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PRESS RELEASE

DISCIPLINARY TRIBUNAL INQUIRY FOR DR FERNANDES MARK LEE

1. A Disciplinary Tribunal (“**DT**”) held an inquiry (“**the Inquiry**”) into a complaint against Dr Fernandes Mark Lee (“**Dr Fernandes**”) on 24 March 2017.
2. Dr Fernandes, aged 43, was practising at Asia HealthPartners Pte Ltd, 304 Orchard Road, #05-06, Lucky Plaza, Singapore 238863 (“**the Clinic**”) at the material time.
3. One of Dr Fernandes’ patient had filed a complaint with the Singapore Medical Council (“**SMC**”) on 18 June 2014 alleging that Dr Fernandes had failed to inform him that the reading of his cancer markers was outside the normal range and was considered to be high. The patient was later diagnosed by another doctor to be suffering from colorectal cancer for which he underwent surgery and a six-month course of chemotherapy.
4. The patient had attended at the Clinic for a health screening on 9 February 2012. At the end of the health screening he was advised by the staff at the Clinic to choose either a review date for a discussion of his test results (the “**First Option**”) or for the results to be posted to him if the results were normal (the “**Second Option**”). The patient chose the Second Option and the test results were posted directly to the patient’s residence.
5. The patient received via post, a medical report prepared by Dr Fernandes, which included explanatory notes and recommendations by Dr Fernandes in

relation to the Patient's test results. The summary page of the medical report indicated that the patient's cancer markers were "*normal*". However, this was erroneous as the actual laboratory results that were annexed to the medical report stated that the patient's Carcino-Embryonic Antigen ("**CEA**") was 16.5 ng/ml and that it was an "*abnormal*" result. A CEA level of 16.5 ng/ml is outside the normal range of 0 to 5 ng/ml and is considered to be high.

6. In Dr Fernandes' written explanation to the SMC's Complaints Committee, he had admitted that he overlooked the CEA readings indicating that the patient's cancer markers were in fact outside of the normal range.
7. Dr Fernandes faced one charge of failing to provide medical services of the quality that was reasonable to expect of him under section 53(1)(e) of the Medical Registration Act (Cap. 174). The particulars of the charge were that Dr Fernandes had *inter alia* (i) failed to ensure that the information regarding the patient's abnormal CEA test result was accurately communicated to him, (ii) failed to arrange for a review with the patient to discuss and provide appropriate medical counselling in respect of his abnormal CEA test result and (iii) failed to arrange appropriate and timely investigations for the patient in respect of his abnormal CEA test result.
8. Dr Fernandes pleaded guilty to the charge and accordingly, the DT found him guilty of the charge.
9. The DT was of the view that a breach of Guideline 4.1.1.5 of the 2002 edition of the Ethical Code and Ethical Guidelines ("**ECEG**") is a serious violation which could damage public trust and confidence in the medical profession. Such a failure is also contrary to the goal of having early intervention by undergoing health screenings and that such a breach of the said ECEG should not be condoned.
10. As a result of Dr Fernandes' oversight and the lack of a detailed, in-person review of the results with the patient, the patient lost the opportunity to take

earlier appropriate follow-up action. In fact, the patient saw a specialist only about 20 months later.

11. In making its decision in respect of the appropriate sentence for Dr Fernandes, the DT also considered several mitigating factors, including Dr Fernandes' personal mitigating factors. The DT took into account Dr Fernandes' plea of guilt, his unblemished record, his good character references, the measures taken by him to improve his practice and his contributions to society and the medical community, and was of the view that it was not necessary to impose a suspension. The DT also noted that for about three years, Dr Fernandes had to deal with the stress and anxiety of the proceedings.

12. In the circumstances, taking the evidence and mitigating factors into consideration, the DT ordered that Dr Fernandes:
 - (a) pay a fine of \$10,000;
 - (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 all costs and expenses of and incidental to the proceedings, including the costs of the solicitors to the SMC.

13. The DT also ordered that the Grounds of Decision be published.

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