

**SINGAPORE MEDICAL COUNCIL DISCIPLINARY COMMITTEE INQUIRY FOR
DR WONG YOKE MENG HELD ON 25 AND 26 JANUARY 2010, 13 AND 14 DECEMBER
2010 AND 19 APRIL 2011**

Disciplinary Committee:

Prof R Nambiar (Chairman)
Dr Wong Sin Yew
Dr Francis Hui
Ms Rita Soh (Lay Member)

Legal Assessor:

Mr Giam Chin Toon, S.C
(M/s Wee Swee Teow & Co LLP)

Prosecution Counsel:

Mr Tan Chee Meng, S.C
Ms Chang Man Phing
Ms Kylee Kwek
Ms Maxine Ung
(M/s WongPartnership LLP)

Defence Counsel:

Mr Christopher Chong
Ms Sharon Liu
(M/s Rodyk & Davidson LLP)

DECISION OF THE DISCIPLINARY COMMITTEE

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

1. Dr. Wong Yoke Meng (Respondent) claims trial to 13 charges of professional misconduct in respect of his treatment of 4 patients namely, Mr W, Ms X, Ms Y and Mr Z.

2. The alleged treatments of the patients were carried out at the following clinics owned by the Respondent:
 - (a) Clinique Suisse Pte Ltd, located at 290 Orchard Road #08-01/02, The Paragon, Singapore 238859 (“Clinique Suisse”); and

 - (b) Healthy Glow Men & Women’s Clinic, located at 290 Orchard Road #09-09/10, The Paragon, Singapore 238859 (“Healthy Glow Clinic”).

3. The 13 charges fully set out in the Notice of Inquiry dated 21 April 2009 by the Prosecution in their Closing Submissions in respect of each of the patient named below have been summarized as follows:

Mr W

- (a) 1 charge of carrying out intra-muscle and intra-theal stem cell injections (“stem cell injections”), which is not medically proven as a treatment for amyotrophic lateral sclerosis (“ALS”), outside the context of a formal and approved clinical trial (Charge 1).
- (b) 1 charge of failure to obtain the patient’s informed consent prior to carrying out the stem cell injections (Charge 2); and
- (c) 1 charge of carrying out a procedure (the intra-theal stem cell injections) outside his registered specialty of obstetrics and gynaecology (Charge 3).

It is alleged that the Respondent carried out the intra-theal stem cell injections whilst practising at Clinique Suisse.

Ms X

- (d) 1 charge of carrying out Colonic Irrigation, which was not medically proven as a treatment for any condition documented in the patient’s medical records (Charge 4).
- (e) 2 charges of carrying out procedures (Coffee Enema and Chlorophyll Enema) which are not medically proven as a treatment for any medical condition (Charges 6 and 8); and
- (f) 3 charges of failure to obtain the patient’s informed consent prior to carrying out the said procedures (Colonic irrigation, Coffee Enema and Chlorophyll Enema) (Charges 5, 7 and 9).

Ms Y

- (g) 1 charge of carrying out a procedure (Coffee Enema) which is not medically proven as a treatment for any medical condition (Charge 10); and

(h) 1 charge of failure to obtain the patient's informed consent prior to carrying out a procedure (Coffee Enema) (Charge 11).

Mr Z

(i) 1 charge of carrying out a procedure (Coffee Enema) which is not medically proven as a treatment for any medical condition (Charge 12); and

(j) 1 charge of failure to obtain the patient's informed consent prior to carrying out a procedure (Coffee Enema) (Charge 13).

The procedures of Colonic Irrigation, Coffee Enema and Chlorophyll Enema were carried out on Ms X, Ms Y and Mr Z at Healthy Glow Clinic.

Background Facts

Stem Cell Injection on Mr W

4. Mr W was diagnosed with amyotrophic lateral sclerosis ("ALS") since October 2004. Mr W was about 47 years old at the material time in 2006. ALS is a progressive neurodegenerative disease which leads to loss of muscle functions and strength.

5. Prior to May 2006, Mr W and his wife, Mrs W, already knew the Respondent as a friend. In or about May 2006, the Respondent recommended stem cell therapy to Mr W and Mrs W, to treat his ALS.

6. It is not disputed that the Respondent introduced Mr W and Mrs W to a Dr P who is a partner of the company, B, which provided the rabbit stem cells for Mr W's stem cell procedure.

7. According to the Respondent, he had administered the intra-muscle and intra-theal stem cell injections on Mr W in his clinic, Clinique Suisse, in the presence of Dr P.

8. About 4 hours after the stem cell injections, Mr W suffered an adverse reaction resulting in a high fever, arising from the stem cell procedure. The Respondent sought the assistance of a neurologist, Dr T whose opinion was that Mr W suffered from acute meningitis, an adverse reaction from the rabbit stem cell injections carried out by the Respondent.

