

Medical Council - Malta

Annual Report 2015



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MEDICAL COUNCIL MALTA

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1 Foreword by the President of the Medical Council

It has been an honour to preside on the Malta Medical Council (MCM). The MCM has during the last years been slowly but steadily improving its work practices and striving to be more transparent and efficient. Due acknowledgement is due to all the Members of the Council who dedicate a significant amount of their personal time to the MCM. It is to be acknowledged that the responsibilities of the MCM are developing and increasing and over time are becoming more sophisticated and demanding. Significant developments in professional regulation in the EU structures and their transposition into Maltese Law is undoubtedly one of the major challenges that the MCM and other regulatory Councils will be facing in the coming years.

The MCM has during the last year addressed a number of issues that cover the spectrum of its remit as established by the Health Care Professions Act. In 2015 the MCM signed a Memorandum of Understanding with the University of Malta with respect to the mandatory statutory examinations for non-EU dentist practitioners (MCMSE) who apply to be registered in Malta. Thanks are due to all those who made this possible.

The Council has also published a set of guidelines on the MCMSE for Medical Practitioners. These guidelines have been approved by the MCM after recommendations were made by a Subcommittee specifically established for this purpose.

This year the MCM has also sought to address complaints made against Practitioners on its registers which complaints had been accumulating. It has been decided to establish a Subcommittee for the Analyses of Complaints. This subcommittee reviews the complaints received, addresses preliminary issues and offers to the Council its recommendations. Action on each case is then decided on a case-by-case basis by the MCM during its plenary sessions.

The Medical Council of Malta was also invited to deliver a presentation during a Parliamentary Joint Sitting of the Standing Committee on Health, the Social Affairs Committee and the Family Affairs Committee about its position with respect to the 'Age of Sexual Consent'. Such cases are part of the tasks undertaken by the MCM from time to time in its consultative/advisory role.

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This Annual Report offers the Members of the Profession and the general public the possibility to have an overview of the work that the Council addressed during the last year.

2015 also saw some changes in the composition of the MCM. Whilst thanking all the out-going Members for their contribution and dedication towards the Council, I welcome the new Members on board.

Finally may I take this opportunity to thank our Administrative staff and all Members of the Council, for their commitment to the Council and to the professions which it regulates.

Dr Ilona Debono B.A., LL.D., Adv.Trib.Eccl.Melit.

President of the Medical Council

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2 Composition of the Medical Council during the year 2015:

The composition of the Medical Council of Malta is established by the Article 9 the Health Care Professions Act (HCPA) 2003, Chapter 464 of the Laws of Malta.

President Medical Council

(Appointed by the Prime Minister Term of Office from 22nd September 2014 to 21st September 2015; 22nd September 2015 to 21st September 2017)

Dr Ilona Debono B.A. LL.D. Adv. Trib.Eccl.Melit

Members appointed by the Prime Minister

(Appointed by the Prime Minister from 22nd September 2011 to 21st September 2014; 22nd September 2015 to 21st September 2017)

Dr Silvio John Grixti M.D. (Malta) MRCPG(INT), MMCFD, CCST

(Appointed by the Prime Minister from 19th June 2015 to 18th June 2018)

Dr Pauline Vassallo B.Ch.D., D.D.P.H.(R.C.S.), M.Sc., MBA, FFPHDr

Members appointed by the University of Malta

(Appointed by the UoM Term of Office from 23rd October 2013 to 24th October 2016)

Dr Daniel Farrugia M.D. (Malta), DEAA, EDIC

Members elected by the Registered Medical Practitioners

(Elected Term of Office from 30th April 2013 to 29th April 2016)

Dr Michael J. Boffa, M.D., M.R.C.P.(UK), F.R.C.P.(Lond), C.C.S.T.(Derm)(UK),
M.Sc.(Derm)(Lond), D.Derm.(Lond), D.G.U.M. (Lond)

Dr Doreen Cassar M.D., Dip W.H.(ICGP), Dip PC & GP(Ulster), M.M.C.F.D

Dr Bryan Flores Martin, M.D., M.M.C.F.D, Cert. Diab (ICGP)

Dr Alex Magri M.D.

Dr Paul Soler, M.D., M.R.C.P.(UK), M.R.C.P.C.H.

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Members elected by the Registered Dental Surgeons

(Elected Term of Office from 3rd May 2013 to 2nd May 2016)

The Hon Dr Herbert Messina Ferrante H.E., M.O.M., B.Ch.D.(Malta), L.D.S.R.C.S.(Eng),
F.I.C.D.(USA), F.P.F.A.(USA), F.R.S.M.(UK), F.R.S.H.

Dr David Muscat, B.D.S.(Lond)

Members representing the Public – appointed by the Prime Minister

(Appointed by the Prime Minister Term of Office from 22nd September 2014 to 21st September 2015; 22nd September 2015 to 21st September 2017)

Mr Philip Borg Ph.Lic., S.Th.B., Dip.Soc.Sc.

(Appointed by the Prime Minister Term of Office from 1st June 2015 to 31st May 2018)

Mr Frederick Cutajar

Registrar

Ms Svetlana Borg Cachia B.Com.(Hons.)(Melit.), M.A.(Public Policy)(Melit.)

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3 Legal Functions of the Medical Council

The Medical Council of Malta is responsible for the registration and regulation of Medical Practitioners and Dental Practitioners in Malta. The Functions of the Medical Council are established by Article 10 of the Health Care Professions Act (HCPA) 2003, Chapter 464 of the Laws of Malta.

3.1 Medical Council Election Commissioners for the year 2015

3.1.1 Medical Council Election Commission:

In accordance to the provisions of Articles 3(1) and (2) of Legal Notice 35/2004, Subsidiary Legislation 464.04, 'Medical Council (Elections) Regulations', during Council Meeting No. 01/2015 held on Wednesday 7th January 2015, the Medical Council appointed the Members of the Medical Council's Elections Commission for a period of one year, starting 1st January 2015.

The Election Commissioners are:

Dr George Depasquale M.D.

Dr Joseph Farrugia M.D.

Dr Roy Schembri Wismayer M.D., D.C.P.(Lond.), Dip.Bact.(Lond.), M.C.A.P.(Aff.)

3.1.2 Medical Council Election Commission for the Appeal Board Elections:

In line with Articles 3(1) and (2) of Legal Notice 316/2004, as amended by the Legal Notice 346/2007, Subsidiary Legislation 464.05, 'Appeal Committee (Elections) Regulations, during Council Meeting No. 01/2015 held on Wednesday 7th January 2015, the Council appointed the Members of the Medical Council's Elections Commission for a period of three years starting 1st January 2015, for the election of 'one professional regulated by the Medical Council to sit on the Appeals Committee.

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This Election Commission is composed from:

Dr George Depasquale M.D.

Dr Joseph Farrugia M.D.

Dr Vincent Carmel Moran M.D.

Dr Roy Schembri Wismayer M.D., D.C.P.(Lond.), Dip.Bact.(Lond.), M.C.A.P.(Aff.)

3.2 Challenges experienced by the Medical Council and developments

The Medical Council of Malta has a unique role in the national and international health sectors, and this has both direct and indirect implications on the operation of a substantial number of stakeholders. However, the parameters of the Medical Council highly depend on the resources available to the Office. In fact, as reported in past Annual Reports, over the past years the Council has strived to exercise its role in a highly sensitive and dynamic environment.

On a positive note, since end year 2014, the Medical Council has experienced a number of positive developments in its human resourcing and eventually its premises, with promising improvements by end this year.

- **Lack of Human Resources:**

Ms Joanne Vella, a public servant, joined the Office in end October 2014. Ms Lara Sultana, a clerk employed through subcontracting on a full-time basis, joined the administrative team during the first week of November 2014 and her employment is renewable every three months. The administrative team has over the past year materialised the Council administrative goals.

- **Lack of Adequate Offices:**

The Medical Council is still housed in a very small office within the premises occupied by the Superintendent of Public Health, in St. Luke's Hospital, in the former Outpatients' Department. This set up is highly inadequate since the office of the Medical Council is very small and lacks any storage facilities where to keep the archives of the Council which date back to 1959.

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In 2014, the Superintendent of Public Health engaged in the refurbishment of another section in the former Outpatients' Department, with the aim of relocating the five Health Professionals Regulatory Councils; however, this project was soon abandoned due to other political decisions. To date, the Medical Council still awaits guidance from higher authorities regarding this matter.

- **Financial Resources:**

Since the funds of the Medical Council are deposited in a below-the-line account at The Treasury, and these are administered by the Directorate of Public Health Financial Regulations, the Council requires approval from higher authorities in order to incur any expenses, even minimal. This situation hinders financial flexibility which in turn limits autonomy and efficiency.

- **IT System:**

In line with the provisions of the HCPA 2003, Chapter 464 of the Laws of Malta, one of the main functions of the Medical Council is the keeping of the Registers. These are published on the Medical Council's website at least once a month. The Council is therefore responsible for the storage and maintenance of the data held regarding each Medical and Dental Practitioner registered in Malta.

In 2006, a tailor-made database management system was developed in order to meet these requirements, and this has since then been constantly updated in order to keep abreast with the requirements of the National and International Laws. However, in view of changes envisaged by the National Government in 2016 in line with the transposition of the European Directive, the Medical Council has referred the matter to attention of the Hon Minister for Health and the Superintendent of Public Health (SPH) in order to develop an appropriate IT system.

During the past year, the Malta Information Technology Agency (MITA) and the Information Management Unit of the Ministry for Health (IMU-MEH) have been entrusted to develop a new IT system which had to be finalised by end next year 2016.

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4 Meetings and Attendance

The Medical Council held 14 Meetings from 1st January 2015 and 31st December 2015:

	Present	Excused
Dr Ilona Debono, President	13	1
Mr Philip Borg	14	-
Dr Michael J. Boffa	10	4
Dr Doreen Cassar	11	3
Mr Frederick Cutajar ¹	8	-
Dr Daniel Farrugia	13	1
Dr Bryan Flores Martin	12	2
Dr Silvio John Grixti	4	10
Dr Alex Magri	13	1
Dr Herbert Messina Ferrante H.E., M.O.M	8	6
Dr David Muscat	9	5
Dr Paul Soler	7	7
Dr Pauline Vassallo ²	3	3

¹ Appointed on 1st June 2015

² Appointed on 19th June 2015

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5 Sub-Committees of the Medical Council and Representatives of the Medical Council on other Committees

In line with the Provisions of the Law, the Sub-Committees appointed by the Medical Council are entrusted to work on its behalf through the powers delegated.

- **Sub-Committee for Registration of the Medical Practitioners**

This Sub-committee was responsible with the task of vetting all new applications for registration of Medical Professionals in Malta, and for the approval of qualification certificates submitted for recognition. This sub-committee was composed of Dr Doreen Cassar, Dr Alex Magri and Dr Bryan Flores Martin.

- **Sub-Committee for Registration of the Dental Surgeons**

This Sub-committee was responsible for the vetting all new applications for registration of Dental Surgeons in Malta, and for the approval of qualification certificates submitted for recognition. This sub-committee was composed of, Dr Herbert Messina Ferrante H.E., M.O.M and Dr David Muscat and Dr Pauline Vassallo.

- **Representative on the Medical Specialist Accreditation Committee (MSAC)**

Dr B. Flores-Martin and Dr Michael J. Boffa (substitute) represented the Medical Council on the Medical SAC, during the year 2015.

- **Representative on the Dental Specialist Accreditation Committee (DSAC)**

Dr Herbert Messina Ferrante H.E., M.O.M and Dr David Muscat (substitute) represented the Medical Council on the Dental SAC, during the year 2015.

- **Representative on the Post Graduate Training Advisory Committee**

Dr Michael J. Boffa represented the Medical Council on the Post Graduate Training Advisory Committee during the past year.

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- **Sub-Committee for the Hearing of Inquiries**

This Sub-committee was composed of Dr Ilona Debono, President of the Medical Council as chairperson; a Medical Practitioner Member (by rotation) and a Dental Surgeon Member (by rotation) depending on the case; Mr Philip Borg and Mr Frederick Cutajar (by rotation).

- **Sub-Committee for the Foundation School Programme**

The Medical Council of Malta is responsible for the Quality Assurance of the Malta Foundation School Programme. Dr Doreen Cassar and Dr Bryan Flores Martin were appointed to sit on the MCQAC for the Foundation School Programme for a period of three (3) academic years starting on 14th May 2014, following a Call for Expression of Interest issued on the Government Gazette dated 17th January 2014.

