

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY INQUIRY FOR
DR NG CHEE KEONG HELD ON 10 JUNE 2011**

Disciplinary Committee:

A/Prof Siow Jin Keat (Chairman)
Dr Tan Kok Soo (Member)
Dr Goh Siang Hiong (Member)
Ms Tan Su-Yin Doreen (Lay Member)

Legal Assessor:

Mr Joseph Liow Wang Wu (M/s Straits Law Practice LLC)

Prosecution Counsel (M/s Harry Elias Partnership LLP):

Mr Jonathan Yuen
Ms Shazana Anuar
Ms Christine Tee (Trainee)

Defence Counsel (M/s Rodyk Davidson LLP):

Mr Lek Siang Pheng
Mr Andrew Lee

DECISION OF THE DISCIPLINARY COMMITTEE

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

1. These proceedings arose out of a letter of complaint made against the Respondent, Dr Ng Chee Keong, on 26 May 2009 by the Ministry of Health to the Singapore Medical Council (the "SMC").

The Charges

2. The particulars of the individual charges of professional misconduct under section 45(1)(d) of the Medical Registration Act (Cap. 174) are set out in the Notice of Inquiry by the Disciplinary Committee ("NOI").
3. In brief, the Respondent was charged with eleven (11) charges of failure to exercise due care in the management of his patients by inappropriately prescribing benzodiazepines and/or codeine-containing medication in the amounts and over the period set out in the Patient Schedules. The professional misconduct relating to events when the Respondent was practising as a general practitioner at Eunost 5 Clinic, 5 Eunost Crescent #01-2615, Singapore 400005.
4. In each of these cases, the Respondent had failed to exercise due care to such an extent as to amount to professional misconduct, in particular, he had, with

those 11 patients, inappropriately prescribed such medication in the amounts and over the periods set out in the Patient Schedules.

5. Of these 11 charges, the majority of charges show concomitant prescription of both benzodiazepines and codeine-containing medication.

The Proceedings

6. The Respondent had consented to the 11 charges as set out in exhibit P-1 and as set out in the Notice of Inquiry (“NOI”) dated 2 March 2011 to be deemed as read at the hearing today and he had unequivocally entered a plea of guilt to all the charges.
7. We note that parties had prepared Agreed Bundles of Documents. Agreed Bundles Volumes 1 and 2 were admitted and marked as “1AB” and “2AB” respectively. An Agreed Statement of Facts was tendered and read to this Disciplinary Committee. This was marked as “1SF” and was admitted by the Respondent as correct after the same was read to him.
8. Having found the Respondent guilty of all the charges as set out in the NOI, we invited prosecuting counsel and defence counsel to make submissions on sentencing.
9. The prosecuting counsel, Mr Yuen, submitted some sentencing precedents which were marked and admitted as “P-2”. Mr Yuen submitted that the 3 most recent cases in the sentencing precedents were the most relevant.
10. In response, the Respondent’s counsel, Mr Lek, submitted a written Mitigation Plea. His main points appear to be:-
 - a. That this Disciplinary Committee should limit itself, in sentencing the Respondent, to consider only the fact that he had inappropriately prescribed the medications complained of. In particular, we were asked to ignore the fact that he was the subject of another Disciplinary Committee Inquiry which he had entered a plea of guilt for a similar misconduct. We were also asked to

disregard the facts agreed by him in paragraph 11 of the Agreed Statement of Fact which relates to certain inadequacy in the record keeping and management of his patients.

- b. We were also asked to give weight to the fact that there are no prior antecedents and that there were glowing testimonials from his peers, nurses and patients.
 - c. That the Respondent had good intentions in his dealings with the 11 patients referred to in the charges and that he had counselled and advised those 11 patients.
 - d. That the Respondent was the sole breadwinner; that he is a family man with three young children.
11. We then took time to deliberate on the issue of sentencing.

Sentence by this Committee

12. Having found the Respondent guilty of 11 charges of professional misconduct within the meaning of section 45(1)(d) of the Act, we considered the submission made to us by respective counsels to decide the appropriate orders to be made against the Respondent.
13. We find that cases of over-prescription of benzodiazepines and/or codeine-containing medicines to be particularly troubling. Given the rising incidences of undesirable conduct of medical practitioners indiscriminately prescribing hypnotics and/or cough mixtures containing codeine, we are of the view that public policy requires us to treat this misconduct seriously and to deter the Respondent and any other like-minded medical practitioners from committing similar acts.
14. In this present particular case, we note from the Schedules relating to the 11 patients which can be found in Volume 1 of the Agreed Bundle and which are referred to in the charges, that the extent of over-prescription of these medicine to the Respondent's patients is excessive, irresponsible and potentially dangerous.

The prescribing patterns in relation to these 11 patients are potentially habit-forming and can cause drug dependence.

15. Let us first say that we do not consider an order to strike the Respondent from the Register as an appropriate punishment. That would be manifestly harsh.
16. We accept some but not all of the mitigating factors which the Respondent's counsel has ably highlighted. We agree with his submission that his early plea of guilt does show remorse and has saved time and costs for all parties. We also considered and took note of the fact that there was no prior antecedent and we have not taken the other Disciplinary Committee matter into consideration for sentencing.
17. We however cannot give any weight to the testimonial by the Respondent's patients and peers because the harm or potential harm which he has caused his patients far outweigh any good that may be said of him. We also note that despite his assertion that he had counselled and advised these 11 patients, there is no record of him doing so in his case notes (which can be found in the Agreed Bundle).
18. Having regard to all of the above, it is the Committee's decision that the appropriate sentence to be meted out against the Respondent shall be as follows:
 - (a) that the Respondent, Dr Ng Chee Keong, be suspended from practice for a period of **6 months**;
 - (b) that he be fined the sum of **\$10,000**;
 - (c) that he be censured; and
 - (d) that he pays the costs and expenses of and incidental to these proceedings including the costs of the solicitors to the SMC and the Legal Assessor.
19. We have not asked the Respondent to give the usual undertaking not to commit this misconduct again as we note that he has given a prior undertaking in the other concluded Disciplinary Committee matter and that this undertaking is still effective.

20. This Disciplinary Committee further orders that this Grounds of Decision be published.
21. This hearing is hereby concluded.

Dated this 10th day of June 2011.