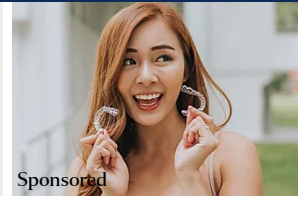




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Panel eyes having sitting judge for medical watchdog's cases



The workgroup was set up in March to look at both the disciplinary process and the issue of informed consent after two disciplinary judgments had doctors here up in arms. PHOTO: ST FILE

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A workgroup tasked with improving the medical watchdog's disciplinary process is looking at having a sitting judge and a permanent team of senior retired doctors to judge disciplinary cases, and a screener who will ensure that the system is not bogged down by frivolous complaints.

It also wants to set up timelines that must be followed for the various steps in the complaints process unless an extension is obtained, as well as a time limit to when these can be made, it told members of the media on the sidelines of a meeting with doctors yesterday.

Today, the only timeline is three months for the Singapore Medical Council's (SMC) Complaints Committee to review a complaint. A member of the 12-person workgroup, which comprises lawyers, medical professionals and lay people, said this is seldom adhered to.

Mr Edwin Tong, Senior Minister of State for Health and Law, who was at the meeting at Mount Elizabeth Novena, also told reporters that long delays in hearing cases - often taking more than four years - are not acceptable as "justice delayed is justice denied".

The workgroup has met more than 1,000 doctors from seven other private hospitals and the three public clusters, and plans to talk to others like patient advocacy groups and medical specialist chapters in the Academy of Medicine before drafting its report, due to be out before the end of the year.

It was set up in March to look at both the disciplinary process and the issue of informed consent after two disciplinary judgments had doctors here up in arms.

About 10 per cent of the roughly 150 to 200 complaints received by the council each year are either frivolous or had occurred so long ago - one was about an incident 15 years before - that it is almost impossible to ascertain the truth.

To be fair to doctors, who have to account for events, the workgroup may set a cut-off - perhaps three to six years - for complaints to be made.

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In one case, a doctor was fined \$100,000 for not telling the patient about the side effects of a commonly used steroid jab. In the other case, a doctor was fined \$50,000 for releasing information about a patient without checking that a caller on the phone was her husband.

The workgroup will also clarify what exactly constitutes professional misconduct, which is the top reason for disciplinary hearings.

Complaints that are outside of this, such as simple negligence or even a poor bedside manner, might be better served through mediation. Mr Tong said the SMC could work with the Singapore Mediation Centre on this.

A screener who will do a quick assessment of complaints could cut the work of the Complaints Committee in deciding which complaints merit a disciplinary hearing.

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It also suggests a single panel of experts for disciplinary hearings, instead of each side getting its own. Having a High Court judge preside would also promote consistency in judgments.

Another important aspect of the group's work is to determine what constitutes informed consent so as to protect patients while avoiding having doctors practise defensive medicine.

The workgroup said it would not be in the patient's best interests and also push up healthcare costs if doctors began over-treating patients just to protect themselves.

Clarity on what doctors need to tell patients would help both the doctor and patient. But Mr Tong said that with clarity must come flexibility as cases would differ.

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