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PRESS RELEASE

DISCIPLINARY TRIBUNAL INQUIRY FOR DR LIEW KERT CHIAN

1. The Singapore Medical Council (“SMC”) held a Disciplinary Tribunal (“DT”) inquiry on 4 February 2016 for Dr Liew Kert Chian (“Dr Liew”).
2. Dr Liew, aged 46, is a registered medical practitioner who was practising at a clinic known as “Temasek Clinic & Surgery” at Block 73 Bedok South Ave 3 #01-460, Singapore 460073 at the material time.
3. At the hearing on 4 February 2016, Dr Liew pleaded guilty to one charge of having been convicted of an offence implying a defect in character which made him unfit for his profession. This charge was in relation to Dr Liew’s criminal conviction in the Subordinate Courts of the Republic of Singapore (as it then was) (“Subordinate Courts”) for supplying Procodin Syrup and Beacodyl Syrup containing Codeine (collectively, “Cough Syrup”), which is listed in the Schedule to the Poisons Act (Cap 234) (“the Act”), without keeping a proper record of the supply as required by the Act. Dr Liew was sentenced to a fine of \$4,500 (in default 18 days imprisonment).
4. Before the Subordinate Courts, a second charge of failing to keep a proper register of the supply of every quantity of a drug (i.e. Nimetazepam specified in the Second Schedule to the Misuse of Drugs Regulations under Regulation 14(1)(a) of the Misuse of Drugs Regulations (Cap 185) was also taken into consideration for the purposes of sentencing.

5. The salient facts relating to Dr Liew's criminal conviction in the Subordinate Courts, and hence the present charge, were as follows:-
 - (a) Between 2 January 2011 and 5 October 2011, Dr Liew supplied, without making a prescription, Cough Syrup to over 30 cough syrup addicts in his clinic;
 - (b) Dr Liew had instructed his clinic assistants to charge the cough syrup addicts \$22 for each 90ml bottle of Cough Syrup;
 - (c) The records of the sale of Cough Syrup to these cough syrup addicts were first made in pencil in their treatment cards and then later erased, leaving no records of these sales in either the dispensing record or in the treatment cards; and
 - (d) As a result, seventy 3,800ml canisters (a total of 266,000ml or 266 litres) of Procodin Syrup and three 3,800ml canisters (a total of 11,400ml or 11.4 litres) of Beacodyl Syrup were unaccounted for.
6. The DT noted that it had to examine the nature of the offence, as well as the facts and circumstances surrounding the offence in order for the DT to imply a defect of character and to determine the appropriate sanction to impose.
7. The DT found that this was not a case of mere inadvertence or inexperience on the part of Dr Liew in failing to keep proper records. The underlying motivation behind his failure to do so was to deliberately conceal the sale of Cough Syrup to the addicts, and this was found by the DT to be an aggravating factor.
8. There was a systemic ploy by Dr Liew to conceal the sales of the Cough Syrup by recording entries of the sales in pencil in the treatment cards and deliberately erasing them thereafter. As such, the DT gave no weight to Dr Liew's submission that he had since revamped his clinic's record-keeping and medicine-dispensing system and instituted stringent checks and balances to prevent any recurrence.

9. Moreover, this was not a case where Dr Liew ceased the sale of Cough Syrup to the addicts on his own volition out of remorse. Dr Liew had blatantly supplied a large quantity of Cough Syrup to the addicts over a period of 9 months until his scheme was discovered. As such, the DT accorded very little weight to his plea of guilt.
10. By profiting from his patients' addiction instead of properly treating them for their addiction, Dr Liew had recklessly disregarded the potential harm that could be caused to these patients. Hence, the DT found that Dr Liew had clearly violated his duty "to do no harm" and abused the trust reposed in him as a medical practitioner.
11. The DT therefore decided that the offence committed by Dr Liew in the facts and circumstances of the case was clearly more serious than those involving professional misconduct relating to the mismanagement of patients in the prescription of medicine containing Codeine. The DT opined that a clear and unequivocal message had to be sent to both the medical community and the public that such offences would not be tolerated.
12. For the above reasons, the DT was of the view that a period of suspension and a financial penalty were clearly warranted. The DT ordered that Dr Liew:-
 - (a) be suspended for a period of 12 months;
 - (b) pay a penalty of \$5,000;
 - (c) be censured;
 - (d) give a written undertaking to the SMC that he will not engage in the conduct complained of or any similar conduct; and
 - (e) pay the costs and expenses of and incidental to these proceedings, including the costs of the solicitors to the SMC.
13. The DT also ordered that its Grounds of Decision be published.

14. Dr Liew's 12-month suspension took effect on 19 March 2016 and will run to 18 March 2017 (both dates inclusive).

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