Heng raised *inter alia*, the following mitigating factors:-
  - (a) Dr Heng’s remorsefulness, early plea of guilt, his full cooperation rendered during the investigation, his contributions to the underprivileged in society and good testimonials by his patients; and

- (b) the extra-curial punishment received from the stress and anxiety due to the lengthy disciplinary process.
7. However, the DT reiterated the oft-expressed principle that inappropriate prescription of benzodiazepines and other hypnotics is a serious misconduct and that the long-term consumption of hypnotics may lead to the development of drug dependence and tolerance by patients. The DT was therefore of the view that the main sentencing consideration must be one of deterrence.
8. In determining the appropriate sentence, the DT considered the following aggravating factors:-
- (a) the substantial number of patients involved in the charges preferred against Dr Heng;
- (b) the number of instances of inappropriate prescription of hypnotics which were given over a relatively short period of only about three months; and
- (c) there were instances where Dr Heng continued prescribing Nitrados to patients when the circumstances gave rise to a plausible suspicion of drug dependence / abuse.
9. The DT further noted that based on the sentencing precedents, a fine of between \$3,000 to \$10,000 was typically imposed (on top of suspension). However, following the amendments to the Medical Registration Act in 2010, the maximum fine that can be imposed has been increased from \$10,000 to \$100,000. In light of the aggravating factors, the DT was of the view that a higher sentence comprising a fine of more than \$10,000 and a period of suspension was warranted in the present case.
10. Having regard to all the circumstances of the case and taking the submissions and sentencing precedents into consideration, the DT ordered that Dr Heng:-
- (a) be suspended from medical practice for a period of four (4) months;
- (b) pay a penalty of \$15,000;
- (c) be censured;
- (d) give a written undertaking to the SMC that he will not engage in the conduct complained of and any similar conduct; and
- (e) pay the costs and expenses of and incidental to the proceedings, including the costs of the solicitors to the SMC.

11. The DT also ordered that its Grounds of Decision be published.
12. Dr Heng's four-month suspension takes effect on 20 September 2016 and will run to 19 January 2017 (both dates inclusive).

- **END** -