

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY INQUIRY AGAINST
DR AAX HELD ON 28 & 29 SEPTEMBER 2009**

Disciplinary Committee:

Dr Tan Kok Soo - Chairman
A/Prof Ong Biauwei Chi
Dr Chew Chin Hin
Dr Camilla Wong (Lay Member)

Legal Assessor:

Mr Thean Lip Ping
(M/s Khattar Wong & Partners LLP)

Prosecution Counsel:

Mr Francis Goh
Ms Cassandra Ow
(M/s Harry Elias Partnership LLP)

Defence Counsel:

Ms Mak Wei Munn
Ms Jacqueline Chua
(M/s Allen & Gledhill LLP)

DECISION OF THE DISCIPLINARY COMMITTEE

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

1. You, Dr AAX had pleaded guilty to the following two charges:
 - (a) During the period of 3 February 2005 to 26 May 2005, whilst practising as a consultant haematologist at Clinic A, you failed in your duty of care to your patient, one P (“the Patient”), in that you failed to make an adequate evaluation of the Patient’s medical condition by failing to carry out the appropriate clinical examination and/or clinical tests pertaining to the treatment of the Patient’s condition of Non Hodgkin’s Lymphoma B-cell (CD20) Grade I (REAL) Stage IVA (“stage IVA low-grade lymphoma”); and
 - (b) During the period of 3 February 2005 to 26 May 2005, whilst practising as a consultant haematologist at Clinic A, you failed in your duty of care to your patient, one P (“the Patient”) in that you failed to properly manage the hepatitis-B infection that he developed during the course of treatment of Non Hodgkin’s

Lymphoma B cell (CD20) follicle centre lymphoma, follicular Stage IVA (“stage IVA low grade lymphoma”) with chemotherapy.

2. With respect to the first charge, the Committee notes that chemotherapy is a well known cause for reactivation of Hepatitis B. Since we are in an area of moderate endemicity of Hepatitis B, patients should be routinely checked for Hepatitis B status before chemotherapy. These two facts taken together should have prompted Dr AAX to screen this patient for Hepatitis B status. Had the test been done, prophylactic therapy with Lamivudine could reduce the risk of Hepatitis B reactivation and its severity. The Committee notes that before 2005, screening of Hepatitis B before commencement of chemotherapy was not uniformly practised in Singapore. Notwithstanding that, there was then sufficient medical literature urging testing before chemotherapy.

3. With respect to the second charge, Dr AAX admitted that even though acute Hepatitis B when contracted, or acute exacerbation of chronic Hepatitis B when reactivated in a Lymphoma patient is a serious condition and is potentially life threatening, Dr AAX had discharged the Patient on 15 May 2005. Dr AAX also admitted that he had failed to discuss with the patient the options of consultation with a hepatologist and/or to consult a hepatologist to assist in the management of the patient’s development of Hepatitis B. Dr AAX did liver function tests in an attempt to monitor the patient’s liver function. However, when the enzymes declined, this was interpreted as an improvement in the patient’s condition; but on the other hand, this could be a sign that the patient’s liver function was deteriorating and led to his demise.

4. The Committee has carefully considered the points made in mitigation by your Counsel. We have also taken into account your unblemished record for the past 44 years, and testimonials from members of the profession.

SENTENCE

5. Having regard to all the circumstances, the committee made the following orders pursuant to section 45(2) of the Medical Registration Act:

- (a) that you be suspended from practice for a period of **3** months;

- (b) that you be censured;
 - (c) 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
 - (d) 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.
6. As the prosecution has not led any evidence on charge numbered 3 as set out in the Notice of Inquiry, we hereby order that the said charge be dismissed.
7. The hearing is hereby concluded.

Dated this 29th September 2009.