- **Sub-Committees for the Medical and Dental Examinations**

In accordance to the EU Directive 2005/36/EC, the HCPA 2003, Chapter 464 of the Laws of Malta, and the Medical Council's standard policy, all non-EU applicants/applicants in the possession of a non-EU first medical or dental degree, are requested to sit for and successfully pass the Medical Council Malta Statutory Examination (MCMSE), in order to be granted Full-Permanent registration in Malta. These MCMSE are to be conducted twice a year by law.

The Medical Council fully identifies the need to develop standard procedures and guidelines on these examinations, which better ensures transparency. Three Sub-committees were entrusted with these tasks:

The **Sub-Committee** responsible for the Dental Surgeons Examinations was formed by Dr Herbert Messina Ferrante H.E., M.O.M, Dr David Muscat and Dr Paula Vassallo. Several meetings were held with the Faculty of Dental Surgery, University of Malta (UoM), with the aim of reaching a Memorandum of Understanding in order to conduct the MCMSE for dentists.

The **Sub-Committee** responsible to design an improved structure for the MCMSE for Medical Practitioners was formed by Dr Doreen Cassar or Dr Alex Magri (by rotation).

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Another **Sub-Committee** was appointed and entrusted to formulate a set of guidelines regarding the MCMSE for Doctors. This was composed of Mr Philip Borg, Dr Daniel Farrugia, Dr Bryan Flores Martin and Dr Alex Magri.

- **Sub-Committee on the Advertising and Financial Conduct by Medical/Dental Practitioners**

This Sub-committee was appointed in 2013 with the aim to review of the guidelines concerning the Financial Conduct by Medical/Dental Practitioners and at the time this was composed from Mr John Cauchi and Dr John Felice³. Dr David Muscat, who was entrusted to take over this task, delivered his report in mid-May 2014.

- **Sub-Committee to the Implementation of the EPC and Revalidation**

This Sub-committee was composed of Dr Bryan Flores Martin (Medical Practitioner), Dr David Muscat (Dental Surgeon) and Dr Daniel Farrugia (Member Representative of the UoM). This Sub-committee was entrusted to draft a detailed report regarding the process of Revalidation for both Doctors and Dentists and the European Professional Card (EPC), with the aim to present the position of the Medical Council to the Legislative and the National Contact Point.

- **Complaints Procedure Reform Subcommittee**

During Council Meeting held on 10th May 2015, the Medical Council appointed Dr Ilona Debono, President of the Council, Dr Daniel Farrugia and Mr Philip Borg so as to review the complaints process and propose changes that would lead to improved efficiency. The recommendations presented by this Subcommittee were unanimously approved during Council Meeting held on 9th September 2015.

- **Subcommittee for the Analyses of Complaints (SCAC)**

During Council Meeting held on 9th September 2015, Dr Ilona Debono, President of the Council, Dr Daniel Farrugia and Mr Philip Borg were appointed as Members of this Subcommittee during the first rotation, having the following roles:

³ Mr John Cauchi's term expired in April 2013, while Dr John Felice resigned on 4th March 2014.

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-
- Hold Subcommittee meetings, at least once a month in order to review each complaint and proceed with asking for doctors'/dentists' version when the complaint falls under the remit of the Council.
 - to review the reply of the practitioner and make its recommendation
 - to classify each complaint in accordance to the nature of the case
 - to present a case summary of the case and its recommendations during a Council Meeting.

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6 Participation in Conferences and Training held Overseas

- **Federation of Dental Competent Authorities and Regulators (FEDCAR), Spring General Assembly, 26th and 27th November 2015, Paris**

Annex 1: Report presented to the Council by Dr David Muscat

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7 Medical Council Malta Statutory Examinations (MCMSE)⁴

In accordance to the EU Directive 2005/36/EC, the Health Care Professions Act (HCPA) 2003, Chapter 464 of the Laws of Malta, and the Medical Council's standard policy, all non-EU applicants in the possession of a non-EU first medical/dental degree, are requested to sit for and successfully pass the Medical Council Malta Statutory Examination (MCMSE), in order to be granted Full-Permanent registration in Malta. The EU Directive 2005/36/EC stipulates that the MCMSEs for Medical and Dental Practitioners are to be offered to a minimum of twice a year.

7.1 MCMSE for Medical Practitioners

The MCMSE for Medical Practitioners was held in April and September, as stipulated by the above-mentioned directive.

During Council Meeting No. 01/2015 held on Wednesday 7th January 2015, Ms Gabriella Abela M.A., MSc., a former Member of the Medical Council whose term expired on 21st September 2014 was entrusted and appointed to act as the Examination Coordinator during the MCMSEs held in the past year.

During Council Meeting No. 03/2015 held on Wednesday 4th March 2015, it was also unanimously decided that Mr Philip Borg Ph.Lic., S.Th.B., Dip.Soc.Sc., Member of the Council, is appointed as Substitute MCMSE Coordinator for the year 2015. The aim of the Council was to ensure continuity in its operation as imposed by EU Law.

7.1.1 Guidelines on the MCMSE for Medical Practitioners

Dr Daniel Farrugia, Chairperson, Dr Bryan Flores Martin, Dr Alex Magri and Mr Philip Borg presented to the Medical Council the final draft of the guidelines on the MCMSE for Medical Practitioners on 26th March 2015. This document was unanimously approved by the Council during Council Meeting held on 20th May 2015.

⁴ The reports of the MCMSE may be accessed from the Medical Council's website: https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Mlt_Stat_Exam.aspx

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The Guidelines were uploaded on the Council's website and to forward it to the Examination Coordinators and Examiners. Applicants asked to sit for the MCMSE for Doctors are provided with a copy of these guidelines.

7.1.2 MCMSE for Medical Practitioners, April 2015

The MCMSE was held on Wednesday 1st April 2015, at the Medical School, Mater Dei Hospital. Eight (8) applicants confirmed their intention to sit for this examination session and paid the fee stipulated in Article 142 of the Budget Measures Implementation Act, 2015, by the deadline stipulated.

The MCMSE was conducted in the form of an interview (Viva Voce) in English, during which the candidates were tested in the following subjects with two examiners during each session. All subjects were failing, that is, a pass-mark of fifty (50) *per centum* has to be obtained all the subjects in order to be successful. Candidates may only sit for the examination twice.

The examination was organised in the follows Groupings:

- Surgery & General Medicine
- Paediatrics & Gynaecology
- Family Medicine & Psychiatry
- Public Health & Pathology

Table 1: Results of the MCMSE dated 1st April 2015

DATE	NUMBER OF APPLICANTS	RESULTS	
		PASS	FAIL
08.04.2015	8 candidates sat for whole examination	2	6

The results were communicated to the candidates on 8th April 2015. The two (2) candidates who were successful were granted Full/Permanent Licence to Practice and Registration in line

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with the provisions of the Health Care Professions Act (HCPA) 2003, Chap. 464 and EU Directive 2005/36/EC.

7.1.3 MCMSE for Medical Practitioners, September 2015

The MCMSE was held on Wednesday 16th September 2015, at the Medical School, Mater Dei Hospital. Six (6) applicants confirmed their intention to sit for this examination session and paid the fee stipulated in line with the provisions of Article 142 of the Budget Measures Implementation Act, 2015, by the deadline stipulated.

The MCMSE was conducted in the form of an interview (Viva Voce) in English, during which the candidates were tested in the following subjects with two examiners during each session. All subjects were failing, that is, a pass-mark of fifty (50) *per centum* has to be obtained all the subjects in order to be successful. Candidates may only sit for the examination twice.

The examination was organised in the follows Groupings:

- Surgery & General Medicine
- Paediatrics & Gynaecology
- Family Medicine & Psychiatry
- Public Health & Pathology

Table 2: Results of the MCMSE dated 16th September 2015

DATE	NUMBER OF APPLICANTS	RESULTS	
		PASS	FAIL
16.09.2015	6 candidates sat for whole examination	1	5

The results were communicated to the candidates on 16th September 2015. The successful candidate was granted Full/Permanent Licence to Practice and Registration in line with the provisions of the Health Care Professions Act (HCPA) 2003, Chap. 464 and EU Directive 2005/36/EC.

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7.2 MCMSE for Dental Surgeons

7.2.1 Developments on the organisation of the MCMSE for Dentists

The MoU between the MCM and the Faculty of Dental Surgery, UoM, was endorsed on Friday 8th May 2015 and shall remain in force until 31st December 2016. Prof. Juanito Camilleri, Rector, signed on behalf of the University of Malta, while Dr Ilona Debono, President MCM, signed on behalf of the Council. Prof. N. Attard, Dean, Faculty of Dental Surgery and Ms Svetlana Cachia, Registrar MCM, were present for this event.

This agreement formalised the cooperation between the two parties in the organized of MCMSE for Dental Professionals who are non-EU applicants or non-Maltese nationals holding non-EU Degrees in Dental Surgery and who are interested in working in Malta and are therefore required to register with the Medical Council of Malta.

7.2.2 Guidelines on the MCMSE for Dental Surgeons

The Medical Council of Malta was granted permission from the Faculty of Dental Surgery, UoM, to upload the official guidelines on its website⁵. The Medical Council aims to ensure constant transparency in its procedures and actions.

All applicants who are requested by the to sit and successful pass for these examination in order to be eligible for Full/Permanent Registration and Licence to Practice in Malta, are provided with these guidelines together with the decision of the Council.

7.2.3 MCMSE for Dental Surgeons held between May and June 2015⁶

The MCMSE was held on between Monday 25th May and Friday 12th June 2015, at the Faculty of Dental School, University of Malta. Three (3) applicants confirmed their intention to sit for

⁵ These may be accessed from:

https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Mlt_Stat_Exam.aspx

⁶ The Report of the MCMSE may be accessed from:

https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Mlt_Stat_Exam.aspx

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this examination session and paid the fee stipulated in Article 142 of the Budget Measures Implementation Act, 2015, by the deadline stipulated.

The MCMSE included written and oral exams in as follows:

- Restorative - written paper
- Restorative Practical - oral
- Oral Medicine Surgery, Pathology and Radiology - written paper
- OMSP Oral Medicine Surgery, Pathology and Radiology - oral
- Child Dental Health and Orthodontics - written paper
- Child Dental Health and Orthodontics - oral
- Preventive and Community Dentistry - written paper
- Preventive and Community Dentistry - oral

Table 1: Results of the MCMSE held in May and June 2015:

DATE	NUMBER OF APPLICANTS	RESULTS	
		PASS	FAIL
26 th May 2015 – 12 th June 2015	3 candidates sat for whole examination	-	3

7.2.3.1 Examination Observers & Quality Assurers

During Council Meeting No. 04/2015, held on 18th March 2015, Dr David Muscat, Dr Daniel Farrugia and Mr Philip Borg were appointed as Examination Observers and Quality Assurers during the MCMSE for Dental Surgeons, scheduled to be held between Monday 25th May 2015 and Friday 12th June 2015. During Council Meeting No. 06/2015, held on 20th May 2015, Dr Herbert Messina Ferrante H.E., M.O.M., was also appointed to act as Examination Observers and Quality this examination session.

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8 Registration granted during year 2015

Total Number of Medical Practitioners and Dental Surgeons registered during the year 2015⁷:

Register	Gender		Total
	Female	Male	
Medical Practitioners: Principal Register	53	57	110
Medical Practitioners: Temporary Register ⁸	16	36	52
Medical Practitioners: Provisional Register	65	32	97
Dental Surgeons: Principal Register	4	10	14
Dental Surgeons: Temporary Register	-	4	4
Grand Total			277

⁷ Data retrieved from the Medical Council database.

⁸ Temporary Registration is granted for a period of one year, renewable annually, on the condition that such practice is carried out only under supervision in a Government hospital/clinic or any other branch of the health service provided by the Government. Temporary Registration is not equivalent to Full Registration in terms of the HCPA 2003, Chapter 464 of the Laws of Malta, and the EU Directive 2005/06/EC.

