

→ IDES OF ← MARCH

Text by Dr Lee Yik Voon

The famous Roman Statesman Julius Caesar was assassinated on 15 of March (Ides of March). We remember this event somewhat as a Roman tragedy. Unfortunately, recent events have been rather tragic in our medical landscape.

The \$100,000 fine headliner resulted in a public petition with over 6,000 respondents, and a HIV leak resulted from a relationship that did not have a storybook ending.

The fine and its implications

In the former incident, I think better communication protocol and strategy in messaging could have prevented the response. I would like to explore the case by asking these hypothetical questions.

What if the Complaints Committee had dismissed the case because the expert witness stated that informed consent is not needed for minor procedures such as an H&L injection?

What if the Disciplinary Tribunal (DT) had dismissed the case as the DT found that an injection with little or no harm to the patient does not warrant informed consent?

What if the DT had moderated the fine offered by the defence because they could foresee the impact of such a fine on our medical community and the public?

What if the doctor had not pleaded guilty and fought the case? Would the outcome have been vastly different?

If all parties involved were able to see that it would likely result in defensive



medicine, would they have persisted along the same path?

Thinking of all the “what ifs” is probably unproductive and it is wishful thinking to attempt to go back in time and to change destiny. We need to focus on the way forward for our medical community. We understand that the doctor under trial would react the way he did; he was in a dire situation and would react accordingly.

For not documenting discussion with his patient regarding side effects and complications of treatment proposed, a senior surgeon was penalised. He could not recall but there was no evidence of him documenting the consent in his notes. Yet it was evident from his documentation with other patients that he routinely takes consent for such minor procedures.

A \$100,000 fine is no small sum to young doctors who already have hefty study loans to repay, and it may cripple the medical career of our younger generation of doctors. The bigger rolling snowball is the momentum and impact on the general medical landscape, on how it changes the way we practise medicine – the result, an overemphasis on defensive medicine.

As it stands, all medical practitioners will have to think about discussing the entire breadth of complications and side effects of all minor or major procedures regardless of relevance to the patient.

The Singapore Medical Council has clarified that this is not so, but important and material side effects and complications of treatment have to be discussed with the patient so that the patient can make a decision and give an informed consent. Then again, the question is “What is material to the patient?”

The DT is made up of a pool of medical practitioners no different from the rest of us. It is easy on hindsight to ask of them not to see

the case in isolation but to be aware of the impact of their judgement on the larger medical community.

The question then comes, “Do we care only when our livelihoods are affected or do we step up to volunteer for the DT pool?”

If you had volunteered but were rejected, do not be disappointed as you have tried to help but for some reason you were considered unsuitable. There are other ways you can contribute to our medical fraternity and to the healthcare of Singaporeans and fellow human beings. Join chat groups and feel the pulse of our medical fraternity; read the *SMA News* and get involved in our work.

The human factor

On the subject of the ill-fated relationship, do you share everything with your loved ones? Would you compromise your integrity to do so? If your partner is really concerned for your well-being, I seriously doubt they would cause harm to you and expect you to dismiss your ethical values. But when disagreement occurs between a couple, attempts to hurt the opposite party may result.

What would you do when you hold the access to patient database that has street value on the Dark Web? The potential of this database to create mayhem and mischief, to blackmail and extract monies, or to compromise victims, is enormous.

We have just reeled from the SingHealth data breach and unlike that, the HIV data leak is not a traditional information technology hack issue or issue of work culture. It’s a deliberate leak that shows that the human factor is indeed the weakest link. How do we avoid such an incident from recurring in the future? Some have suggested not collecting the data or removing the stigma of HIV. This issue is all about privacy and data is only useful if one acts on it.

We are trained to understand how confidentiality and privacy of our patients is paramount to them. Yet we are human and we make mistakes; is it a random act of one dysfunctional individual or do we need to rethink whether it is an issue that involves the values of our society?

What is most important is not to cry over spilt milk, and not to do more “witch hunting” and be overly suspicious of one another. We should understand that all of us have a role to play in order for our society to recover from this huge setback.

I hope we all come to realise that we play a part no matter big or small. Criticising the selection of individuals who hold positions of authority and responsibility is easy on hindsight. Perhaps more research needs to be conducted on how best to select people to fill various vital positions. Indeed, how do we ensure that these positions are filled with individuals with a moral compass, critical thinking, good communication and competent skillsets as our world and its jobs are so much more complex and multifaceted today? ♦

Dr Lee is a GP practising in Macpherson. He is also a member of the current National General Practitioner Advisory Panel. He is a pet lover at heart who is the proud owner of a dog, and regularly feeds neighbourhood community cats. He also enjoys playing online war games and thinks that playing *Pokemon Go* is a good form of exercise.

