

## ASSOCIATION NOTES

## MINISTRY OF HEALTH SINGAPORE

MH: CF: 27: 19/2  
28 Feb 75

Office of  
Palmer Road  
Singapore 2.

Dear Sir,

I am directed by the Singapore Medical Council to forward herewith a resume of the proceedings against the two practitioners for publication in your Medical Journal.

The President  
Singapore Medical Association  
c/o Alumni Centre  
4A College Road  
Singapore 3

Yours faithfully  
Dr. Ho Guan Lim  
Permanent Secretary (Health)  
Director of Medical Services

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## PROCEEDINGS OF THE SINGAPORE MEDICAL COUNCIL

## APPENDIX A

Name of Practitioner—Dr. Harold Lai

Medical Council held a Disciplinary Inquiry on Dr. Harold S. T. Lai on 15 January 1975. The charge against Dr. Lai was as follows:—

“You, Dr. Harold S. T. Lai are charged that you, at your clinic known as Lai Clinic, at No. 633 Geylang Road, Singapore 14, on or about the 17th day of April, 1974 did issue a medical certificate to one Madam LEE LAI WAN WHEN SHE WAS NOT SICK AND WITHOUT FIRST EXAMINING THE SAID Madam LEE LAI WAN and you have thereby been guilty of infamous conduct in a professional respect.”

Mr. S. Saurajen appearing as Solicitor for the Council recorded the facts of the case against Dr. Lai. At its conclusion Mr. S. K. Lee, of S. K. Lee & Co., who appeared on behalf of Dr. Lai admitted to the facts of the case and pleaded guilty of the charge.

In mitigation he pleaded that Dr. Lai had issued the medical certificates as a favour to a

family friend and had not charged her for the medical certificate.

In its judgement the Council took account of the mitigating plea and determined that Dr. Lai be censured and that he gives an undertaking in writing not to repeat the offence.

The Council was of the view that there was a breach of professional conduct. The issue of the false medical certificate was a serious offence, it was not so much the issue of a certificate without examination nor the certification of illness retrospectively which was the crux of the issue. The Council was of the view that in certain exceptional circumstances medical certificates could be issued without examination or retrospectively so long there is good faith and certainty that the person is ill enough to merit certification. The critical issue in this case was that it was patently false because he knew the patient was not ill.

Dr. Lai through his counsel requested that a public report on the proceedings should not be made, but the Council decided not to grant this request.

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## APPENDIX B

Name of Practitioner: Dr. Joseph Francis Lopez

The Medical Council met to inquire on complaints against Joseph Francis LOPEZ on 5 November 1974. As he had left Singapore for America despite adequate notice the Council postponed the hearings which were then held from 16 January through to the 18 January 1975.

The charges against Dr. J. F. Lopez were of professional misconduct: —

- (a) that he had allowed an unqualified person to issue medical certificates
- (b) that on the 8th of April 1974, at the Gleneagles Hospital, Singapore, he took over a patient of Dr. Yeoh Kian Hian, one Mr. Charles Carver, without having first obtained the permission of the said Dr. Yeoh Kian Hian.

The practitioner was present and Mr. C. S. Wu of Donaldson & Burkinshaw appeared on his behalf.

The complainant in the first set of charges was Dr. Benny Cheng Shao Lin of Clifford Dispensary, Jurong.

Mr. S. Saurajen as Solicitor to the Council adduced evidence on the circumstances leading on the facts alleged in the set of nine charges and called the witnesses: the complainant, Dr. Benny Cheng Shao Lin, Mr. S. S. Pillai of the Lopez Clinic and Mr. Zulkifli bin Abdullah, formerly employed by Dr. Lopez in the same clinic.

Mr. C. S. Wu submitted that the facts of the charges of which evidence had been adduced were insufficient to support the finding of professional misconduct. Mr. S. Saurajen was heard in reply. Following deliberations of the Council on this point the President announced that the Council had determined that the facts adduced indicated that there was a case for the practitioner to meet.