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Total Number of Medical Practitioners and Dental Surgeons registered in Malta as at 31st December 2015:⁹

Register	Gender		Total
	Female	Male	
Medical Practitioners: Principal Register	658	1,220	1,878
Medical Practitioners: Temporary Register ¹⁰	16	36	52
Medical Practitioners: Provisional Register	344	290	634
Dental Surgeons: Principal Register	92	162	254
Dental Surgeons: Temporary Register	-	4	4
Grand Total			2,822

⁹ Data retrieved from the Medical Council Registers database.

¹⁰ Temporary Registration is granted for a period of one year, renewable annually, on the condition that such practice is carried out only under supervision in a Government hospital/clinic or any other branch of the health service provided by the Government. Temporary Registration is not equivalent to Full Registration in terms of the HCPA 2003, Chapter. 464 of the Laws of Malta and the EU Directive 2005/06/EC.

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8.1 Award Ceremony for the presentation of the Licence to Practice

The Ministry for Health and Energy made a request to the Medical Council for administrative assistance, in the organisation of a Ceremony during which the Licence to Practice was presented to all the Medical and Dental Practitioners who have successfully completion of studies in Malta in the year 2015 by the Parliamentary Secretary for Health.

The Ceremony was held on 19th August 2015 at the Ministry for Health in Valletta. Dr Ilona Debono, President of the Council, delivered a speech. Ms Joanne Vella was also present.

8.2 Provision of Temporary Service Lists

Medical Practitioners and Dental Surgeons who have been included in the Lists for the Provision of Temporary Service during the year 2015¹¹:

List	Gender		Total
	Female	Male	
Medical Council Temporary Service List - Medical Practitioners	3	15	18
Medical Council Temporary Service List – Dental Surgeons	-	-	-
Grand Total			18

¹¹ As stipulated in the EU Directive 2005/36 EC, Article 9, Medical Practitioners and Dental Surgeons from other EU Countries are requested to register, providing the relevant documentation, for the Provision of Temporary Service with the Malta Medical Council. The Provision of Temporary Service List may be accessed from: <https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Registers.aspx>

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Medical Practitioners and Dental Surgeons included in the Provision of Temporary Service Lists by the end year 2015:

List	Gender		Total
	Female	Male	
Medical Council Temporary Service List - Medical Practitioners	31	121	152
Medical Council Temporary Service List – Dental Surgeons	-	2	2
Grand Total			154

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9 Laws, Circulars and other Publications

9.1 Legal Notices

9.1.1 L.N. 330 of 2006

The Legal Notice 330 of 2006 was superseded by the provisions of Article 170 of Act No. XIII of 2015, of the Budget Measures Implementation Act)¹²

9.2 Publications

9.2.1 Guidelines on the MCMSE for Medical Practitioners

The Guidelines of the MCMSE for Medical Practitioners were published in May 2015¹³.

9.2.2 Guidelines on the MCMSE for Dental Surgeons

The Medical Council of Malta was granted permission from the Faculty of Dental Surgery, UoM, to upload the official guidelines on its website¹⁴.

¹² This may be downloaded from the Medical Council's website, 'Laws and Circulars' at https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Laws_Circulars.aspx

¹³ These may be accessed from:

https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Mlt_Stat_Exam.aspx

¹⁴ These may be accessed from:

https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Mlt_Stat_Exam.aspx

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10 Complaints, Inquiries, Criminal Proceedings and Court Cases¹⁵

The Medical Council of Malta strives at safeguarding patients' rights and safety, by protecting, promoting and maintaining the health of the general public, by ensuring proper standards in the practice of Medicine, as well as by safeguarding the values and integrity of the Medical and Dental professions. The actions endeavoured by the Medical Council of Malta are established in the Subsidiary Legislation 458.08, entitled 'Medical Council (Erasure of Names Procedure) Rules, 24.12.1959. The Medical Council is bound by the provisions of the HCPA 2003, Chapter 464 of the Laws of Malta, Article 32(1)(b) to initiate any inquiry it deems necessary, independently from any other measure taken by other entities with respect to all registered Medical and Dental Practitioners.¹⁶

In May 2014, the Medical Council published a set of guidelines on how to lodge a complaint with the Council.¹⁷ In September 2015, the Council appointed a Subcommittee for the Analyses of Complaints (SCAC) with the aim of having better handling of complaints.

10.1 Complaints

10.1.1 Complaints pending from the year 2014:

- **MC/63/2011 (renumbered CC/01/2015)**

An advert on a local parish publication was brought to the attention of the Medical Council for alleged breach of the Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners.

In September 2010, the Dental Surgeon was informed that his/her action was deemed by the Council as in breach of the Code of Ethics and was asked to refrain from advertising in the future, otherwise, further action must be taken.

¹⁵ During year 2013, the Medical Council was legally assisted by Dr Ian Spiteri Bailey LL.D. LL.M. EU and Dr Victoria Cuschieri LL.D., EU.

¹⁶ All prevailing legislation may be accessed from the Medical Council's website:

https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Laws_Circulars.aspx

¹⁷ This may be accessed from the Medical Council's website, in the section 'Reports & Publications':

https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Reports_Publications.aspx

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Since then, this case has been put on hold pending developments from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC analysed this case in November 2015 where it was noted that the Practitioner had since this incident complied with the instructions of the Council. The recommendations were presented to the Medical Council during the first week of December, where it was decided that this case merited no further investigation. The Dentist was informed in mid-December 2015.

Case status: Closed

- **MC/92/2011 (renumbered as CC/02/2015)**

In October 2011, an article concerning a Doctor, published on a local magazine was brought to the attention of the Council for alleged breach of the Code of Ethics (L.N./303/2008) and those on Advertising and Financial Conduct by Medical/Dental Practitioners. The Medical Practitioner was asked to clarify his/her position end October 2011.

Since then, this case has been put on hold pending developments from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC discussed this case in November 2015 and aims to present its recommendations to the Council during the first meeting scheduled to be held in 2016.

Case status: Pending

- **MC/89/2012 (renumbered as CC/03/2015)**

Beginning July 2012, a patient filed a complaint with the Council against a Dental Surgeon for alleged unethical and unprofessional behaviour. The Practitioner was provided with a copy of the complaint and asked to submit his/her position in mid-July 2012. This was received during the first of August 2012.

This case was discussed by the Medical Council during a Council Meeting held in the beginning of March 2015, where it was decided that this case did not merit an Inquiry, however, the Dentist must be cautioned about his actions.

Case status: Closed

- **MC/98/2012 (renumbered as CC/04/2015)**

In June 2012, an advert by a Dentist published on a local magazine was brought to the attention of the Council for alleged breach of the Medical Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners.

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The Dental Practitioner was asked to clarify his/her position about this matter in mid-June 2012, and a reply was received by end June. The Dentist emphasised that his/her action was not to be categorised as advertisements. This case was put on hold pending the report from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC reviewed this case during a meeting held in end-November 2015, and aims to present its recommendations to the Council during the first Council Meeting scheduled to be held in 2016.

Case status: Pending (*Refer also to MC/45/2013 – being renumbered as CC/10/2015*)

- **MC/99/2012 (renumbered as CC/05/2015)**

An advert about a Medical Practitioner published on a local magazine in the November 2011 issue, was brought to the attention of the Council for alleged breach of the Medical Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners. The Medical Practitioner was asked to clarify his/her position in mid-June 2012. A reply was received during the second week of July 2012.

This case was put on hold pending developments from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC discussed this case in November 2015 and aims to present its recommendations to the Council during the first meeting scheduled to be held in 2016.

Case status: Pending

- **MC/100/2012 (renumbered as CC/06/2015)**

An advert about a Medical Practitioner published on a local magazine in the November 2011 issue, was brought to the attention of the Council for alleged breach of the Medical Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners. The Medical Practitioner was asked to clarify his/her position in mid-June 2012. A reply was received during the second week of July 2012.

Since then, this case has been put on hold pending developments from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC discussed this case in November 2015 and aims to present its recommendations to the Council during the first Council Meeting scheduled to be held in 2016.

Case status: Pending

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- **MC/101/2012 (renumbered as CC/07/2015)**

An advert by a Dental Surgeon published on a local newspaper in December 2011, was brought to the attention of the Council for alleged breach of the Medical Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners.

The Practitioner was asked to clarify his/her position in June 2012 and a reply was received during the first week of July 2012.

This case, which was put on hold pending the report from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners, was discussed by the SCAC during a meeting held in the beginning of November 2015. It is aimed that the recommendations of the SCAC are reported during the first Council Meeting scheduled to be held in 2016.

Case status: Pending

- **MC/102/2012 (renumbered as CC/08/2015)**

The photo of a Dental Practitioner on a poster attached to a carnival float during the year 2012's carnival parade was brought to the attention of the Medical Council for alleged breach of the Medical Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners.

The Dentist was asked to clarify his/her position in June 2012 and a reply was received during end first week July 2016.

This case has been put on hold pending the report from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC analysed this case of advertisement during its meeting held in the beginning of November 2015, and aims to report its recommendations to the Council during the first Council Meeting scheduled to be held in 2016.

Case status: Pending

- **MC/103/2012 (renumbered as CC/09/2015)**

An advert by a Medical Practitioner published on a local magazine was brought to the attention of the Council for alleged breach of the Medical Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners. The Practitioner was asked to clarify his/her position in August 2012. In his/her reply dated end August 2012, the Practitioner explained that this article was purely educational.

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This case was put on hold pending the report from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC aims to review this case during the first meeting scheduled to be held in the beginning of the year 2016.

Case status: Pending

- **MC/132/2012**

All the Medical and Dental Practitioners who had failed to pay the Annual Retention Fee (in line with LN/330/2006) as at end year 2014 were reminded about their dues along with the requests for payment for the year 2015. Practitioners were contacted also by emails and by phone. By December 2015, a substantial number of these Practitioners have regulated their position.

The Medical Council repeats this process on a yearly basis in order to ensure that the position of all registered Medical and Dental Practitioner is in line with the provisions of the Law. The Council will initiate Inquiry procedures against these Practitioners, by the powers conferred on it by the HCPA 2003, Chapter 464, if necessary.

Case status: Ongoing

- **MC/15/2013 (renumbered as CC/43/2015)**

In February 2013, the parents of a two-year-old toddler who died in February 2011, filed a Judicial Protest against the Medical Council, the Director General of the Health Department, and the Chief Government Medical Officer. Seven (7) doctors were being investigated in Court for being allegedly responsible for the death of their daughter when admitted at Mater Dei Hospital. A Magisterial Inquiry had been appointed. The Council submitted its counter protest in Court in March 2013.

In June 2013, the parents filed a formal letter of complaint with the Medical Council against the named seven (7) Medical Practitioners for alleged unethical and unprofessional behaviour, which allegedly led to the death of their daughter. The Medical Practitioners were notified about this complaint and asked to submit their position to the Council in August 2013.

The Practitioners submitted their position in July 2013 and subsequently filed a Judicial Protest against the Medical Council in order to suspend its investigation until the Court's decision is taken. The Medical Council filed a counter protest in September 2013.

The President of the Council has abstained from this case.

Case status: This case has been upheld pending Court's Decision.

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- **MC/41/2013**

In May 2013, a Journalist of a local newspaper brought to the attention of the Medical Council a newspaper article regarding a case being heard in Court, alleging the Medical Practitioner had not acted in an ethical and professional behaviour. The Practitioner was provided with a copy of the complaint and was asked for his/her position during the first week of June 2013. A reply was received in mid-June 2013.

The Medical Council preliminarily discussed this case in July 2013. This case was re-discussed during a Council Meeting held in the first week of September 2015, where it was decided that it did not merit an Inquiry. This position was communicated to both parties in end October 2015.

Case status: Closed.

- **MC/45/2013 (renumbered as CC/10/2015)**

During the year 2013, the Medical Council was referred to a set of adverts, which were being published on a local magazine, on a regular basis, by a Dental Surgeon. It was alleged that these were in breach of the Medical Council's Code of Ethics (L.N./303/2008) and the Code of Ethics on Advertising and Financial Conduct by Medical/Dental Practitioners.

This case was pending the report from the Sub-committee on Advertising and Financial Conduct by Medical/Dental Practitioners.

The SCAC aims to discuss this case during the first quarter of the year 2016

Case status: Pending (*Refer also to MC/98/2012 - renumbered as CC/04/2015*)

- **MC/51/2013**

In October 2012, the Medical Council received an anonymous complaint against a Medical Practitioner for alleged unethical and unprofessional behaviour. The Practitioner was asked to clarify his/her position in June 2013, and reply was received in end July 2013.