9. Mr W was treated for the acute meningitis in Mount Elizabeth Hospital where he was warded and remained for the next 19 days after which he was discharged.

10. Mr W has since passed away in February 2008.

Colonic Irrigation, Coffee Enema and Chlorophyll Enema

11. The Respondent's other clinic, Healthy Glow Clinic, offers mainly Colonic Irrigation or Colon Hydro Cleaning and Enemas (a choice of coffee, garlic, bifidus and chlorophyll).

12. The Respondent had advertised as the doctor practising at and/or supervising the procedures at Healthy Glow Clinic. The said 3 patients, namely Ms X, Ms Y and Mr Z, at the stated dates and times in the charges relating to each of them went to the Healthy Glow Clinic where the colonic irrigation and/or enema procedures were administered on them.

13. These procedures done in series are not medically proven as a treatment for any medical condition.

Prosecution's Case

Mr W (Charges 1 to 3)

14. The Prosecution's case in respect of Mr W briefly is as follows:

(a) Mr W was diagnosed with ALS, a progressive neurodegenerative disease since October 2004.

(b) There is no medical treatment or cure for ALS.

- (c) Stem cell treatment is not medically proven as a treatment for ALS.
 - (d) The Respondent administered the injections to Mr W in his clinic.
 - (e) The Respondent had not obtained ethics approval for the injections to be carried out as a clinical trial.
15. It is noted that the Respondent does not dispute the above facts.
16. There was no explanation made by the Respondent to Mr W that the procedure was experimental or of the risks involved.
17. No consent form was signed by Mr W before the procedure was carried out. The Respondent's case notes did not show any discussions of the risks and complications of stem cell injections or the fact that it was still at a preliminary research level.
18. The Respondent by administering intra-thecal stem cell injections was practising outside his registered specialty of Obstetrics and Gynaecology.

Ms X (Charges 4 to 9)

19. The Respondent faces 6 charges in respect of his patient Ms X, viz:
- (a) 3 charges for carrying out Colonic Irrigation, Coffee Enema and Chlorophyll Enema on 3 occasions as stated in the charges.
 - (b) 3 charges for failing to obtain informed consent on each of the occasions.
20. Ms X could not be identified and therefore was not produced as a witness before the DC. However, it is clear from the documents produced that the Respondent had carried out the said procedures on her.
21. Based on the Respondent's case notes, Ms X underwent Colonic Irrigation, Coffee Enema and Chlorophyll Enema at his clinic starting on 25 November 2005 with the last treatment

recorded as at 31 May 2006. The Respondent did not dispute nor deny the records tendered as evidence.

22. Throughout the said entire period of Ms X's treatment at the Respondent's clinic, no consent form was signed by her.

23. There was a one-page questionnaire titled "Health & Medical Information" ("Questionnaire") in the case notes. This Questionnaire was undated and was not signed by Ms X. The Respondent's own signature however, appears on the Questionnaire. Apart from the fact that this Questionnaire was with Ms X's case notes, there was nothing to suggest that it related to her.

24. The Prosecution contends that this undated Questionnaire does not show that informed consent had been obtained from Ms X on any occasion.

Ms Y (Charges 10 and 11)

25. In respect of Ms Y, the Respondent faces 2 charges, i.e.:

- (a) 1 charge for carrying out Coffee Enema.
- (b) 1 charge for failing to obtain informed consent for the procedure.

26. It is not disputed that Ms Y underwent Coffee Enema at the Respondent's clinic. It is also undisputed that Ms Y first started undergoing these procedures on 12 January 2006 with the last treatment being recorded in the case note as on 28 December 2006.

27. In the case of Ms Y, she testified that the Respondent never went through the risks of Coffee Enema with her or speak to her before she started the procedures. Ms Y only spoke to the clinic therapists, and was not informed of the risks and side effects of Coffee Enemas before she signed up for or underwent the procedures. Ms Y's evidence was not challenged by the Respondent.

28. Prior to starting on Coffee Enema, Ms Y signed a Questionnaire dated 12 January 2006. However, she gave evidence that it was the therapist, not the Respondent, who asked her to sign and no explanation was given to her as to what it was for. The Questionnaire did not inform nor set out any of the risks of colonic irrigation, nor did it inform her of any side effects.

29. In the Respondent's case notes, there was a form titled "Consent for Procedure" ("Consent Form") dated 4 December 2006. However, this Consent Form was allegedly signed almost a year after Ms Y started Coffee Enema on 12 January 2006 and after she had attended some 21 sessions at the Respondent's clinic. Ms Y testified that she was asked to sign the Consent Form by the therapist (not the Respondent) without any explanation. She further confirmed that although the Respondent's signature also appears in the Consent Form, he did not sign the Form in her presence.