In answer to the charges Mr. Wu called as witnesses the practitioner, Dr. J. F. Lopez and Miss Cecilia Hooi, administrative assistant to Dr. Lopez.

In concluding the case Mr. Wu and Mr. Saurajen successively addressed the Council.

Following which the Council determined that the facts which formed the basis of the

first set of charges had been proved to their satisfaction.

On the second charge (B) the complainant was Mr. Yeoh Kian Hian, of Liat Towers, Orchard Road.

The Solicitor to the Council adduced evidence of the facts alleged in the charge and called as witness the complainant Mr. Yeoh Kian Hian and Dr. Lim Ban Siong of Lim Clinic, 255 Jalan Kayu, Singapore 28.

After the conclusion of the case against the practitioner, Mr. Wu, in evidence to answer the charge called on the practitioner, Dr. Lopez and Mr. R. Adams, Managing Director, of Messrs Lockheed Aircraft Services Singapore (Pte) Ltd.

At the conclusion of which Counsel for the practitioner and the Solicitor to the Council successively addressed the Council. After deliberation in camera, the President announced that the charges had been proved to their satisfaction.

The President invited the practitioner to address the Council in mitigation which he did in one plea for the two charges.

After which Council determined its judgment as follows: —

- (a) on the set of nine charges that the practitioner's name be removed from the register of medical practitioners with effect from Monday, 20 January 1975.
- (b) on the second charge that the practitioner is censured and gives an undertaking not to repeat the offence.
- (c) that the costs for the entire proceedings will be charged to the practitioner.

The Council was unanimous in its view that there was a serious breach of professional conduct in both of the main charges. Dr. Lopez had engaged an unqualified person who over a long period of time and, without supervision, was treating patients and issuing medical certificates on his behalf. He failed to exercise any control over this unqualified person as might be expected of any responsible medical practitioner.

The essence of the 2nd charge was that he had taken over another practitioner's patient. In his defence it was made out that this was a

“storm in a tea cup”. The Council, however, viewed with concern that he had done so on instructions from the Managing Director of the firm who employed the patient which seemed to him to be sufficient authority to take over the case and had followed this up by so informing the practitioner by way of amending Mr. Yeoh’s orders for treatment. The obligation to maintain courtesies and good relationships to a fellow colleague did not seem to be of importance and it was for this reason that Council had agreed that he should be censured and give an undertaking not to repeat the offence.

At the conclusion of the proceedings the Chairman announced that the charges had been proved to their satisfaction.

Counsel for the practitioner enquired if the Council would agree to a stay of its judgment as Dr. Lopez would appeal to the High Court. Council, following deliberation in camera, determined that there be no stay on the judgment. It further indicated, on a question raised by Counsel for the practitioner, that the proceedings would be reported in the professional journals.

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### APPENDIX C

#### Name of Practitioner—Dr. Ho Soon Lye

The Singapore Medical Council held a Disciplinary Inquiry on Dr. Ho Soon Lye on 26 February 1975. The charge against Dr. Ho was as follows:—

“You, Dr. Ho Soon Lye, are charged that you on or about the 18 December 1974, did issue a false medical certificate to one Dr. Tan Hean See certifying the said Dr. Tan Hean See to be sick and unable to attend work for two (2) days, which you knew to be false, and you have thereby been guilty of infamous conduct in a professional respect.”

Dr. Ho Soon Lye was present and represented by Mr. Peter Lee of Messrs S. K. Lee & Co.

The Solicitor to the Council, Mr. S. Saurajen presented the facts of the case. In summary, the charge against Dr. Ho was that he had issued a false certificate to Dr. (Mrs.) Tan Hean See, certifying her to be sick and unable to work for two days when she was in fact well.

Dr. Tan, a medical officer attached to the Tan Tock Seng Hospital, had applied for an obtained approval for her annual leave to be taken from 12 December 1974 to 17 December 1974 and from 20 December 1974 to 30 December 74. She would therefore have been on leave from the 12 to the 30 December 1974, with the exception of the 18 and 19 December 1974.