The Medical Council discussed this case during a Council Meeting held during the first week of July 2015, and it was decided that it merits an Inquiry. The Council aims to initiate procedures during the first quarter of the year 2016

Case status: Inquiry to be initiated during the first quarter of the year 2016.

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- **MC/80/2013 (renumbered as CC/11/2015)**

In November 2012, a Medical Practitioner filed a complaint against three Medical Practitioners for alleged unethical and unprofessional behaviour. The Doctors were requested to clarify their position about this case in mid-year 2013.

The Doctors' versions were received by the deadline stipulated. The SCAC aims to discuss this case during its meeting in the beginning of the year 2016.

Case status: Pending

- **MC/81/2013 (renumbered as CC/12/2015)**

In November 2012, the Council received a complaint for alleged unethical and unprofessional behaviour, against a Medical Practitioner employed at Mater dei Hospital. This complaint, filed by a relative of the patient, was also filed with the administration of Mater Dei Hospital.

The Medical Council asked the Practitioner to clarify his/her position in mid-July 2013. A reply was received end July 2013.

In mid-July 2013, the complainant asked the Medical Council not to disclose his/her details in the investigations. In line with the provision of the HCPA 2003, Chapter 464 of the Laws of Malta and the Council's Standing Orders, in August 2013, the complainant was informed that this request could not be adhered to.

The SCAC analysed this case in mid-November 2015. It presented its recommendations to the Council during the first week of December, where it was decided that this case merited no further investigation. The Complainant and the Medical Practitioner were informed accordingly in mid-December 2015.

Case status: Closed

- **MC/85/2013 (renumbered as CC/13/2015)**

In September 2012, the Medical Council received a complaint against a Medical Practitioner for alleged unethical and unprofessional behaviour. The Practitioner was provided with a copy of the complaint and asked for his/her position in July 2013. This was subsequently submitted in end July 2013. This complaint was discussed by the SCAC during its first meeting held beginning October 2015. The recommendations were presented during a Council Meeting held in mid-October, where it was decided that this case merited no further investigation. The Complainant and the Doctor were informed accordingly in end-October 2015.

Case status: Closed

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- **MC/86/2013 (renumbered as CC/14/2015)**

In January 2013, the Council received a letter of complaint against a Medical Practitioner for alleged unethical and unprofessional behaviour. The Doctor was requested to submit his/her version in mid-year 2013 and the clarifications were received beginning August 2013.

The SCAC aims to discuss this case during the first quarter of the year 2016

Case status: Pending

- **MC/87/2013 (renumbered as CC/15/2015)**

In February 2013, the Medical Council received a complaint against a Medical Practitioner from a mother, for alleged unethical and unprofessional behaviour during the treatment given to her daughter. However, the Council noted that the Practitioner being referred to was not listed on its Registers. The complainant was therefore asked to confirm the name of the Practitioner in September 2013. The Superintendent of Public Health was notified about this case.

The complainant provided the correct details about the practitioner against whom he/she was filing with the Council in January 2014. The Council forwarded the complaint to the Practitioner for clarifications in mid-October 2015, and the reply was received two weeks after.

This case was discussed by the Medical Council during a Council Meeting held in December 2015, where it was decided to proceed with an Inquiry. The Council aims to initiate the Inquiry during the first quarter of the year 2016

Case status: Inquiry to be initiated during the first quarter of the year 2016.

- **MC/101/2013 (renumbered as CC/16/2015)**

In August 2013, a patient filed a letter of complaint against her Medical Practitioner for alleged unethical and unprofessional behaviour.

In May 2014, the complainant formally informed the Medical Council that he/she will not be testifying in any investigations opened by the Council.

The SCAC discussed this case during the first week of October 2015, and its recommendations were presented in mid-October. The Council decided that in view of the last correspondence received from the complainant; this case is to be archived. This was formally communicated to the patient in end-October 2015.

Case status: Closed

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- **MC/146/2013 (renumbered as CC/17/2015)**

The Council received a complaint against a Doctor for alleged unethical and unprofessional behaviour in mid-May 2013.

In May 2014, after having reviewed this complaint, it was decided that this case could not be investigated by the Medical Council in line with the provisions of the HCPA 2003, Chapter 464, Part VII, 'Disciplinary Action, Offences and Erasure of Names, Article 31(2)'. The Complainant was informed accordingly. However, the complainant opposed to this decision by means of letter sent in July 2014.

The SCAC aims to re-discuss this case in the light of the new correspondence received during the first quarter of the year 2016.

Case status: Pending (Time Barred)

- **MC/17/2014 (renumbered as CC/18/2015)**

A patient filed a complaint with the Medical Council against a Doctor for alleged unethical and unprofessional conduct in mid-July 2013. After having preliminary reviewed this complaint, the complainant was asked to submit the certificate mentioned in the complaint, in order to be better able to discuss this case. This was submitted in end-February 2014.

The Practitioner was provided with a copy of the complaint and asked for his/her version in end-December 2014, and a reply was received in the first week of January this year.

The SCAC discussed this case during a meeting held in May 2015 and aims to deliver its recommendations to the Medical Council during the first quarter of the year 2016.

Case Status: Pending.

- **MC/18/2014 (renumbered as CC/19/2015)**

The Medical Council received an anonymous complaint against a Practitioner which alleged that he/she was practicing as a Specialist in Family Medicine, even though not being included in the respective register held by the Council, in August 2013.

The Doctors was asked for his/her position in mid-February 2014, and a reply was received in end February 2014.

This case was not discussed by the SCAC during this year, but is scheduled for discussion during the first quarter of the year 2016.

Case Status: Pending.

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- **MC/54/2014**

The Qormi Local Tribunal forwarded to the attention of the Hon. Dr Owen Bonnici, Minister for Justice, Culture and Local Government, to Hon. Mr Evarist Bartolo, Minister for Education and Employment, and to the President of the Medical Council, a report against a Doctor for alleged unethical and unprofessional behaviour. In this report, which was received in mid-April 2014, it was alleged that the medical certificate issued to a patient by the Medical Practitioner was false. The Practitioner was provided with a copy of the complaint and asked for his/her position in April 2014. A reply was received in May 2014.

The Medical Council discussed this case during its Council Meeting held in mid-September, where it was decided that this case merited no further investigations. All parties were informed accordingly in mid-October 2015

Case status: Closed

- **MC57/2014 (renumbered as CC/20/2015)**

In mid-January 2014, two Medical Practitioners filed a complaint against a Medical Practitioner for alleged unethical and unprofessional conduct (alleged slander). The Doctor was provided with a copy of the complaint and asked to submit for his/her version during the second week of May 2014, and he/she replied by means of a letter received in end-May 2014.

The Medical Council has discussed this case during the year 2015 and aims to determine the path of its proceedings during the first half of the year 2016.

Case Status: Pending.

- **MC/60/2014 (renumbered as CC/21/2015)**

The Medical Council received a formal letter of complaint against a Dental Surgeon by a patient for alleged unethical and unprofessional conduct in mid-October 2013.

The Dentist was asked to submit his/her position with respect to this complaint in mid-May 2014, and he/she submitted a report in end-May 2014. Further documentation was received in mid-June 2014.

This case was not discussed by the Medical Council during this year 2015; the SCAC aims to address this case during the first quarter of the year 2016.

Case Status: Pending.

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- **MC/114/2014 (renumbered as CC/22/2015)**

In end December 2013, a patient filed a Judicial Protest against a Medical Practitioner and the Honour Minister for Health for alleged unethical and unprofessional conduct in his/her regards, at the Gozo General Hospital. This case was reported in a local newspaper, which asked the whether this matter was being investigated by the Council and what steps had been taken.

An official copy of the Judicial Protest was received in mid-December 2013. The Council asked the Practitioner to submit his/her clarifications in mid-September 2014. The Legal Office of Mater Dei Hospital submitted a reply obo the Practitioner in mid-October 2014.

This case was not discussed by the Medical Council during this year 2015; the SCAC aims to address this case during the first quarter of the year 2016.

Case Status: Pending.

- **MC/115/2014**

An anonymous complaint was filed against a Dental Surgeon for listing himself/herself as a specialist in the yellow pages, even though not being included on the Medical Council Specialist Register, in December 2013. The Medical Council noted that the Dental Specialist Accreditation Committee (DSAC) had approved his/her entry on the said register beginning May 2014, however specifying that his/her entry is to date back March 2014. The Practitioner submitted application with the Council for the inclusion in the respective Specialist Register end May 2014. The Practitioner was provided with a copy of this anonymous complaint and asked for clarify in mid-September 2014. A reply was received end September 2014.

This case was discussed by the Council during the first Council Meeting held in January 2015, were it was decided that this case merited no further investigation. The Dental Practitioner was informed in mid-January 2015.

Case Status: Closed.

10.1.2 Complaints received during the year 2015

- **MC/68/2015**

The Medical Council received a complaint against three Medical Practitioners for alleged unethical and unprofessional behaviour in end April 2015. This complaint was filed by the sister

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of the patient. In line with the procedures for filing a complaint with the Council, the patient endorsed the complaint in the beginning of May 2015.

The Practitioners were provided with a copy of this complaint in end May 2015, and their replies were received by the Council by mid-June 2015.

In mid-June 2015, the patient informed the Council that his/her intention was to bring the failures of the present system to the Council's attention and not to file a specific complaint against the named Practitioners.

During a Council Meeting held in the first week of July 2015, the Medical Council decided that in view of the last correspondence received from the patient, this case was not to be treated as a complaint against the named Doctors and therefore, this case will not be pursued any further. In end August 2015, the patient was informed accordingly and was also advised to contact the administration of Mater Dei Hospital with respect to the alleged failures in the system. The Doctor was also notified.

Case Status: Withdrawn by the Complainant

- **MC/134/2015 (renumbered CC/42/2015)**

In mid-July 2015, a patient filed a letter of complaint against a Medical Practitioner for alleged unethical and unprofessional behaviour. The Doctor was provided with a copy of the complaint and asked to clarify his/her position during the first week of September 2015, and a reply was received in mid-September 2015.

The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **MC/139/2015 (renumbered CC/44/2015)**

A patient filed a complaint against three Medical Practitioners with the Medical Council, for alleged unethical and unprofessional behaviours, in mid-January 2015. The three Doctors were asked to submit their position regarding this case during the first week of September 2015.

The Council discussed this complaint, in the light of the Doctors' versions during a Council Meeting held in the first week of October 2015, where it was decided that this case merited further investigation.

The Council aims to initialise an Inquiry during the first quarter of the year 2016.

Case Status: Inquiry to be initiated in the year 2016

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- **MC/170/2015**

During the first week of August 2014, a citizen asked the Council whether a particular person who was calling himself/herself a Doctor of Medicine, was registered to practice as a Medical Practitioner in Malta.

Since this person was not registered with the Medical Council, jurisdiction did not fall within the remit of the Council. In June 2015, the Commissioner of Police for investigation was notified about this report for investigation.

This case is presently being investigated by the Malta Police Force.

Case Status: forwarded to the Commissioner of Police

- **CC/23/2015**

A patient filed a complaint against a Medical Practitioner in November 2014 for alleged unethical and unprofessional behaviour.

The SCAC analysed this case during a meeting held in the beginning of October 2015. Since the name quoted by the patient did not refer to a particular Medical Practitioner included in the Medical Council Register, the patient was asked to provide the correct and complete name of the Practitioner and his/her registration number in mid-October 2015.

The Medical Council did not receive any further correspondence by end year 2015.

Case Status: Pending

- **CC/24/2015**

The Medical Council received an anonymous complaint against a Doctor for alleged unethical and unprofessional behaviour mid-November 2014.

The SCAC analysed this complaint during the first week of October 2015 and the Practitioner was asked to submit his/her version in mid-October 2015. The Doctor replied by the deadline stipulated by the Council.

This case was further discussed the SCAC during meeting held in mid-November 2015, and the recommendation were presented to the Council during a Council Meeting held in the first week of December 2015.

The Medical Council decided that this case merited no further investigation. The Practitioner was informed accordingly in mid-December 2015.

Case Status: Closed

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- **CC/25/2015**

A patient filed a complaint a Doctor for alleged unethical and unprofessional behaviour in end November 2014. The Medical Practitioner was asked to submit his version in mid-October 2015 and his/her reply was received by the Council in end-October 2015.

