

MEDICAL REGISTRATION ORDINANCE (Chapter 161)

ORDER MADE BY THE INQUIRY PANEL OF  
THE MEDICAL COUNCIL OF HONG KONG

DR KWOK YAM TAT JEREMY (REGISTRATION NO.: M01464)

It is hereby notified that after due inquiry held on 30 April 2019 in accordance with section 21 of the Medical Registration Ordinance, Chapter 161 of the Laws of Hong Kong, the Inquiry Panel of the Medical Council of Hong Kong found Dr KWOK Yam Tat Jeremy (Registration No.: M01464) guilty of the following disciplinary charges:—

‘That, on or about 18 January 2015, he, being a registered medical practitioner, disregarded his professional responsibility to his patient (‘the Patient’), in that:—

- (a) he prescribed sulphonamide medication to the Patient when he knew or ought to have known that the Patient was allergic to sulphonamide;
- (b) he failed to ensure that the name of the medication was labelled in four dispensed medicines; and
- (c) he failed to ensure that the date of dispensing was labelled in nine dispensed medicines.

In relation to the facts alleged, either singularly or cumulatively, he has been guilty of misconduct in a professional respect.’

Dr KWOK had been included in the General Register from 7 October 1969 to present.

Briefly stated, the Patient consulted Dr KWOK at his clinic in Kwai Chung on 18 January 2015 for eye discomfort. Dr KWOK made a diagnosis of conjunctivitis and prescribed the Patient with, amongst other medicines, Septrin capsules.

There was no dispute that the Patient had consulted Dr KWOK before and her allergy to sulphonamide was made known to him during the first consultation.

Septrin is trade name for an antibiotic, which contains sulfamethoxazole which belongs to the group of sulphonamide, and it should not be given to any patient who is allergic to sulphonamide.

According to the Patient, whose evidence is unchallenged by Dr KWOK, she developed allergic reactions after taking the medicines prescribed by him, including Septrin. She immediately called Dr KWOK and was told to stop the medications and to go back to his clinic for follow-up in the next morning.

Dr KWOK accepted in his submission to the Preliminary Investigation Committee dated 19 December 2016 that ‘he inadvertently prescribed Septrin to the Patient for her conjunctivitis when he knew that the Patient was allergic to Septrin’.

Patients are entitled to, and they often do, rely on doctors to exercise reasonable care and competence in avoiding prescription of drug to which they have a known allergy.

Allergic reaction to drug is not dose-dependent, and can be triggered by even a small dose. Moreover, allergic reaction to drug can be very serious and potentially life-threatening. In a patient with a reported allergy to a particular drug, the risk of having an allergic reaction after taking the same drug again would be high.

Prescription of Septrin to the Patient, whom Dr KWOK ought to have known was allergic to sulphonamide, was inappropriate and unsafe. The Inquiry Panel was of the view that, if Dr KWOK had taken adequate note of the Patient’s history of allergy, he ought to have considered whether there were safer alternatives than Septrin.

For these reasons, the Inquiry Panel was of the view that Dr KWOK’s conduct had fallen below the standards expected of registered medical practitioners in Hong Kong. The Inquiry Panel therefore found him guilty of disciplinary charge (a).

Turning to disciplinary charges (b) and (c), there was no dispute that the medicines involved were prescribed by Dr KWOK and dispensed to the Patient on different occasions from 18 to 21 January 2015.

As a registered medical practitioner who dispensed medicines to his patient, Dr KWOK had the personal responsibility to ensure all dispensed medicines are properly labelled.

The Inquiry Panel had repeatedly emphasized in previous cases the importance of proper labelling of name of medicine. Doctors who provide subsequent treatment to the same patient need to know the name and dosage of medicine previously taken by the patient when formulating their treatment plans. This will also avoid over dosage and adverse effect of drug-drug interaction.

Proper labelling of medicine is an important requirement in the practice of medical practitioners in Hong Kong. Failure to properly label the medicines may have serious consequences, particularly in emergency situations.

Moreover, patients need to be able to tell from the label on the medicine the dosage to be administered and the method of administration.

In this case, there was no dispute that 4 of medicine bags dispensed to the Patient did not bear the names of the medicines. Whilst the Inquiry Panel accepted that the names of some of the prescribed medicines were printed on the individual packaging or container, there was a real risk that the Patient might confuse the dosage for one medicine with another after removing them from the medicine bags.

There was also no dispute that none of the 9 medicine bags in this case bore the date of dispensation. In the Inquiry Panel's view, the date of issue of the medicines was important because the Patient might otherwise be confused as to whether they were left over from her previous consultation with Dr KWOK. This might result in her treatment plan being upset.

For these reasons, the Inquiry Panel found Dr KWOK's conduct to have fallen below the standards expected of registered medical practitioners in Hong Kong. The Inquiry Panel therefore found him guilty of professional misconduct in respect of disciplinary charges (b) and (c).

The Inquiry Panel was told in mitigation that Dr KWOK had since the incident taken additional precautionary measures to avoid similar mishap from happening.

Taking into consideration the nature and gravity of this case and what the Inquiry Panel had heard and read in mitigation, the Inquiry Panel made a global order in respect of disciplinary charges (a), (b) and (c) that Dr KWOK's name be removed from the General Register for a period of 1 month. The Inquiry Panel further ordered that the removal order be suspended for a period of 12 months.

The order is published in the *Gazette* in accordance with section 21(5) of the Medical Registration Ordinance. The full decision of the Inquiry Panel is published in the official website of the Medical Council of Hong Kong (<http://www.mchk.org.hk>).

LAU Wan-ye, Joseph *Chairman, The Medical Council of Hong Kong*