

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY COMMITTEE INQUIRY FOR  
DR ABT HELD ON 2 MARCH 2011**

**Disciplinary Committee:**

Dr Wong Sin Yew (Chairman)  
Dr Prof Walter Tan  
Dr Benedict Tan Chi-Loong  
Madam Suwarin Chaturapit (Lay Person)

**Legal Assessor:**

Mr N. Sreenivasan  
(Straits Law Practice LLC)

**Prosecution Counsel:**

Mr Philip Fong  
Ms Kylie Peh  
(M/s Harry Elias Partnership)

**Defence Counsel:**

In person

**DECISION OF THE DISCIPLINARY COMMITTEE**

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

1. You, Dr ABT, have been charged with 24 charges for failing to exercise due care in the management of your patients named, specifically set out at pages 1 to 30 of Agreed Bundle Volume 1 tendered at the hearing on 2 March 2011. The Schedules to the charges were tendered at the hearing as pages 32A to 32Z of Agreed Bundle Volume 1. In summary, the 24 charges related to:
  - (a) Inappropriate prescription of hypnotic medication and medication containing codeine;
  - (b) Failing to formulate any or any sufficient management plan for the treatment of the patient's medical condition;

- (c) Failing to record or document in the patient's Patient Medical Records sufficient details of the patient's diagnosis, symptoms and condition

in relation to 24 patients from 1999 to 2008.

2. You have pleaded guilty to the said Charges and admitted to the Agreed Statement of Facts submitted by the solicitor for the Council, which was marked as P1. You were asked whether you were aware of the nature and consequences of your plea. The hearing was adjourned for 30 minutes for this purpose. After the adjournment, you stated that you did not wish to engage counsel and confirmed your plea of guilt. You also confirmed that you were aware of the nature and consequences of your plea.
3. Upon your confirmation, the Disciplinary Committee accepted your plea of guilt and convicted you accordingly. Counsel for the SMC tendered a table of sentences imposed in previous cases, which was marked as P2.
4. You were called upon to state your mitigation. You tendered a written plea. Briefly, your mitigation was, *inter alia*:
  - (a) That you have been providing for and taking care of your aged parents, who have been chronically ill. You have also been providing for and taking care of two schizophrenic siblings.
  - (b) That you have faced severe matrimonial problems. In addition to providing maintenance for your wife and children, you have to cope and provide for an autistic child.
  - (c) That you are a bankrupt due to a failed business venture and that medical practice is the only feasible way to earn a living and to provide for your dependents.

- (d) That you had not exceeded the prescription limits for codeine cough mixture, set out in the guidelines.
  - (e) That there had been regular documentation regarding the counselling and advice that you had given the patients concerned.
  - (f) That, for some of the cases, you had discontinued the dispensing and referred to psychiatrist/specialist before the MOH inspection.
  - (g) That you are remorseful and repentant and undertake not to repeat such conduct.
  - (h) That you have gone through a period of great stress and difficulty in your personal life, which had adversely affected your health.
5. The Disciplinary Committee noted that the mitigating factors highlighted by you in respect of the actual patient care were supported by the expert report of Dr PE, at page 40 of Agreed Bundle Volume 1. The Disciplinary Committee also noted that you had, immediately after the MOH inspection voluntarily ceased your own clinic practice, and that you are now working as a *locum* general practitioner. The Disciplinary Committee also noted that you have pleaded guilty at the first opportunity.
6. The Disciplinary Committee had considered all the circumstances of the case, the number of charges, the Agreed Facts and the points raised in the plea in mitigation.
7. 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 may lead to drug dependence and tolerance. The Disciplinary Committee finds that you have acted in disregard of your professional duties in your improper prescription of hypnotic medication and medication containing codeine and in your failure to record sufficient details of the patient's diagnosis, symptoms and conditions in the medical records.

8. The Disciplinary Committee noted your personal circumstances and that you have stated that you had voluntarily ceased your practice. We also note that you have pleaded guilty to the 24 Charges and did co-operate with the authorities.
9. Notwithstanding this, the serious nature of the charges to which you have pleaded guilty calls for a period of suspension and a fine.
10. 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 **\$2,000.00**;
  - (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.
11. The hearing is hereby concluded.

Dated this 2<sup>nd</sup> day of March 2011