The SCAC discussed this case during a meeting held in end-November 2015 and aims to present its recommendation during the first Council Meeting in 2016.

Case Status: Pending

- **CC/26/2015**

In November 2011, a Medical Practitioner filed a complaint against another Medical Practitioner for alleged unethical and unprofessional behaviour in his/her regards.

This case was discussed by the SCAC during a meeting held in the beginning of October 2015 and the recommendations were presented to the Council in December 2015.

The Council aims to continue discussing this case in January 2016.

Case Status: Pending

- **CC/27/2015**

In end-May 2014, the Northern Local Tribunal asked the Medical Council for guidance about two medical certificates issued by two separate Doctors.

The SCAC discussed this case during the first week of October 2015, and presented its recommendations during a Council Meeting held during that same week. The Medical Council confirmed that the format and contents of the first medical certificate were correct, whilst those of the second certificate were not.

The Council aims to issue a Circular about these irregularities.

These inadequacies were brought to the attention of the Practitioner during the first week of December 2015. The Northern Local Tribunal was informed accordingly.

The Medical Practitioner clarified his/her position in mid-December 2015.

This case is to be further discussed during the first quarter of the year 2016.

Case Status: Pending

- **CC/28/2015**

A Medical Practitioner in the capacity of a General Practitioner) filed a complaint against another Medical Practitioner, in the capacity of a Company Doctor, in end December 2014.

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The SCAC discussed this case during a meeting held in end October 2015 and presented its recommendation to the Council in mid-November 2015. This case will be further discussed during the first quarter of the year 2016.

Case Status: Pending

- **CC/29/2015**

In mid-March 2015, the Medical Council received a detailed report about the serious of events a patient had experienced a Mater Dei Hospital, before dying. This report was filed by a friend of the late patient.

This case was discussed the SCAC during its meeting held in mid-October 2015. Since this report failed to clearly and specifically outline against whom it was being filed, the complainant was sent a letter in end-October 2015, in order to regulate his/her complaint. The complainant was also informed that this case also dealt with an element of mismanagement which did not fall within the remit of the Council. The Council has not received any further communication from the complaint by end-December 2015.

Case Status: Pending

- **CC/30/2015**

End March 2015, the Council received an anonymous complaint against a Medical Practitioner, in which complaint an online newspaper article dated end February 2015, was inserted in full.

The SCAC analysed this report in end October 2015 and presented its recommendation to the Medical Council in mid-November 2015. A letter to the Chief Executive Officer, Primarily Health Care Department regarding this case was sent during the first week of December 2015.

The Medical Council aims to address this complaint during the first quarter of the year 2016.

Case Status: Pending

- **CC/31/2015**

In end-March 2015, the Medical Council received an anonymous letter regarding the physical and health conditions of a Medical Practitioner that allegedly impaired him/her from performing his/her duties in high standards.

The SCAC discussed this case during its Council Meeting held in end-October 2015, and the Practitioner was asked for his/her position on this case. A reply was received during the first week of November 2015.

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This case was further discussed by the SCAC and its recommendations were presented to the Council in mid-November 2015. The Doctor was asked to submit a medical certificate from a Specialist in relation to his/her condition. This was received in mid-December 2015.

The Council aims to finalise this case during the first quarter of the year 2016.

Case Status: Pending

- **CC/32/2015**

In mid-April 2015, a patient filed a complaint against a Medical Practitioner for alleged unethical and unprofessional behaviour. This case was discussed the SCAC in mid-October 2015, who presented its recommendation to the Council during a Council Meeting held in mid-November 2015.

The Practitioner was provided with a copy of this complaint and asked for his/her version during the first week of December 2015 and a reply was received a week after. The Medical Council aims to discuss this complaint during the first quarter of the year 2016.

Case Status: Pending

- **CC/33/2015**

In end-May 2015, a patient filed a complaint with the Medical Council against a Psychiatrist.

The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **CC/34/2015**

A newspaper article, issued in the Sunday Times of Malta dated 24th May 201, was brought to the attention of the Medical Council for investigation for alleged unethical and unprofessional behavior in part of the Medical Practitioner being mentioned.

The SCAC aims to analyse this case and present its recommendations to the Council by mid-year 2016.

Case Status: Pending

- **CC/35/2015**

A patient filed a formal letter of complaint against a Medical Practitioner for alleged unethical and unprofessional behaviour in mid-June 2015.

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The Practitioner was provided with a copy of the complaint and asked to submit his/her version regarding this case in end-August 2015. The doctor's position was presented to the Council in mid-September 2015. The SCAC aims to analyse this case during the first quarter of the year 2016.

Case Status: Pending.

- **CC/36/2015**

In mid-June 2015, a patient filed a complaint against a General Practitioner for alleged unethical and unprofessional behaviour, however, the name of the Practitioner was not provided. The complainant was provided with the guidelines on how to file a complaint. The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **CC/37/2015**

A citizen filed a complaint against a Doctor for alleged unethical and unprofessional behaviour during the first week of May 2015. This case was analysed by the SCAC during a meeting held in October 2015.

The position of the Practitioner's in reply to this complaint was requested in end-October 2015. This was received by the deadline stipulated.

The SCAC concluded its recommendation on this during a meeting held end-October 2015, and these were presented to the Council in a Council Meeting held starting December 2015.

The Medical Council decided that this case merited an Inquiry, and aims to initiate proceedings by mid-year 2016.

Case Status: Inquiry is to start in 2016.

- **CC/38/2015**

A newspaper article published on the Times of Malta during the first week of July 2015, reported that the Court of Malta has found a Plastic Surgeon registered with the Council, negligent in performing surgery in a case filed by a patient. The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

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- **CC/39/2015**

A patient filed a complaint against a Dental Surgeon for alleged unethical and unprofessional behaviours in mid-September 2015, however, the name of the Practitioner was not provided. The complainant was provided with the guidelines on how to file a complaint. The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **CC/40/2015**

In end-February 2014, the Ministry for Health has forwarded a report on a Medical Practitioner, for which further investigation is deemed necessary by the Council.

The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **CC/41/2015**

In mid-May 2014, the Medical Council received a letter of a complaint from the parent of a three-year-old girl, against a Medical Practitioner serving at Emergency Department at Mater Dei Hospital, for alleged unethical and unprofessional behaviour.

The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **CC/42/2015** (*Please refer to MC/134/2015 on page 38 above*)

- **CC/43/2015** (*Please refer to MC/15/2013 on page 31 above*)

- **CC/44/2015** (*Please refer to MC/139/2015 on page 38 above*)

- **CC/45/2015**

In mid-October 2015, the Medical Council received a complaint against a Medical Practitioner and his/her team at St. James Hospital for alleged unethical and unprofessional behaviour in the delivery of their child.

The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

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- **CC/46/2015**

In end-October 2015, a Pharmacy filed a complaint against another Pharmacy, the latter being administered by a Medical Practitioner, for alleged breach of Ethics in respect to advertisement. The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **CC/47/2015**

In end October 2015, a Medical Practitioner has reported an alleged racially driven comment on social media by a Consultant under whom he/she used work. The complainant was provided with the guidelines on how to proceed with filing a complaint with the Medical Council.

In mid-December 2015, the complainant informed the Medical Council that he/she was no longer interested in pursuing this case.

The SCAC aims to review this case during its first meeting in the year 2016.

Case Status: Pending

- **CC/48/2015**

In end-March 2015, an insurance company forwarded to the Medical Council a query by one of its client, whether a particular Doctor was covered by the insurance. The Council noted that the Practitioner was not included on its registers

The SCAC aims to review this case during its first meeting in the year 2016.

Case Status: Pending

- **CC/49/2015**

During the first week of May 2014, the Times of Malta reported a case in which the father of a two year old girl expressed his anger that his daughter was left unattended for half an hour at the emergency room at the Gozo General Hospital.

The SCAC aims to review this case during its first meeting in the year 2016.

Case Status: Pending

- **CC/50/2015**

In mid-November 2012, the Medical Council received an anonymous complaint regarding the advert by 'the tooth fairy' Transform Clinic at Smart City, issued on 'Growing Up' Magazine,

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issue no. 19, Autumn 2012. This complaint brought to the attention of the Council that this advert made false advertising.

The SCAC aims to review this case during its first meeting in the year 2016.

Case Status: Pending

- **CC/51/2015**

A patient filed a letter of complaint against a Medical Practitioner for alleged unethical and unprofessional behaviours in end-February 2015. However, the name of the Doctor quoted in the complaint was not included on the Register of the Council. The complainant was provided with the guidelines on how to file a complaint.

The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

- **CC/52/2015**

In line with standard procedures amongst Competent Authorities, in end-September 2015, the Medical Council of New Zealand asked the Medical Council of Malta to verify the authenticity of a Certificate of Good Standing presented by a Medical Practitioner, who at that time was no longer registered in Malta, and to confirm that it has been issued in Malta.

The Council of New Zealand was immediately notified that this Certificate had not been issued by the Medical Council of Malta and was also provided with the last Certificate issued.

This case was further discussed by the Council in mid-November 2015. Since this Doctor was not included in the Medical Register of the Council he/she no longer fell under the Council's jurisdiction. This case was forwarded to the Commissioner of Police for investigation in end-November 2015.

Case Status: Pending developments from the Commissioner of Police

- **CC/53/2015**

A patient filed a letter of complaint against a Medical Practitioner for alleged unethical and unprofessional behaviours in end-December 2015. The SCAC aims to analyse this case by mid-year 2016.

Case Status: Pending

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10.2 Inquiries

10.2.1 Inquires Pending from year 2014

- **MC/D/295/2006**

The Medical Council is presently holding an Inquiry against a Medical Practitioner who claimed to be a specialist without holding any specialisation certificate.

Case status: Pending

- **MC66/2009/B**

This case was investigated by the Medical Council during this year and the Decision was delivered on 20th May 2015.

Please refer to page 50 hereunder.

- **MC/40/2012**

In mid-March 2012, the Medical Council received of a letter of complaint against a Dental Surgeon for alleged unethical behaviour and professional misconduct in the work performed and in a significantly lower gold content in alloy composition to that which was agreed to prior to the treatment. The Dental Practitioner was asked to clarify his/her position in end April 2012.

After having preliminarily discussed and evaluated this case, the Council decided that this case merited an Inquiry. The Board of Inquiry was appointed end year 2013, while the Notice of Inquiry was issued during the first week of February 2014.

The Medical Council held a sitting for the hearing of this case in end May 2014, during which both parties gave evidence and made their submissions. The Council aims to deliver the decision during the first quarter of the year 2016.

Case Status: to deliver decision in 2016.

- **MC/41/2012**

In mid-March 2012, a patient filed a complaint with the Medical Council against a Dentist for alleged unethical and unprofessional behaviour, in relation to the work performed and to a significantly lower gold content in alloy composition to that agreed before the treatment was performed. The Dental Surgeon was asked to submit his/her position in end April 2012.

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After having preliminarily discussed and evaluated this case, the Council decided to proceed with an Inquiry. The Board of Inquiry was appointed end year 2013, and the Notice of Inquiry was issued during the first week of February 2014.

The Council held a sitting for the hearing of this case in end May 2014, during which sitting both parties gave evidence and made their submissions. The Medical Council aims to deliver its decision during the first quarter of the year 2016.

Case Status: to deliver decision in 2016.

- **MC/43/2012**

In mid-April 2012, a patient filed a formal complaint with the Council against a Dental Surgeon for allegedly unethical and unprofessional behaviour, with respect to the treatment he /she had received at Mater Dei Hospital (MDH) in end-April 2010. The Dentist was asked to clarify his/her position on this case in end-April 2012

End-year 2013, after having preliminarily discussed and evaluated this case, the Council decided that this case merited an Inquiry and the Board of Inquiry was appointed. The Notice was issued during the first week of February 2014. The President of the Council abstained from this case, and Dr Herbert Messina Ferrante H.E., M.O.M was appointed to preside this Inquiry. The Council held five (5) sittings for the hearing of this case, during which the Board of Inquiry was assisted by the legal adviser of the Council. The Board of Inquiry delivered its report during the first week of December 2014, which was approved by the Council in end year 2014.

The decision on this case was drafted and approved by the Council in 2015. The Council aims to deliver its decision during the first quarter of the year 2016.

