

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY INQUIRY AGAINST
DR AAE HELD ON 12 MAY 2008**

Disciplinary Committee:

Dr Yap Lip Kee (Chairman)
Dr Wong Sin Yew
Dr Yii Hee Seng
A/Prof Jennifer Neo (Lay Member)

Legal Assessor:

Mr Andy Chiok (Michael Khoo & Partners)

Prosecution Counsel (M/s WongPartnership LLP):

Mr Tay Peng Cheng
Mr Sean La'Brooy

Defence Counsel (M/s Allen & Gledhill):

Mr Edwin Tong
Ms Mak Wei Munn
Mr Jonathan Tan
Ms Lisa Joanne De'ath (Foreign Associate)

DECISION OF THE DISCIPLINARY COMMITTEE

(Note: Certain information may be redacted or anonymised to protect the identity of the parties.)

VERDICT:

1. You, Dr AAE, have been charged with 16 charges for failing to exercise due care in the management of your patients named specifically in Charges 1 to 16 set out in the Agreed Bundle (collectively marked at "PA-1" therein) in that:
 - (a) you had engaged in inappropriate prescribing practice in the prescription of hypnotic medication to these patients; and
 - (b) you had failed to properly record or document details of the patients' symptoms, medical conditions and diagnosis, and/or counselling with

the patient (if any) and/or referral of the patients to specialist treatment (if any) in the case notes for the period of treatment.

2. You had pleaded guilty to Charges 1 to 16 and admitted to the Agreed Statement of Facts (marked "P-2") submitted by the solicitor for the Council.
3. Briefly, your Counsel in mitigation had submitted, *inter alia*:
 - (a) that you had counselled your patients and advised them to seek specialist treatment;
 - (b) that you had since changed your practice in the prescription of Dormicum and made an effort to keep better notes;
 - (c) that you were fully cooperative with the authorities;
 - (d) that you had provided invaluable service to the community by providing affordable and on many occasions free treatment;
 - (e) that a period of suspension would cripple your practice at a time when you need to work; and
 - (f) that you have an unblemished record of 49 years of practice whereby thousands of patients were treated by you.
4. The Disciplinary Committee had considered all the points raised in the plea in mitigation including the above, and had come to the following conclusions:
 - (a) The Committee accepts that you had a long unblemished record of medical practice, and had during your practice provided invaluable service to the community by providing affordable and on occasions free treatment;
 - (b) the Committee also accepts that you are remorseful;
 - (c) however, benzodiazepines are prescribed as hypnotic medication for patients who have insomnia or as anxiolytics for the short term relief of anxiety. Long term consumption of benzodiazepines and hypnotics leads to drug dependence and tolerance; and
 - (d) the Committee therefore considers that you have acted in disregard of your professional duties since the prolonged prescription of

benzodiazepines and hypnotic medication without specialist referral or proper medical records in accordance with the said Guidelines is inappropriate and unprofessional.

5. The Committee also notes that you have pleaded guilty to the 16 Charges and did co-operate fully with the authorities. However, the subject matter of the charges is serious misconduct in which a period of suspension is warranted. Under the Act, the minimum period of suspension is 3 months.

SENTENCE:

6. In light of all the circumstances, we would determine as follows:
 - a) that you be suspended from practice for a period of **3** months;
 - b) that you be fined the sum of **\$2,000**;
 - c) that you be censured;
 - d) that you give a written undertaking to the Medical Council that you will not engage in the conduct complained of or any similar conduct; and
 - e) that you pay the costs and expenses of and incidental to these proceedings, including the costs of the solicitor to the Council and the Legal Assessor.
7. The hearing is hereby concluded.

Dated this 12th May 2008.