

MEDICAL REGISTRATION ORDINANCE (Chapter 161)

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

DR CHENG MING CHUN (REGISTRATION NO.: M12629)

It is hereby notified that after due inquiry held on 17 September 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 ('Inquiry Panel') found Dr CHENG Ming Chun (Registration No.: M12629) guilty of the following disciplinary offences:—

First Case (MC 14/012)

'That on or about 29 November 2013, he, being a registered medical practitioner, disregarded his professional responsibility to his patient ('the Patient'), in that he prescribed Synbetamine which contained corticosteroid to the Patient, when he was given to know that the Patient was 5 weeks pregnant, without proper justification and/or clinical indication.

In relation to the facts alleged, he has been guilty of misconduct in a professional respect.'

Second Case (MC 16/273)

'That in or about June 2016, he, being a registered medical practitioner, disregarded his professional responsibility to his patient ('the Patient'), in that he:—

- (a) failed to conduct proper investigation on the Patient who did not have menstruation for two months; and/or*
- (b) prescribed a course of Norethisterone to the Patient without proper justification and/or clinical indication.*

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

Dr CHENG was at all material times a registered medical practitioner. His name has been included in the General Register from 8 July 2000 to present and his name has never been included in the Specialist Register.

First Case (MC 14/012)

On 29 November 2013, the Patient consulted Dr CHENG with symptoms of running nose and headache. During the consultation, the Patient informed Dr CHENG that she was pregnant for 5 weeks at the time and requested for prescription of drugs that would be safe for her pregnancy.

There is no dispute that Dr CHENG prescribed during the consultation, amongst other drugs, Synbetamine, which contains betamethasone, to the Patient.

Betamethasone is a potent corticosteroid and is listed in the US FDA categorization of risk of drug use in pregnancy under Safety Index Category D which states that 'There is positive evidence of human foetal risk, but the benefits from use in pregnant women may be acceptable despite the risk (e.g. if the drug is needed in a life-threatening situation or for a serious disease for which safer drugs cannot be used or are ineffective).'

According to the Patient, she took Synbetamine along with some of the other drugs prescribed by Dr CHENG after she returned home. Later in the day on 29 November 2013, the Patient looked up the drug information in the MIMS (i.e. Master Index of Medical Specialties) and was extremely shocked to learn that Synbetamine was contraindicated for pregnant women in their first trimester. Anxiety about potential side effects on the foetus continued to haunt her until her baby was born healthy half a year later.

Dr CHENG frankly admitted that he prescribed Synbetamine to the Patient on 29 November 2013 when he knew that she was pregnant for 5 weeks.

The Inquiry Panel agreed with the Secretary's expert, Professor TOMLINSON, whose evidence was unchallenged by Dr CHENG, that this was not a life-threatening situation. Nor was the Patient suffering from a serious disease for which safer drugs could not be used or were ineffective.

In the view of the Inquiry Panel, prescription of Synbetamine to the Patient, whom Dr CHENG well knew was pregnant for 5 weeks, was not only inappropriate but also potentially dangerous to the foetus. Moreover, the anxiety or distress that the Patient developed after realizing that she had taken Synbetamine must not be overlooked.

The Inquiry Panel opined that the conduct of Dr CHENG had fallen below the standards expected of registered medical practitioners in Hong Kong and found him guilty of misconduct in a professional respect as per the disciplinary charge in the First Case.

Second Case (MC 16/273)

On or about 19 June 2016, the Patient complained to Dr CHENG of feeling nausea and vomiting and did not have menstruation for 2 months. During the consultation, the Patient also told Dr CHENG that she had 2 pregnancy tests at home but the results were negative.

There was no dispute that Dr CHENG made a diagnosis of secondary amenorrhoea and prescribed a course of Norethisterone to the Patient.

In his submission to the Preliminary Investigation Committee, Dr CHENG also admitted that he 'did not perform a pregnancy test in view of [the Patient's] emphasis of 2 negative pregnancy tests by herself'.

According to the Patient, she took Norethisterone for about 1 week before consulting another doctor who found out that she was pregnant. She felt worry after she was alluded to the potential risks of Norethisterone to the foetus.

Dr CHENG frankly admitted that he did not perform a pregnancy test for the Patient, who was then 38 years old, before prescribing her with a course of Norethisterone.

The Inquiry Panel agreed with the Secretary's expert, Dr TSOI, whose evidence was unchallenged by Dr CHENG that pregnancy is the most common cause for missed menstruation period in women of child-bearing age and clinical diagnosis of secondary amenorrhoea could only be made for a female patient of child-bearing age after proper investigation to rule out the possibility of pregnancy. In the Inquiry Panel's view, Dr CHENG's prescription of Norethisterone was without proper justification and clinical indication.

The Inquiry Panel opined that the conduct of Dr CHENG had fallen below the standards expected of registered medical practitioners in Hong Kong and found him guilty of misconduct in a professional respect as per the disciplinary charges in the Second Case.

Taking into account the nature and gravity of these 2 cases and the mitigation advanced by Dr CHENG's legal representative, the Inquiry Panel made a global order that Dr CHENG's name be removed from the General Register for a period of 2 months and the operation of the removal order be suspended for a period of 18 months, subject to the conditions that Dr CHENG shall complete during the suspension:—

- (1) course(s) on safe prescription of drugs to be approved by the Medical Council to the equivalent of 10 CME points and to be completed within the next 12 months; and
- (2) satisfactory peer audit by a Practice Monitor to be appointed by the Medical Council.

The orders are published in the *Gazette* in accordance with section 21(5) of the Medical Registration Ordinance. The full decision of the Inquiry Panel of the Medical Council 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*