Case Status: The decision is to be delivered during the first quarter of the year 2016

10.2.2 Inquires appointed during year 2015

- **MC/106/2013**

In February 2013, a couple filed a letter of complaint against a Medical Practitioner, for alleged unethical and unprofessional behaviour with regards to the treatment received by the wife during her pregnancy.

The Practitioner was provided with a copy of the complaint and asked to submit his/her position about this complaint to the Council, in mid-year 2013. A reply was received in October 2013.

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This case was analysed by the Council in mid-June 2014, where it was decided to proceed with an Inquiry.

During this year, the Medical Council held three sittings in the hearing of this case. The Council aims to close its investigations by mid-year 2016.

Case Status: Pending.

- **MC/56/2014**

In end-April 2014, the Director of the Human Resources and Administration Department at Mater Dei Hospital (MDH) forwarded to the attention of the Medical Council a report filed in by the Consultant of the Haematology Department, MDG, against a Basic Specialist Trainee (BST) in Pathology, for alleged unethical and unprofessional conduct. The Medical Council was asked to take any action deemed necessary. The Chairperson in Pathology, MDH, the Chairperson in Haemato-Oncology, MDH, the Clinical Lead in Haematology, MDH, the Legal Officer of MDH, and the President of the Malta College of Pathologists were provided with a copy of the report. This report made referred to the treatment practice adopted by the Practitioner while assisting two patients.

Since this case was a very serious and complex nature, it was given priority and was reviewed by the Council in end-April 2014. The Practitioner was provided with a copy of the report and asked to clarify his/her position within two (2) weeks from the receipt of the letter. The Director of the Human Resources and Administration Department at MDH was copied.

The Medical Practitioner submitted his position in reply to the allegations made, in mid-May 2014, and his/her position was discussed by the Council in mid-June 2014.

After having preliminary discussed the merits of this case, the Medical Council decided that this case merits an Inquiry and that this is to be heard in plenary sessions.

During this year, the Medical Council held one sitting in the hearing of this case. The Council encountered logistical difficulties in finding common dates amongst all parties concerned for the holding of the sittings. The Council aims to close its investigations by mid-year 2016.

Case Status: Pending.

- **MC/126/2014**

This case was investigated by the Medical Council during the year 2015 and the decision was delivered on 26th August 2015.

Please refer to page 52 hereunder

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- **MC/153/2014**

The Foundation School Malta brought to the attention of the Medical Council and the Director Human Resources, Mater Dei Hospital (MDH), that a second-year Foundation Doctor was being suspended in mid-October 2014 from the training programme as a result of failure of progress. This case was referred to the attention of the Council due to serious concerns with regards the fitness to practice of the Doctor.

The Medical Council asked the Foundation School Malta to provide it with further information about this case, and a detailed report about this case was forwarded in the first week of November 2014. The Council held a meeting with the Directors of the Foundation School Malta in mid-December 2014.

The Council held a meeting with the Foundation Doctor in end-February 2015. He/she was later provided with a copy of the report and asked to submit his/her position in mid-March 2015.

Since this case concerned fitness to practice issues, it warranted an experts' evaluation of the concerns presented to the Council. In end-April 2015, a Fitness to Practice Board composed of three independent experts was appointed to assess the Foundation Doctor's fitness to practice.

The Panel of experts presented its report to the Council during the first week of June 2015.

The Foundation Doctor was provided a copy of this report and granted the opportunity to make his/her comments and / or submission to the Medical Council within twenty days, in end-October 2015. During the first week of November, the Medical Council was informed that the doctor accepted the contents of the report.

The Medical Council aims to deliver its decision on this case during the first quarter of the year 2016.

Case Status: Decision is to be delivered during the first quarter of the year 2016.

10.2.3 Inquiries Decisions Delivered

The following decisions were delivered by the Medical Council of Malta during this year:

- **MC66/2009/B**

An article from The Sunday Times of Malta published on 1st April 2012, concerning Dr Naged Megally MB BCh (MC2383), was brought to the attention of the Medical Council for alleged breach of the Council's Code of Ethics concerning advertisement.

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Dr N. Megally MB BCh was requested to clarify his position on this matter in June 2012. After having preliminarily discussed the merits of this case, and in view of the fact that the Medical Practitioner failed to comply in submitting his version to the Council, in mid-May 2012, the Medical Council decided to proceed with an Inquiry. The Council aimed to proceed with an Inquiry during year 2013, however, due of limitations faced during this year, this Inquiry was not held. During a Council Meeting held in the beginning of May 2014, the Board of Inquiry for the investigation of this case was appointed. The Notice of Inquiry was sent on 8th May 2014.

The first sitting for the hearing of this case was held in mid-June 2014. In all three (3) sittings were held during the year 2014. The Doctor was assisted by his Lawyer. The Decision was delivered on 20th May 2015.

The Medical Council after considering all the acts of the case decided that:

Dr N. Megally is found GUILTY and found to have violated Article 5 Sub-Articles (1)(a) and (1)(c) of Subsidiary Legislation 464.17 (*Ethics of the Medical Profession*) which respectively stipulate that '*No practitioner shall for the purpose of being engaged by patients or of promoting his own professional advantage: (a) advertise or canvass directly or indirectly... (c) procure or acquiesce in the publication of notices commending or drawing attention to his own professional skill, knowledge, qualifications or services or depreciating those of other practitioners*'; Article 10 Sub-Article (1) of the same Subsidiary Legislation, which provides '*While practitioners may be involved in publishing, it shall however be ensured that there is no improper or undue advertising*'; and furthermore Article 7 of Schedule A of the aforementioned Subsidiary Legislation stipulating that, '*A doctor shall neither instigate nor condone any advertisement relating to his professional status of work*'.

Dr N. Megally was reprimanded as provided for in article 32 (1)(iv) of the Health Care Professions Act, Chapter 464, of the Laws of Malta.

And a fine of one thousand and one hundred Euros (€ 1,100) payable to the Medical Council Malta within three (3) months of the delivery of this decision is being imposed, as provided for in Article 32 (1) (c) (iii) of the Health Care Professions Act, Chapter

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464, of the Laws of Malta and under the conditions stipulated in Article 3 of the Medical Council (Penalties) Regulation, Subsidiary Legislation 464.18 of the Laws of Malta

Dr N. Megally paid the fine on 12th September 2015

Case Status: Case Closed

- **MC/126/2014**

A decision of the Court of Magistrates As a Court of Criminal Inquiry, presided by Magistrate Dr Claire L. Stafrace Zammit B.A. LL.D., dated 11th September 2014, was brought to the attention of the Medical Council in mid-September 2014. During this Court Case, it allegedly emerged that Dr Ravindra Agarwal MBBS (MC3428)'s behaviour was unethical and unprofessional. Following a series of media reports, the Office of the Superintendent of Public Health also referred this case for the Council's investigation.

In the meantime, in end September 2014, Dr R. Agarwal informed the Medical Council about his position in view of the various news reports published on local newspapers following his testimony in Court.

In end October 2014, the Doctor was provided with a copy of the Court Judgement and was asked to clarify his position about this matter within twenty-one (21) days. Dr R. Agarwal submitted his clarifications within the stipulated period.

During a Council Meeting held in end October 2014, the Council evaluated and discussed the position of the Doctor, in the light of the Ethics and Regulations of the Medical Profession, and it was unanimously decided that this case merits an Inquiry. A Board of Inquiry was appointed.

The Medical Council held two (2) sittings for this hearing of this Inquiry, during which the Dr R. Agarwal was assisted by his lawyer. The Decision of the Medical Council was delivered on 26th August 2016. The Superintendent of Public Health was notified about all the sittings held by the Council.

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The Medical Council after considering all the acts of the case decided that:

With reference to Article 4(e) of Subsidiary Legislation 464.17 (*Ethics of the Medical Profession*) which includes amongst those offences which may warrant erasure from the register or other disciplinary action, '*gross or prolonged neglect of duties and disregard of personal responsibilities to patients, clients and the public*'

Dr R. Agarwal was found NOT GUILTY

With reference to Article 17 of Subsidiary Legislation 464.17 which stipulates that '*any practitioner who signs and issues any certificate, report or other document containing statements which he knows, or ought to know, to be untrue, misleading or otherwise improper, shall be liable to have his name erased from the register*'

Dr R. Agarwal was found GUILTY

With reference to Article 5 of Schedule A (Subsidiary Legislation 464.17) which provides that '*a doctor shall by his conduct and in all matters set a high standard*'.

Dr R. Agarwal is found GUILTY

Dr R. Agarwal was reprimanded as provided for in article 32 (1)(iv) of the Health Care Professions Act, Chapter 464 of the Laws of Malta, and a fine of two hundred fifty Euros (€ 250) payable to the Medical Council within one (1) month of the delivery of this decision is being imposed as provided for in article 32 (1) (c) (iii) of the Health Care Professions Act, Chapter 464 of the Laws of Malta and under the conditions stipulated in article 3 of Medical Council (Penalties) Regulation, Subsidiary Legislation 464.18 of the Laws of Malta

Dr R. Agarwal paid the fine on 10th September 2015

Case Status: Case Closed

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10.3 Court Cases

- **MC/D/262 (Court Case 1100/2009AE, Dr Frank Portelli vs Medical Council)**

The Medical Council has investigated a complaint filed by a Medical Practitioner against Dr Frank Portelli (MC 0642) for alleged unethical and unprofessional behaviour in his/her regards, leading to a series of conflicts. The decision of the Medical Council was delivered on 1st July 2009, where Dr F. Portelli was found guilty of professional misconduct. Dr F. Portelli failed to attend for the delivery of the decision and personally collected it from the Council's office at a later date. A number of articles were published in the local newspapers regarding the decision of the Council.

Decision by the Medical Council: Dr F. Portelli was fined 10,000 Euros, which fine was to be paid within three (3) months, otherwise, he was to be struck off the Registers.

Dr F. Portelli filed an appeal against the Medical Council by means of an application filed in the Court of Appeal in the names *Dr. Frank Portelli vs. Kunsill Mediku* (Civil Appeal No. 18/2009). The Court of Appeal did not entertain Dr F. Portelli's request by means of a judgement dated 22nd April 2010.

The same allegations, together with other allegations, were also raised in a writ of summons filed by Dr F. Portelli in the First Hall of the Civil Court in a case in the names *Dr Frank Portelli vs. Av. Josella Farrugia et noe* (Citation Number 1100/2009AE). The Medical Council objected to and contested all allegations made by Dr F. Portelli. The First Hall of the Courts of Malta delivered its decision on 25th April 2014, hereunder being reproduced:

'Ghal dawn il-motivi l-qorti tiddeciedi l-kawza billi:-

- 1. Ghar-ragunijiet fuq moghtija tilqa' l-ewwel eccezzjoni tal-Prim'Ministru, Avukat Generali u Ministru tas-Sahha, l-Anzjani u Kura fil-Komunita ghal dak li jikkoncerna lilhom u tilliberahom millosservanza tal-gudizzju. Spejjez a karigu tal-attur.*
- 2. Tiddikjara li l-Kunsill Mediku naqas milli jtemm l-inkjesta fil-perjodu ta' sentejn (Artikolu 31(4) tal-Kap. 464 tal-Ligijiet ta' Malta) u ghalhekk wara li ghadda tali terminu l-Kunsill Mediku ma kellux lawtorita' li jaghti decizjoni fl-inkjesta. Decizjoni*

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li meta ngħatat fl-1 ta' Lulju 2009 kienet ultra vires. F'dan ir-rigward tichad leccezzjonijiet tal-Kunsill Mediku li jirreferu għal dan l-ilment.

3. *Thassar id-decizjoni tal-Kunsill Mediku tal-1 ta' Lulju 2009.*

4. *In vista ta' din id-dikjarazzjoni m'hemmx htiega ta' xi dikjarazzjoni ulterjuri fir-rigward tat-tielet sas-seba' talba tal-attur.¹⁸*

On 15th May 2014 the Medical Council filed an Appeal in line with the Law which states that when, and if, the lapse of the two (2) years is no fault of the Council, the two (2) year limit may not be applied. The Medical Council made reference to the evidence produced before the Court and to the reasons submitted for the delay in this process. The Council asked the Court of Appeal to determine and decide that the length of time over and above the two (2) years, are for reasons not attributable to any fault of the Council. The Council asked the Appellate Court to revoke the decision of the First Hall of the Civil Court within this context.

