

Basic & Intermediate HEALTH LAW COURSE 2018

Text by Jasmine Soo, Executive, Event and Committee Support

The SMA Centre for Medical Ethics and Professionalism (SMA CMEP) conducted the Health Law course over a span of two Saturdays on 28 April and 5 May 2018. Based on the feedback collated previously, the Health Law course was separated into two sessions – Basic and Intermediate – this time round. This improved the learning curve for our participants, encouraging an easier understanding of the law regulating Singapore's healthcare.

Basic Health Law Course

To open the first session, A/Prof Gerald Chua, Executive Director of SMA CMEP, introduced the session's objectives. Adj A/Prof Lee See Muah, senior consultant, Occupational Medicine, Ng Teng Fong General Hospital, then spoke on the "Basic Understanding of Singapore Law" and "Statutes Regulating Doctors and Medicine", during which he explained the different sources of law, common laws and precedents. Also covered were many Acts, including the two main statutes which govern the medical practice in Singapore: the Medical Registration Act (MRA) and Private Hospitals and Medical Clinics Act.

We were also very honoured to have Ms Kuah Boon Theng, Director of Legal Clinic LLC, speak on the topics

"Doctor and Duty of Care" and "Legal Duty to Report". Through this session, Ms Kuah enlightened the participants about the importance of understanding the law and legal framework. She also touched on criminal negligence and ethical violations, and summarised her talk by emphasising the need to identify different sources of law and ethics, understand the importance of compliance, the consequences of violations and also the disciplinary action for misconducts, flouting ethical rules or breaching standards.

In her third topic, "The Doctor and The Law: Duty to Report", Ms Kuah stressed the importance for medical practitioners to understand their legal and ethical duties under the law so that they can better understand the potential liabilities they might face.

Intermediate Health Law Course

During the second session, Dr Peter Loke, Senior Partner of Mint Medical Centre, provided an in-depth insight to professional accountability and the MRA. Dr Loke covered professional self-regulation (ie, key elements of the MRA, roles and powers of the Singapore Medical Council [SMC] and the importance of the SMC Ethical Code and Ethical Guidelines), professional

misconduct and the difference between law, professional regulation and ethical reasoning. Mr Edmund Kronenburg, Managing Partner of Braddell Brothers LLP, next spoke on the topic of "Negligence and SMC Proceedings". He provided participants with the basic understanding of medical negligence and also further explained its elements such as duty, breaches, damages, the qualification of damages, contributory negligence, vicarious liability, limitation periods/time bars, differences or interactions between medical negligence claims and SMC disciplinary proceedings, and key aspects of the SMC disciplinary process.

Feedback

The course ended with positive feedback from participants, with the weighted average being 4.40 and 4.46 (out of 5) for Sessions 1 and 2, respectively. Participants also expressed interest in an advanced health law course, and looked forward to hearing from more lawyers and judges in future runs of the seminar. We would like to take this opportunity to thank the Employment and Employability Institute for their support and also our speakers for taking time off to impart their knowledge to the participants. ♦