Dr. Tan was given the sick certificate signed by Dr. Ho Soon Lye to cover those two days, so as to be on uninterrupted leave from 12 to 30 December 1974. Investigations revealed that she was not sick and was issued the certificate to enable her to relieve Dr. Ho Soon Lye so that he himself could go on leave.

The Solicitor informed the Council that Dr. Ho admitted the error and apologised for it.

Mr. Peter Lee on behalf of Dr. Ho in mitigation pleaded as follows:—

- (i) An admission of guilt should be regarded as a mitigating factor and requested Council to exercise leniency.
- (ii) There had been no previous complaint against him.
- (iii) He is a voluntary worker for the following organisations—the St. John’s Ambulance Brigade and the Citizen’s Consultative Committee, Geylang Serai.

Mr. Lee submitted that Dr. Ho was now aware of the serious responsibility placed upon him as a medical practitioner to maintain high standards of integrity. He assured the Council that this would be his client’s first and last offence.

The Council judged that Dr. Ho abused his responsibility in issuing a false medical certificate and decided to suspend him for three months in accordance with the provisions of Section 23 of the Medical Registration Act.

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## APPENDIX D

## Name of Practitioner—Dr. Yim Sow Tuck

The Singapore Medical Council held a Disciplinary Inquiry on Dr. Yim Sow Tuck on 27 February 1975. The charges against Dr. Yim were as follows: -

- (i) You, Dr. Yim Sow Tuck are charged that you on or about the 20 November 1974, did issue a false medical certificate to one Vincent Lim Chye Huat certifying the said Vincent Lim Chye Huat to be sick and unable to attend work, which is false, and you have thereby been guilty of infamous conduct in a professional respect.
- (ii) You, Dr. Yim Sow Tuck are charged that you, on or about the 2nd of December 1974, did issue a false medical certificate to one Tharmalingam s/o Vadiveloo certifying the said Tharmalingam s/o Vadiveloo to be sick and unable to attend work, which is false, and you have thereby been guilty of infamous conduct in a professional respect.

The practitioner was present and Mr. G. Advani of Messrs Advani and Hoo appeared on his behalf.

The complaint had been made by the Director of the Corrupt Practices Investigation Bureau.

Mr. S. Saurajen, Solicitor to the Council presented the case by calling the following two witnesses, Mr. Vincent Lim Chye Huat and Mr. N. T. Lingam, both Special Investigators of CPIB.

After hearing evidence from the two CPIB officers, the Counsel to the practitioner led the practitioner in evidence.

Concluding the case for Dr. Yim, Mr. Advani said that from the moment his client consulted him he really did not know what it was all about and where he went wrong. Dr. Yim did not realise that he was under sur-

veillance by CPIB. The suspicion arose from one anonymous complaint and he queried the value of one single complaint made, bearing in mind that his client had refused medical certificates to some other patients. The practitioner, not being an aggressive person, would not chase people out of his clinic if they came for medical certificates. In retrospect his client felt that he had acted unwisely though not infamously.

Mr. Saurajen in reply stated that the evidence of the two CPIB officers had not really been challenged. The important point was that the two persons went to see the doctor and invited him to abuse his professional discretion. The doctor should have felt insulted that these two assumed he was the sort of person that would issue medical certificates after being told they were not sick.

A medical examination after the patients had declared they were not sick was a cover-up. The medical examination which was carried out was merely to provide some kind of justification for the medical certificates to be issued.

In doing what he did the doctor had in fact fallen short of the professional standards required of the profession.

After deliberation the Council by a majority decided that the practitioner was guilty as charged.

In mitigation Mr. Advani urged Council to bear in mind the age of his client, only 28 years old, and that he had commenced practice only on 15 October 1973. He has a wife and two very young children. He was quite honest, in admitting in evidence that in retrospect he realised he ought not to have examined or given the certificates in question. He asked the Council to be as lenient as possible.

The Council in judgement decided that Dr. Yim be suspended for three months under Section 23 of the Medical Registration Act.