30. It is the Prosecution's case that the Consent Form obtained in this manner and well after the procedures were carried out is unacceptable.

Mr Z (Charges 12 and 13)

31. There were 2 charges in relation to Mr Z:

- (a) 1 charge for carrying out Coffee Enema.
- (b) 1 charge for failing to obtain informed consent.

32. Mr Z underwent Coffee Enema at the Respondent's clinic. Based on the case notes, Mr Z first started seeing the Respondent on 7 February 2005 and the last consultation recorded in the case notes was on 28 July 2006. Mr Z gave evidence that he is still consulting the Respondent for these procedures to date.

33. Mr Z testified that he did not need a detailed explanation of Coffee Enema as he had undergone similar procedures previously in other clinics in Hong Kong.

34. Prior to starting on Coffee Enema, Mr Z signed a Questionnaire dated 6 February 2005.

35. The Respondent's record shows that Mr Z signed a Consent Form dated 9 December 2006. It is noted that this Consent Form was signed almost 2 years after he first began Coffee Enema on 7 February 2006 and after he had attended some 41 sessions at the Respondent's clinic.

36. As in the case of Ms Y above, the Prosecution contends that the consent form signed well after the procedure has commenced cannot be proper for the purpose of proving that the risks have been explained or that informed consent has been obtained. In all cases, consent had to be obtained before the procedure had commenced.

The Respondent's Case

Mr W

1st Charge – Stem Cell Injections

37. The Respondent admits that the stem cell injections is not medically proven as a treatment for ALS. He had never held out the injections to be a treatment for ALS.

38. As a friend, the Respondent had referred Mr W and Mrs W to Dr P and Dr M for Mr W's condition and advised them to correspond directly to find out more about the possibly of using stem cells for ALS.

39. As Mr W was unable to travel to Switzerland to receive the injections from Dr P, they sought the Respondent's assistance to administer the injections in Singapore under the supervision of Dr P.

40. The Respondent had administered the injections out of compassion and not for personal gain. He was not paid for administering the injections to Mr W.

2nd Charge – No Written Consent Obtained

41. As regards the charge of failing to obtain informed written consent, the Respondent testified that both Mr W and Mrs W knew and understood that Mr W was likely to suffer from

fever and would be placed under 24 hours observation after the injections. They were well aware of the risks as their email correspondence with Dr P would show.

42. Although there is no record of a written consent being obtained, the Respondent's clinical note states that verbal consent was taken by Dr P and the nurse in the waiting room. This, together with the exchanges of the emails between Dr P, the Respondent and Mrs W, would establish that Mr W knew the risks and had given informed consent.

3rd Charge – Procedure Outside Specialty of the Respondent

43. The Respondent gave evidence that he had experience and training in carrying out lumbar punctures, was taught how to administer intra-thecal injections as a medical student and administered these injections as a houseman and specialist trainee in KK Hospital. This suggests that he was competent to carry out the said procedure.

44. In the circumstances, the 3rd charge against him should be dismissed.

Charges on Colonic Irrigation, Coffee Enemas and Chlorophyll Enemas carried out on Ms X, Ms Y and Mr Z

45. The Respondent did not hold these procedures out to be medically proven treatments for any medical illnesses or condition. They were part of the wellness and prevention services offered by his clinic rather than treatments for an illness or condition.

46. Since there were no records that Ms X, Ms Y and Mr Z, were suffering from any illness, the usage of colonic irrigation, coffee or chlorophyll enema cannot be said to be a form of treatment as there was no illness to be treated in the first place.

47. Consequently, the charges against the Respondent for carrying procedures not medically proven as a treatment for any medical condition cannot be sustained.

No Informed Consent for Colonic Irrigation Coffee Enemas and Chlorophyll Enemas

48. The Respondent denies that he had ever held out that these procedures had medical proven benefits and/or that the risks of these procedures were never explained to his patients.

49. Even though no consent form was signed by the patients at the beginning of the procedure, it does not follow that the risks and complications of these procedures were not explained to the patients before they commenced.

50. The Respondent contends that it would be impossible to explain every single risk in the book to the patient, but main ones like bowel perforation and electrolyte imbalance which may give rise to headaches and giddiness were definitely explained to all of them at the start.

51. As for Ms X who was not called as a witness, the Prosecution had failed to produce evidence that these procedures had not been explained to her.

52. In the case of Mr Z, the patient had said that the risks were explained to him. He also knew what the benefits were as he had undergone the procedure before.

53. In the premises, it does not matter that the consent form was signed later by Ms Y and Mr Z. Both of them had been well aware of the risks and nature of the procedure. The signing of the form only serves as documentation for the purpose of the Respondent's record.

