



SINGAPORE MEDICAL COUNCIL

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INTERIM ORDERS COMMITTEE INQUIRIES FOR DR ONG KIAN PENG JULIAN AND DR CHAN HERNG NIENG

1. On 19 June 2018, a complaint ("**Complaint**") was lodged with the Singapore Medical Council ("**SMC**") against Dr Ong Kian Peng Julian and Dr Chan Heng Nieng. The Complaint alleged, among other things, that Dr Ong and Dr Chan had: (a) colluded to take advantage of each other's female patients; (b) made use of their position to source for and groom patients sexually; and (c) exchanged contact details of patients and colleagues whom they deemed easy to take advantage of to satisfy "immoral" desires.
2. An independent Complaints Committee was appointed to inquire into the Complaint.
3. Dr Ong subsequently commenced a defamation suit in the State Courts against the complainant, claiming that the words of the Complaint making the above allegations against Dr Chan and Dr Ong were defamatory. In a judgment dated 3 April 2020, a District Judge of the State Courts found that the allegedly defamatory words used by the complainant in the Complaint were substantially true and, therefore, that the complainant's defence of justification succeeded.
4. The protection of patients is the SMC's utmost priority. After the judgment was brought to the SMC's attention on 8 April 2020, it immediately secured written undertakings from Dr Ong and Dr Chan to refrain from contacting female patients for purposes outside the scope of their medical practice, pending the completion of the disciplinary process against them.
5. The Complaint has since been referred by the Complaints Committee to a Disciplinary Tribunal.
6. The Complaints Committee also referred the information on the Complaint to the SMC to appoint an Interim Orders Committee to determine if it was necessary for the protection of members of the public, or was otherwise in the public interest, or was in the interests of either Dr Ong or Dr Chan, that Dr Ong and Chan's registration be suspended or be made subject to conditions or restrictions.

Interim Orders against Dr Ong Kian Peng Julian

7. On 18 June 2020, the Interim Orders Committee, upon due inquiry into the information referred to it by the SMC and after considering the submissions by counsels for the SMC and Dr Ong, was satisfied that, pursuant to section 59B(1)(b) of the Medical Registration Act ("**MRA**"), it was necessary for the protection of members of the public and in the public interest that with effect from 18 June 2020, the registration of Dr Ong as a medical practitioner is to be made subject to the following conditions, for a period of 18 months or until the conclusion of the disciplinary proceedings against Dr Ong, whichever is sooner:

- (a) Dr Ong is not to contact female patients for any purposes that are outside the scope of his medical practice;
- (b) If Dr Ong needs to contact a female patient for purposes within the scope of his medical practice, the contact is to be made by a staff member of the clinic at which he is working, unless the female patient is in the hospital under Dr Ong's care or at Dr Ong's clinic for consultation or treatment; and
- (c) Dr Ong is not to send the personal data of his patients to any other person, whether on his own or through another person, unless this is required by his medical practice or by law.

Interim Orders against Dr Chan Herng Nieng

8. On the same day, the Interim Orders Committee, upon due inquiry into the information referred to it by the SMC and after considering the submissions by counsels for the SMC and Dr Chan, was satisfied that, pursuant to section 59B(1)(b) of the MRA, it was necessary for the protection of members of the public and in the public interest that with effect from 18 June 2020, Dr Chan's registration as a medical practitioner is to be made subject to the following conditions, for a period of 18 months or until the conclusion of the disciplinary proceedings against Dr Chan, whichever is sooner:

- (a) Dr Chan is not to contact female patients for any purposes that are outside the scope of his medical practice;
- (b) If Dr Chan needs to contact a female patient for purposes within the scope of his medical practice, the contact is to be made by a staff member of the clinic at which he is working, unless the female patient is in the hospital under Dr Chan's care or at Dr Chan's clinic for consultation or treatment,
- (c) Notwithstanding condition (b), where contact with female patients is necessary for Dr Chan to provide psychiatric care and/or treatment to that patient or he is responding to a call from the female patient or her family members in connection with such psychiatric care and/or treatment, he may contact the female patient directly but must contemporaneously record in a separate log: (i) each instance of contact with the female patient, and (ii) for each instance, the reason for the contact;
- (d) The log referred to in condition (c) is to be submitted to SMC for review on a fortnightly basis; and
- (e) Dr Chan is not to send the personal data of his patients to any other person, whether on his own or through another person, unless this is required by his medical practice or by law.

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