## APPENDIX E

## Name of Practitioner—Dr. A. Kulkarni

The Singapore Medical Council held a Disciplinary Inquiry on Dr. A. Kulkarni on 26 February 1975. The charge against Dr. Kulkarni was as follows: -

“You, Dr. A. Kulkarni are charged that you, on or about the 27 September 1974, did issue to one Abdul Kadir b. Haron a false medical certificate which was backdated to the 25 September 1974, and you have thereby been guilty of infamous conduct in a professional respect.”

The Practitioner was present and Mr. L. A. J. Smith appeared on his behalf.

Mr. S. Saurajen, Solicitor to the Council presented the case by stating that there was very little dispute on the facts. It was not disputed that a certificate was issued dated 25 September 1974. He said it was also not in issue that the patient was in fact seen only on the 27th.

The complainant was the Assistant Superintendent, Car Parks Division, Mr. K. Jayaraman. Two witnesses were called: Mr. Lee Teck Meng, Car Park Supervisor and Mr. Abdul Kadir b. Haron, Parking Attendant, both of the Car Parks Division.

After hearing all the evidence laid out before the Council, the Chairman of the Council invited Mr. Smith to submit the case for the practitioner.

Mr. Smith submitted that his client had no case to answer and summarised as follows: - On the evidence before the Council the certificate was not false; for the Parking Attendant had been sick for the 3 days. The brunt of the complaint appeared to be that the certificate was backdated. Backdating itself need not necessarily be infamous conduct. There should be an element of moral turpitude. Any infamous conduct indicated a serious offence.

The Council's Solicitor replied that by backdating the certificate Dr. Kulkarni was in fact misrepresenting that the medical examination

took place on the 25th. It was an improper certificate issued with an improper motivation and was an abuse of the privilege vested in him as a medical officer, to secure a financial gain. The sole purpose of the certificate was to enable the patient to be exempted from work. On the question as to what is infamous conduct, under the Medical Registration Act it only means conduct which is disciplinable and has wide meaning.

After deliberation, the Council decided that there was a case to answer and Mr. Smith then called the practitioner to give evidence.

At the conclusion of the submissions by the Counsel and the Solicitor, Council unanimously found Dr. Kulkarni guilty as charged.

Council was of the view that the circumstantial evidence was against the claim that the Car Park Attendant was sick. Further, if he had been sick it was quite wrong to backdate the medical certificate. In its view, certification recommending sick leave could be backdated in good faith, but to backdate the certificate in this case was a misrepresentation of fact, and would constitute misconduct in a professional respect.

In mitigation Mr. Smith stated that this was not the worst type of case. If the person was ill then the doctor knew that he was genuinely sick during the period, backdating of the certificate was not a serious offence.

Dr. Kulkarni had 44 years practice with only one lapse. He serves in various voluntary organisations. He has a wife and 3 children to maintain. He is aged 67. He did not know it was morally wrong what he had done and Council was urged to be lenient.

The Council in determining its judgement noted that this was the second time Dr. Kulkarni had been found guilty of misconduct. He had been struck off from the Register in 1963 and Council decided to suspend him from practice for six months under Section 23 of the Medical Registration Act.

## POSTGRADUATE NEWSLETTER

BOARD ON POSTGRADUATE MEDICAL EDUCATION • FACULTY OF MEDICINE  
UNIVERSITY OF MALAYA

## NOTICE OF EXAMINATIONS

*Common Part I MRCP (UK) Examination*

The Common Part I MRCP Examination of the Royal Colleges of Physicians of Edinburgh, Glasgow and London will be held in Kuala Lumpur on Thursday, 12th June 1975 at 5.30 p.m. at the Faculty of Medicine, University of Malaya.

Application forms and current regulations may be obtained from the: -

Assistant Registrar,  
Office of the Dean,  
Faculty of Medicine,  
University of Malaya,  
Kuala Lumpur.