Current Status of the case: The Medical Council is awaiting the Court's date of appointment in the appellate stage.

- **MC/79/2007 (Court Case 1196/10JRM, Dr Franco Mercieca vs Medical Council)**

'During the year 2009, the Medical Council held an Inquiry in order to investigate of complaint by a patient for alleged unethical and unprofessional conduct with regards to Dr Franco Mercieca (MC 0224). It was decided that Dr F. Mercieca's behaviour was in breach of Article 5 of the *Ethics for the Medical Profession*, that is, that, "a doctor must by his conduct in all matters set a high standard". This case exposed a situation where Dr F. Mercieca failed to:

- Take past Medical history prior to start treatment.
- To take Radiographs.

¹⁸ The First Court decided in favour of Dr F. Portelli on the basis that the Medical Council took over two (2) years to determine the case. It was decided that since the Council failed to terminate the investigation of this case within the time-frame stipulated by Law (Article 31(4) of the Health Care Professions Act, Chapter 464 of the Laws of Malta), the Medical Council has no powers to deliver its decision. The Court specified that the decision delivered by the Council on 1st July 2009 was '*ultra vires*', and did not entertain to the position of the Council submitted in Court.

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- To inform the patient beforehand of the costs involved.
- Abide by the patient's consent regarding local anaesthetic.

Dr F. Mercieca was found guilty of professional and ethical misconduct in terms of Article 32(1) (b) and (c) of Chapter 464 of the Laws of Malta. The decision was delivered on Wednesday 19th May 2010.

Decision by the Medical Council: The Medical Council temporary suspended Dr F. Mercieca from its Registers for two (2) months, which period was supposed to come into effect one (1) month from the date of the delivery of this judgement.¹⁹

Current Status of the case: Dr F. Mercieca has contested the decision of the Medical Council in the Civil Courts of Malta, through Court Case No. 1196/2010JRM and Appeal No. 140/2010JRM. On 28th March 2014, the Court of Appeal decided in favour of the Council in the proceedings filed by Dr Franco Mercieca by way of appeal from the Council's decision.

During the past year, the Court investigated Case No. 1196/2010JDRM whereby Dr F. Mercieca attacks the validity of the decision given by the Council. The Court heard the evidence of the plaintiff and that of the Council, however, the Court will be proceeding with further investigation prior to delivering its decision. The next sitting is scheduled to be held on 19th January 2016.

- ***MC/77/2008 (Court Case 948/09APP, Dr Johanna Van't Verlaat vs Medical Council)***

'A patient filed a letter of complaint against Dr Johanna Van't Verlaat (MC 2456), who failed to present in the operating theatre while the patient was already under anaesthesia. This intervention involved two Surgeons. The Council investigated this case and after due Inquiry it decided that Dr J. Van't Verlaat's behaviour was unethically and unprofessional. The Council delivered its decision on 9th September 2009.

Decision by the Medical Council: Dr J. Van't Verlaat was found guilty of unethical and unprofessional conduct and she was suspended from the Registers for a period of three (3)

¹⁹ Quoted from the Annual Report 2014, page 48

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months and fined the amount of €10,000. The suspension came into effect within one (1) month from the delivery of the judgement held on 9th September 2009.²⁰

Current Status of the case: Dr J. Van't Verlaat instituted Court Case No. 948/09RCP before the First Hall of the Civil Court to nullify the decision of the Council. Her request was dismissed by the First Hall of the Civil Court by means of an independent delivery held on 29th May 2012. The Court rejected and dismissed the demands of the plaintiff as filed in her sworn application dated 30th September 2009.

Dr J. Van't Verlaat has filed an appeal towards end year 2012, which case has yet to date not been appointed by the Court of Appeal.

- **MC/27/2009 (Court Case 1043/12JRM, Dr Louis Buhagiar vs Medical Council)**

In 2009, a family that had filed a complaint in 2008 (Case No. MC/78/2008; Case Closed) is to provide new evidence against Dr Louis Charles Buhagiar (MC 1289) to the Medical Council. After evaluating these allegations, it was decided that this case merited an Inquiry for alleged unethical and unprofessional behaviour. This case was investigated through an Inquiry during years 2009, 2010, and 2011, which was concluded on 22nd March 2011.

The Medical Council delivered its decision on 27th June 2012. The complainants were present. Dr L. C. Buhagiar failed to attend and was sent a true copy of the decision by registered mail.

Decision by the Medical Council: Dr L. C. Buhagiar was found guilty of unprofessional conduct. Dr L. C. Buhagiar was to be suspended from the Register for a period of one (1) month and fined the sum of five thousand Euros (€ 5000). The suspension was to come into effect after five (5) months from the delivery of the judgment.

Current Status of the Case: On 26th September 2012, Dr L. Buhagiar filed a judicial letter in the Court, which was received by the Council on 2nd October 2012. The Council's legal adviser filed the Council's reply in Court on 5th October 2012. Dr. L. C. Buhagiar is presently contesting the Medical Council's decision in the Civil Courts of Malta, Court Case No. 1043/12JRM.

²⁰ Quoted from Annual Report 2014, pages 48 and 49

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During the past year, the Court heard the evidence of both parties and the next sitting is scheduled to be held on 28th January 2016.

- **MC/138/2010 (Court Case 740/11JRM, Dr Isabelle Zananian Desira vs Medical Council)**

Dr Isabella Zananian Desira M.D. (Georgia) 2000 filed an application for registration in Malta with the Council on 2nd December 2010. The applicant was asked to produce evidence of her training as a Medical Practitioner, the relevant curriculum and her achievements from the issuing University Medical School. During a Council Meeting held on 3rd February 2011, the Council accepted her course curriculum as equivalent to a Doctorate in Medicine. However, in line with the provisions of the Law and standard procedures, since Dr I. Zananian Desira is a third country national and has a non-EU primary degree, she was requested to sit for and successfully pass the Medical Council Malta Statutory Examination (MCMSE) for Medical Practitioners in order to be granted registration in Malta. Dr I. Zananian Desira was informed that in accordance with the HCPA 2003, Chapter 464 of the Laws of Malta, she may file an appeal with the Health Care Professions Appeal Committee.

On 1st March 2011, the Council was informed that the applicant had filed an appeal with the Health Care Professions Appeals Committee. A sitting was held on 31st May 2011. Dr I. Zananian Desira alleged that the Council's decision ran counter to Section 45(2) of the Constitution of Malta and to Article 3(2) of Legal Notice 280(2006), and that the said decision was '*ultra vires*'.

After investigating the case, the Appeals Committee delivered its decision on 22nd June 2011. It was decided that the Council acted in conformity with the proviso in Section 11(1)(c) on which its 'standard policy' is based; and that the Council was competent authority in Malta to decide so and did not act '*ultra vires*'. The decision also stated that the Council is duty bound to assess qualifications within the Law. On the contrary, the Malta Qualifications Council (MQC) recognises qualifications but not the right to practise a profession, which right fell under the remit of the Medical Council.

The decision emphasised that both the Medical Council and the Appeals Committee had to abide by the HPCA 2003, Chapter 464 of the Laws of Malta, and they have no competence to

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decide whether the Act is in conformity or not with the Constitution of Malta. In view of these arguments the appeal filed by the Medical Practitioner was rejected and the Council' decision was confirmed.²¹

Decision by the Medical Council: Dr I. Zananian Desira was asked to sit for the MCMSE for Medical Practitioners and if successful, she would be granted registration in Malta.

Current Status of the Case: On 18th August 2011, Dr I. Zananian Desira filed a case in front of the First Hall Civil Court against the Medical Council. Court Case No. 740/2011JRM was reviewed by the Judicial Assistant during in year 2014 and the Court's decision was scheduled for delivery on 29th January 2015, however, in February 2015, the Council was updated by its Lawyer that the Court required more time to deliver the decision and this was scheduled on 31st May 2016.

- ***MC/13/2012 (Court Case 12/2014EG Dr Adam Bartolo vs Medical Council)***

'In January 2012, the Superintendent Public Health (SPH) brought to the attention of the Medical Council that the Minister for Health had received a complaint about alleged irregularities in the processing of the application for specialist recognition of a Dental Surgeon registered in Malta. This allegation was supported by Representatives of the Faculty of Dental Surgery, University of Malta, on the Dental Specialist Accreditation Committee (DSAC).

The Medical Council was asked to postpone the inclusion of the Dental Surgeon in the specialist register for oral surgery until the said allegations are investigated. The Medical Council was formally asked to investigate this case by the SPH in mid-November 2012. The report of the Board of Inquiry established to investigate the workings of the DSAC dated April 2011 was provided. The President of the Council abstained from this case because of conflict of interest. The Dental Surgeons Members of the Council were asked to abstain from this case.

This case was referred to the Medical Council's legal adviser for assistance on whether this case fell within its remit to investigate. In November 2013, the Council held a meeting with the

²¹ Quoted from Annual Report 2014, pages 50-51

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Attorney General for advice about this case. The Dental Surgeon was forwarded a copy of the report for clarifications in December 2013 and a reply was received in end year 2013.²²

Decision by the Medical Council: In May 2014, the Medical Council decided that Dr A. Bartolo is to be removed from the Specialist Register since, in line with Article 35 of the HCPA 2003, Chapter 464 of the Laws of Malta, this was done incorrectly. The implementation of this decision is pending cases filed by the Practitioner with the Health Care Professional Appeals Committee, and those filed in Court.

Dr A. Bartolo filed a Case in the Courts of Appeal against the decision of the Medical Council on 29th May 2014. The Medical Council filed its position in Court on 13th June 2014.

Current Status of the Case: This case is presently being investigated by the Court of Appeal and the next sitting is scheduled to be held on 20th May 2016.

- ***MC/13/2012 (Court Case 988/14JRM Dr Adam Bartolo vs Medical Council)***

Refer to pages 59 and 60 above.

Decision by the Medical Council: In May 2014, the Medical Council decided that Dr A. Bartolo is to be removed from the Specialist Register since, in line with Article 35 of the HCPA 2003, Chapter 464 of the Laws of Malta, this was done incorrectly. The implementation of this decision is pending cases filed by the Dental Surgeon with the Health Care Professional Appeals Committee, and those filed in Court.

Dr A. Bartolo filed a Case in front of the Civil Courts of Malta on 24th October 2014. The Council submitted its reply in Court on 15th December 2014.

Current Status of the Case: This case is pending awaiting determination of Appeal (Court Case 12/2014EG); the next sitting is scheduled to be held on 3rd February 2016

²² Quoted from Annual Report 2014, page 28 and 29

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10.4 Appeals against the Medical Council regarding Registrations

In accordance to the Health Care Professions Act (HCPA) 2003, Chapter 464, applicants whose registration with the Medical Council has been declined, may file an appeal with the Health Care Professions Appeals Committee²³ within 20 calendar days from the receipt of the decision delivered by the Council.

During the past year, eight new appeals have been filed against the Medical Council of Malta, however, these, together with an Appeal filed during the year 2014, are still to be appointed.

- **MC/13/2012**

Refer to pages 59 and 60 above.

Decision by the Medical Council: In May 2014, the Medical Council decided that Dr A. Bartolo is to be removed from the Specialist Register since, in line with Article 35 of the HCPA 2003, Chapter 464 of the Laws of Malta, this was done incorrectly. The implementation of this decision is pending cases filed by the Practitioner with the Health Care Professional Appeals Committee, and those filed in Court.

Dr A. Bartolo filed an appeal with the Health Care Professional Appeals Committee on 26th May 2014. The Medical Council filed its position on 12th June 2014.

Current Status of the Case: during the Health Care Professional Appeals Committee held a number of sittings in order to determine whether this case falls under its remit. The next sitting is scheduled on 22nd January 2016.

²³ The Health Care Professions Appeals Committee:

<https://www.gov.mt/en/Government/Government%20of%20Malta/Ministries%20and%20Entities/Officially%20Appointed%20Bodies/Pages/Committees/Health-Care-Professions-Appeals-Committee.aspx>

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11 Important Events, Achievements and Contributions of the Council

11.1 Presentation on the 'Age of Sexual Consent'

The Medical Council of Malta was invited to deliver a presentation during a Parliamentary Joint Sitting of the Standing Committee on Health, the Social Affairs Committee and the Family Affairs Committee about its position with respect to the 'Age of Sexual Consent' on 3rd June 2015. Dr Ilona Debono, President of the Council, and Dr Doreen Cassar, represented the Council during this sitting. The presentation was delivered by Dr D. Cassar.

