

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY COMMITTEE INQUIRY FOR
DR DAVID TAN KEOK KUAN HELD ON 6 SEPTEMBER 2011**

Disciplinary Committee:

Dr Lim Cheok Peng (Chairman)

Dr Tan Kok Soo

Prof Teo Eng Kiong

Dr Raymond Ang Ee Peng (Lay Member)

Legal Assessor:

Ms Jinny Tan (M/s Wee Tay & Lim LLP)

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

Mr Francis Goh

Ms Shazana Anuar

Respondent Doctor in Person:

Dr David Tan Keok Kuan

Mdm Wong Yu Chien (In attendance)

DECISION OF THE DISCIPLINARY COMMITTEE

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

1. You, Dr David Tan Keok Kuan, have been charged with 8 charges for failing to exercise due care in the management of your patients named specifically in Charges 1(b), 2(b), 4, 6, 8, 10, 13 and 15 set out in the Agreed Bundle (Volume 1) in that:

In relation to Charges 1(b) and 2(b)

- (a) You did not record or document in each patient's Medical Records details or sufficient details of the patient's history, diagnosis, symptoms and/or condition and/or management plan such as to enable you to properly assess the medical condition of the patient over the period of treatment.

In relation to Charges 4, 6, 8 , 10, 13 and 15

- (b) You did not formulate and/or adhere to any management plan for the treatment of the patient's medical condition by the prescription of Subutex or Stilnox;
 - (c) You did not record or document in each patient's Patient Medical Records details or sufficient details of the patient's history, diagnosis, symptoms and/or condition and/or management plan such as to enable you to properly assess the medical condition of the patient over the period of treatment.
 - (d) you inappropriately prescribed medication to these patients as set out in the Schedules to the Charges
2. You have pleaded guilty to the said 8 Charges and admitted to the Agreed Statement of Facts submitted by the solicitor for the Council.
3. Briefly, in mitigation, you had submitted, *inter alia*:
- a) you managed your patients with good intention to treat and help them;
 - b) the audit by Clinical Assurance & Audit branch of the Ministry of Health occurred only slightly more than one month after the Guidelines for the Treatment of Opiate Dependence were issued and it was difficult to reduce the dosage of Subutex for the patients who had achieved stability with higher dosages down to 8mg in a compressed timeframe;
 - c) you are a first time offender, and are remorseful and had been co-operative towards saving time and resources towards the conduct of a full inquiry;

- d) you had attended training courses and seminars to properly equip yourself with the knowledge and understanding to enable you to effectively treat this area of patients genuinely in need; and
 - e) you had ceased prescribing Stilnox in 2009 even though you still had stock of 4.5 boxes remaining.
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 considers that you have failed to exercise due care and management of your patients as charged.
 - (b) Nonetheless, the Committee accepts that there are strong mitigating factors raised by you and also considered the testimonials from your patients, friends and from the community.
5. We note that you have pleaded guilty to the 8 Charges and did co-operate with the authorities.
6. In light of all the circumstances, the Disciplinary Committee hereby exercise our powers as provided for in Section 45 (2) of the Medical Registration Act as follows:-
- a) that you be suspended from practice for a period of **3 months**;
 - b) that you be censured;
 - c) that you be imposed with a fine of **\$3,000**;
 - 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. We hereby order that the Grounds of Decision be published.

8. The hearing is hereby concluded.

Dated 6th day of September 2011.