Prospective candidates are asked to note that entries accompanied by the necessary application forms, registration certificates or diplomas of medical qualification and fee of M\$137.50 must reach the above Office by *Thursday, 24th April 1975.*

A booklet of "Examples of Multiple Choice Questions from the Common Part I MRCP (UK)" price £2/- sterling (including airmail postage) may be obtained from the Royal College of Physicians of Edinburgh, 9 Queen Street, Edinburgh, EH2, 1JQ, Scotland.

*Faculty of Anaesthetists  
Royal Australasian College of Surgeons  
Primary Examination*

The Primary F.F.A.R.A.C.S. Examination will be held in the Faculty of Medicine, University of Malaya, Kuala Lumpur. The written section will be held on Monday, 25th August and Tuesday, 26th August 1975 while the viva voce on or about Tuesday, 16th September 1975.

The closing date for applications will be *Monday, 14th July 1975.*

Application forms to sit for the above two examinations and copies of the Manual on Training governing the examinations may be obtained from the Examination Secretary, Faculty of Anaesthetists, Royal Australasian College of Surgeons, Spring Street, Melbourne, Victoria 3000, Australia.

## WEEK-END REVIEW COURSE IN MEDICINE

The Review Course in Medicine and a similar course by correspondence commenced on 22nd February 1975 in the Faculty of Medicine, University of Malaya. 37 candidates registered for the Week-end Review Course in Medicine and 116 registered for the Correspondence Course. The object of these courses are to review selected basic aspects and recent advances in Medicine.

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## THE NEWLY INAUGURATED SINGAPORE THORACIC SOCIETY

Dr. Chew Chin Hin is President of the newly inaugurated Singapore Thoracic Society and Dr. S. Devi the President-Elect.

Other officials of the Society are:

*Hon. Secretary* : Dr. Chew Shin Fun  
*Hon. Treasurer* : Dr. Lee Siew Khow  
*Council Members* : Mr. J. E. Choo  
Dr. William Chan  
Dr. Ng Kwok Choy

Medical practitioners, scientific workers and personnel of ancillary services in Singapore who are interested in Thoracic Medicine may apply for membership. Application forms are obtainable from the Hon. Secretary, c/o Rotary Tuberculosis & Chest Clinic, Tan Tock Seng Hospital, Moulmein Road, Singapore 11.

1975 JOINT MEETING OF  
The American Society of Tropical Medicine,  
and Hygiene

The American Society of Parasitology (50th Anniversary) *For further Information Contact:*

The American Microscopical Society  
Scientific Sessions

Seminars

Symposia

November 10-14, 1975

New Orleans, Louisiana USA

Braniff Place Hotel

1501 Canal Street

Dr. Max Miller, Steering Committee  
Chairman

1975 Joint Meeting

Department of Tropical Medicine

Tulane Medical Center

New Orleans, La. 70112 USA

## **AUSTRALIA**

### **WODEN VALLEY HOSPITAL**

### **CANBERRA      A.C.T.**

## **SECOND AND THIRD-YEAR MEDICAL OFFICERS**

General Terms are available in:—

Medicine	Orthopaedics	Paediatrics/Paediatric surgery
Surgery	Psychiatry	Night Emergencies
Anaesthetics	Gynaecology	Relieving term
Casualty	Rehabilitation & Geriatrics	

Specialist college basic training programs are available in concert with Canberra Hospital from which trainees are rotated to Woden Valley Hospital. Postgraduate training sessions are held regularly at both hospitals. Woden Valley Hospital is a new general hospital with a projected 400-bed occupancy in 1975. The hospital is fully equipped with Casualty, Intensive and Coronary Care wards, Radiology, Physiotherapy, Occupational Therapy and Social Work Departments.

Single or married accommodation is available. Current salary and conditions are covered by Repatriation Award.

Applications are invited from medical officers registerable in the A.C.T. Please specify fields of interest.

For further information direct enquiries to Dr. J. Dunning, Assistant Clinical Superintendent, Woden Valley Hospital, P.O. Box 11, WODEN, A.C.T. 2606, Australia.