11.2 Quality Assurance for the Malta Foundation School Programme

In 2009, the UK Foundation Programme entrusted the Medical Council to conduct the Quality Assurance of the Foundation School Malta (FSM). The Maltese Foundation Programme is an affiliate of the UK Foundation School and it follows the same aims, methodologies and assessment processes in principle. However, the nomenclature and the structure of the Foundation School Malta tend to deviate from that exercised in the UK.

In October 2009, Dr Doreen Cassar and Dr Bryan Flores Martin attended Quality Assurance visits of the Foundation Programmes held by the GMC and PMETB in the UK as observers, and were then appointed as the Quality Assurance Team in order to conduct this process in Malta.

In 2010, the Medical Council adopted the United Kingdom Foundation Programme (UKFP) guidelines for the FY1 and FY2 doctors, 'The New Doctor', as the standard competences required for Full Registration in Malta

In 2011, the UK Foundation School Programme was highly satisfied with the first Quality Assurance report, and decided to extend the Agreement with the Malta Foundation School until year 2016. The Malta Foundation School had been granted re-affiliation by the UK Foundation School Programme.²⁴

Following a Call for Interest to appoint the Members of the Medical Council Quality Assistance Committee (MCQAC) for three (3) academic years, in line with the Financial Laws regulating the

²⁴ More information may be accessed from Malta Foundation School website: <http://fpmalta.com/>

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management of the Medical Council's below-the-line account, Dr Doreen Cassar and Dr Bryan Flores Martin were appointed to sit on the MCQAC for the Foundation School Programme for a period of three (3) academic years starting from 14th May 2014²⁵.

Since 2009, the Quality Assurance exercise has been regularly carried out and with notable success²⁶. The frequency of the Quality Assurance for UK Foundation Schools occurs every two to three years, or as deemed necessary.

11.2.1 Quality Assurance Exercise 2014

The aim of the Medical Council of Malta is to quality assure the Malta Foundation Programme so as to ensure that its Foundation Doctors fully qualify for Full Registration and Licence to Practice in Malta, having the core aim of ensuring that these Practitioners are well trained to assist the public in a high standard of ethical and professional behaviour. The Council also seeks to ensure that this Programme retains its affiliation to the UK Foundation Programme.

Within the first three year since the set up the Foundation School Malta in 2009, the Medical Council undertook two substantial and extensive quality assurance exercises. These concluded successfully. The Quality Assurance Programme was not repeated during the year 2013 in order to allow ample time for the Malta Foundation School to focus on the outcomes on the Quality Assurance exercise held in 2012. The Foundation School Malta dedicated its full resources in the implementation of the recommendations made by the Council.

Dr Doreen Cassar and Dr Bryan Flores Martin conducted the 4th Quality Assurance Programme in November 2014 and delivered its report in January 2015. The Medical Council analysed the response of the Malta Foundation School to this exercise.

²⁵ This post carries the remuneration of Euro 3494.06 for the specified period of appointment, which are paid in three divided annual instalments of Euro 1164.69.

²⁶ The Quality Assurance reports of the Foundation School Malta, February 2011 and July 2012 may be downloaded from:

https://healthcms.gov.mt/en/regcounc/medicalcouncil/Pages/Reports_Publications.aspx

12 The Way Forward

12.1 Code of Ethics on Advertising and Financial Conduct

In the year 2012, the Medical Council appointed a Sub-Committee, composed of Mr John Cauchi and Dr John Felice²⁷, to review and update the guidelines concerning Advertising and Financial Conduct by Medical/Dental Practitioners. This Sub-committee reviewed the guidelines in the light of the ongoing complaints and realities, with the aim of drafting a set of guidelines that would better address the exigencies of the professional environment in which Practitioners strive to perform their duties. This task was delegated to Dr David Muscat who delivered his report in mid-May 2014.

The Medical Council aims to fully dedicate itself to address this complex but sensitive task in order to draft an adequate document for the benefit of both the Professionals and the patients.

12.2 European Professional Card (EPC) and the Alert Mechanism

Since the year 2014, Member States of the European Union (EU) were highly involved in an extensive debate concerning the adopting and the implementation of the European Professional Card (EPC) and the Alert Mechanism. These are to be implemented by all Members States on 1st January 2016.

The aim behind the EPC and its implementation is that of further facilitating the free movement of professionals throughout the EU, since this process aims towards the simplification for the recognition of professional qualifications. Moreover, the EPC system will enhance transparency for EU citizens and increase trust among competent authorities and other stakeholders across the EU.

The Alert Mechanism is a setup that caters for all the regulated professions having patient safety implications such as Medical and Dental Practitioners. This will effectively introduce a fitness to practise alert mechanism mandating the exchange of information about a professional who has been prohibited, even temporarily, from exercising his/her professional activity or who made use of falsified documents, amongst EU Competent Authorities, with the main aim of

²⁷ Mr John Cauchi's term expired in April 2013, while Dr John Felice resigned on 4th March 2014.

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improving patient safety. This exchange of information will be based on the use of the Internal Market Information system (IMI).

The Medical Council has over the past years strived to keep abreast with these dynamic and ongoing developments, by mainly attending Conferences and Meetings held at an EU level. These meetings offer the Medical Council with invaluable information in outcome of important discussions amongst the participant Medical and Dental Competent authorities concerning the foreseen implications of the EPC. The benefits vis à vis the difficulties being envisaged are analysed and evaluated in order to design an achievable goal.

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13 Concluding Remarks and Acknowledgments

This Annual Report 2015 aims to provide a detailed, comprehensive and transparent record of the work performed by the Medical Council of Malta throughout the past year.

This report provides basic statistics regarding the various types of registrations granted during this year. It proceeds with an overview of the regulatory role exercised by the Medical Council through a brief summary of the disciplinary actions and the related decisions delivered by the Council, and also information regarding ongoing Court Cases. This report also provides a general overview of the publications of the Medical Council and important event which deserve to be reported. Finally matters being experienced by the Medical Council, and its future plans to be better able to address ongoing challenges are reported.

The past year, as clearly illustrated throughout this report, has exposed the Medical Council of Malta, its Members and administration, to an exhaustive series of challenges and experiences. However, these issues have all contributed to the strengthening and empowering of the Medical Council in the national and international societies.

I take this opportunity to thank our President, Dr Ilona Debono, the Members of the Council, and our administration for their continuous dedication and commitment towards the Medical Council and its mission statement.

Svetlana Borg Cachia B.Com.(Hons.)(Melit.), M.A.(Public Policy)(Melit.)
Registrar

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**Annex 1: Report submitted by Dr David Muscat
Federation of Dental Competent Authorities and Regulators (FEDCAR),
Spring General Assembly, held between 26th and 27th November in Paris**

The FEDCAR General Assembly was attended by delegates from Belgium, Canada, Albania, Estonia, France, Hungary, Ireland, Italy, Malta, Monaco, Slovenia, Spain and the UK.

There were several presentations and the following is a summary.

TOPIC 1: RECOGNITION OF PROFESSIONAL QUALIFICATIONS (directive 2005/36)

The changes introduced by directive 2005/36 develop the current mutual recognition and should be transposed by 18/1/2016.

The current procedures are strengthened by a

- a. larger definition of professional experience
- b. for non-regulated professions 1 year requirement as opposed to two years previously
- c. new assessment of compensatory measures.

NEW TOOLS:

- PARTIAL ACCESS applies to all health professions and the professional must exercise with the professional title of the home member state. It is granted only when:
 - a. Substantial differences are so important that compensatory measures cannot be imposed
 - b. Activities can be objectively separated from others.
- ALERT MECHANISM applies to all health professions. It is an information system that triggers a European wide alert within 3 days. The alert concerns any professional whose activities have been restricted or prohibited even temporarily. Implementation is by the competent authorities.

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- EUROPEAN PROFESSIONAL CARD is an electronic certificate similar to an authorisation. A pilot experiment is being carried out for pharmacists, nurses and physiotherapists. This is a European wide system that enables a professional to apply for recognition procedures in host member states. Implementation is by the competent authorities.

TOPIC 2: EVOLUTION OF NUMERUS CLAUSES POLICIES IN MEDICINE AND NURSING

There is a need to strengthen governance and decision making on numerous clauses policies. The policies need to be based on better health workforce data and planning models. The planning needs regular updating. Supply side assessment needs to focus more on changing retention and retirement patterns.

TOPIC 3: DRAFT CODE OF CONDUCT FOR DENTISTS PRACTICING IN THE EU

Treatment must

1. puts patients' health interests first
2. respect right of patients to be cared for by dentist of their choice
3. provide care with respect, dignity, without discrimination
4. never overstate or embellish abilities and qualifications. or engage in any activity, including advertising or speech that could mislead a reasonable person
5. communicate effectively with patients
6. obtain valid consent from patients
7. accept responsibility for care provided by authorised dental personnel
8. establish fees that are moderate and in the interests of the patient and national health system.

REGARDING Public Health Service,

1. maintain safe healthy office environment
2. work with colleagues in patients' best interests
3. protect confidentiality of personal and health information of patient
4. ensure patient has access to records

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5. ensure dental team may raise concerns of patients or colleagues at risk
6. obey all applicable laws of the country where practice takes place.
7. Maintain, develop and work within professional knowledge and skills
8. Personal behaviour to maintain patient confidence in his person and dental profession
9. In case of professional mobility inform the home and host competent authorities.

TOPIC 4 : LATEST EU DEVELOPMENTS

EU MERCURY STRATEGY

Ongoing legislation package

MY HEALTH APPICLATIONS

Facilitate development of a code of conduct covering privacy and security data protection

MEDICAL DEVICES

Nanomaterials considered high risk and clinical trials to be conducted

DENTAL IMPLANTS

Custom made medical device

Not subject to unique device identification.

IMPLANT CARD

Rapid access which is readily understandable by lay person

MEDICAL DEVICES (Article 16):

1. Identification.name UDI manufacturer
2. Medical examinations patients should avoid
3. Warning re interferences with external influences or environmental conditions
4. Expected life term and follow up
5. Other info re safe use.

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TOPIC 5: PROPOSED ISDR INTERNATIONAL SOCIETY OF DENTAL REGULATORS
PROPOSED DENTIST ACCREDITATION STANDARD

The main points include competency involving

1. professionalism
2. diagnosis and treatment
3. Consultation and collaboration
4. Oral health promotion
5. practice management

TOPIC 6: TOOTH WHITNING CLINICS

Different countries in the EU have different local rules. In Austria, Albania, Estonia Italy, Luxembourg tooth whitening by beauty clinics is not allowed. In Belgium and France there is very limited use and this is for products up to 0.1% hydrogen peroxide as laid down in the cosmetics directive but beauticians do not have access to the mouth and only consumers help themselves with the whitening device. They must respect the conditions attached to the regulated profession of beauticians. In practice, it was noted that with less than 0.1% the business seems barely profitable.

FEDCAR is to liaise with Platform Oral Health to issue joint declaration to have tooth whitening declared as a procedure that can only be carried out by registered dental practitioners.

TOPIC 7: PRESENTATION BY PLATFORM OF ORAL HEALTH

This includes promotion oral health and prevention of oral diseases, which addresses oral healthcare inequalities. It seeks to develop knowledge base and strengthens evidence based action for EU action on oral health. It advises European institutions with regard to EU oral health policy developments. It also aims to increase the integration of oral health into general health. Examples include heart disease and diabetes.

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TOPIC 8: ADEE

Presentation by the Dental Education Europe, which will liaise better with competent authorities. Authority on dental Universities.

TOPIC 9: Future needs of health workforce in Europe

This involves collaboration and exchange between Member states to support them in their health workforce planning and to increase Member states and Europe's capacity to take effective and sustainable measures. A study being carried out measuring the impact of the mobility, what effect National policies have on the mobility, data categories and indicators. From this study recommendations on the improvement of mobility indicators and the national and EU level data collections.

TOPIC 10: New Membership and Next Meeting

Portugal was accepted as a new FEDCAR member.
Albania has applied for membership status.

The next FEDCAR meeting will be in Barcelona in May 2016.

(sgd) Dr David Muscat, B.D.S.(Lond)
Member, Medical Council of Malta