DC's Findings

Mr W

54. We note that the Respondent has admitted that he had administered the injections and that stem cell treatment is not medically proven as a treatment for ALS.

55. However, we are unable to accept the Respondent's evidence that administering the injections out of compassion is an answer to the charge. As an experienced doctor he ought to know that he should not administer treatment which is not medically proven unless it is done as part of a clinic trial.

56. In our view, in the light of his own admission, the first charge against him for carrying out intra-muscle and intra-theatal stem cell injections outside the context of a formal and approved clinical trial has been proved.

57. As to the 2nd charge of not obtaining an informed consent from Mr W, we are of the view that informed consent can only be said to be properly obtained when the following requirements are met:

(a) The doctor has to explain to the patient the reason for carrying out the procedure, the technique and the risks of possible complications.

(b) The consent must be in writing and signed by the patient, the doctor and a witness.

(c) The consent must be obtained before the procedure / treatment commences.

58. We therefore find that the Respondent's testimony that verbal consent was given to Dr P and that email correspondence between parties would show that the patient understood the procedure is wholly inadequate and insufficient in this case to constitute informed consent.

59. Accordingly, we therefore hold that the Respondent had failed to obtain informed consent from Mr W before he carried out the stem cell injections on him.

60. As regards the 3rd charge, the Respondent had admitted that he was not familiar with stem cell injections although he felt that he is sufficiently qualified to administer the injections owing to his training as a medical student, a houseman and trainee at KK Hospital.

61. We cannot accept his testimony because the training he underwent in his days as a medical student, houseman and trainee over 25 years ago would have been for performance of a lumbar puncture which is different from an intrathecal injection of stem cells.

62. Introduction of a foreign material into the intrathecal space has serious potential consequences and should only be conducted by a medical practitioner treating an appropriate clinical disease. Such a practitioner should also possess the necessary experience in doing such procedures regularly and be familiar with the possible consequences. We therefore do not

accept that the training he received as a medical student, houseman and a trainee at the beginning of his medical career would be sufficient to equip him with acceptable expertise to carry out such a procedure for treatment of a neurological disease.

63. Accordingly, we find that the Respondent had administered the intrathecal stem cell injections which are outside his registered specialty of obstetrics and gynaecology.

64. As regards the remaining charges for carrying out Colonic Irrigation, Coffee Enema and Chlorophyll Enemas on Ms X, Ms Y and Mr Z in Healthy Glow Clinic, the question is whether:

(a) he had held these procedures out as a medical treatment.

(b) if yes, could such procedures be carried out in a registered medical clinic if they are not medically approved treatments.

65. The Respondent disputes that he had held these procedures out as medical treatments.

66. We find from the promotional materials produced that the Respondent had given the following impression:

(a) Persons with the conditions listed therein should seek treatment with such procedures.

(b) The procedures are carried out in a medical clinic for medical conditions.

(c) Since they are medical conditions, the doctor is present to ensure that these procedures are carried out properly.

67. We would specifically point out exhibits in the inquiry bundle Volume 2, pages 210 to 213 and 239 to 249.

68. Despite his denials, we find that the Respondent did hold these procedures out as a medical treatment.

69. We are of the view that only medically approved treatments should be administered in a registered medical clinic by a medically qualified and registered doctor. It is unacceptable that any form of procedure or treatment not medically proven should be permitted to be carried out in a clinic under the supervision of a doctor giving the impression to the patient that the procedure carried out is an accepted form of treatment since it is performed by or under the supervision of the doctor.

70. In the circumstances, we find that the Respondent had carried out Colonic Irrigation, Coffee Enema and Chlorophyll Enema as treatments for medical conditions which the 3 patients did not have.

71. As to the charges of not obtaining informed consent, the respondent has admitted that no documented informed consent was taken before the procedures were performed. Verbal explanation and / or oral consent are not acceptable.

72. We therefore find the Respondent guilty of all 13 charges and convicted.

73. The Committee will now hear submissions on the sentence to be imposed.

Sentence

74. After hearing and considering the oral and written submissions of Dr Wong's Counsel in mitigation, that of Counsel for the SMC, and the decided cases that were referred to by both Counsels, the Committee has decided to impose the following sentence on Dr Wong:

- (a) in respect of charges relating to Mr W (Charges 1 to 3) that he be suspended for a period of **12 months**;
- (b) in respect of charges relating to Ms X, Ms Y and Mr Z (Charges 4 to 13) that he be fined the sum of **\$10,000**; and
- (c) in respect of Charges 1 to 13,
 - (i) that he be censured;
 - (ii) that he provides a written undertaking to the Medical Council that he will not engage in the conduct complained of or similar conduct; and

- (iii) 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.

75. We hereby order that the Grounds of Decision be published.

76. The hearing is hereby concluded.

Dated this 19th day of April 2011.