

Medical Council - Malta

Annual Report 2007



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1 Foreword by the President of the Medical Council

This report is being published in terms of the provisions of the “Health Care Professions Act” (Cap 464), which require the Medical Council to publish an annual activity report containing a statement of the activities carried out or pursued by the Council during the year.

The year under review has been quite eventful and also saw substantial changes in the composition of the Council which occurred as a result of the fact that the term of office of the Council appointed for the term 2004 to 2007 expired on the 17th March 2007. These changes included the appointment of the undersigned as President in succession to Judge Victor Caruana Colombo, whom I wish to thank on behalf of the Council for the dedicated service he rendered during his two terms of office.

Another important change, on the administrative side, was the appointment as Registrar of Mrs Mary Scicluna, Dip.Pub.Adm. in September 2007, who has since then been carrying out her duties efficiently, in spite of the very limited resources at her disposal, and at a time when the workload of the Council is ever on the increase, as can be seen from a perusal of the Report. It would not be amiss if I were to take this opportunity to thank Mr Michael Bonnici, Dip.Soc.Studies (H&S) for the sterling service he rendered to the Council when he was acting Registrar pending the appointment of a Registrar.

The Council has also been actively engaged in negotiations with a view to obtaining more suitable office premises than the ones in Melita Street, Valletta which are manifestly inadequate for the performance of the administrative statutory functions of the Council.

The Council has also been tackling other issues, such as the Council’s request to the competent authorities that the funds collected from the Annual Retention Fees payable to it by medical practitioners and dental surgeons should belong to the Council to give the Council much needed financial independence if it is to be truly autonomous. The subject is referred to in this Report in the paragraph headed “Finances!”

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There are certain provisions of the “Health Care Professions Act” which still require the enactment of regulations by the Minister responsible for Health to render possible their implementation and enforcement, particularly when it comes to certain disciplinary proceedings against members of the medical and dental professions, which is one of the important functions of the Council, assigned to it by law, namely, to prescribe and maintain professional and ethical standards for the medical and dental professions.

It is earnestly hoped that during the current year the issues mentioned above will be sorted out to enable the Council to fulfil its functions satisfactorily.

JUDGE ALBERT MANCHÉ, LL.D.
PRESIDENT.

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2 Composition of the Medical Council:

This year **2007** was election year for the Medical Council. The Council had a change in composition following elections and nominations of members. There are 13 members on the Medical Council. Some members are elected by medical/dental practitioners; others are nominated as shown below. The names of the members as on the date of this report, and those who served during the year, are listed below.

The following list shows the Members on the Medical Council to the end of Term of Office on the 17th March 2007.

Members appointed by the Prime Minister

Judge Victor Caruana Colombo LL.D.

Dr. Denis A. Soler MD., FRCGP., MSc.

Dr. Herbert Messina Ferrante B.Ch.D., LDSRCS., FICD

The Reverend Joe Borg MOM., B.S.Th., MStH. Dip Comm. Studies

Mrs. Claudia Taylor East.

Member appointed by the University of Malta

Prof. Frederick F. Fenech

MOM., MD., FRCP., FRCPE., FRCPG., FRCPI., FACP

Members elected by the registered medical practitioners

Dr. Michael J. Boffa MD., MRCP(UK)., MSc., T(Derm)., FRCP(Edin)FRCP(Glas)

Dr. Karl Causon MD

Prof. Godfrey Laferla

MD., MRCS., LRCP., FRCS., FRCSRCPS., FRCS(Edin)., Ph.D.

Dr. Conrad Azzopardi

MD., LRCP(Edin)., LRCS(Edin)., LRCPS(Glas)., MRCP(IK) FRCP(Lond)

Dr. Paul Soler MD., MRCP

Members elected by the registered dental surgeons

Dr. Alfred Magri Demajo BChD., DGDP

Dr. James Galea BChD., FDSRCS

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Registrar: Ms Paula Casha – end of February 2007

Acting Registrar: Mr Michael Bonnici Dip. Soc. Stud (H& S) – end of September 2007

Registrar: Mrs Mary Scicluna Dip. Pub.Adm. was employed to serve the Medical Council on the 3rd September 2007.

An election from among medical / dental practitioners was held in April 2007 and the following is the composition of the Medical Council for the term 2007 – 2010.

Members appointed by the Prime Minister

Judge Albert Manche' LL.D. - President

Dr.Denis A.Soler MD.,FRCGP.,MSc.

Dr. David Muscat BDS (Lond)

Reverend Joseph Borg MOM.,B.S.Th.MSTh.Dip.Comm.Studies (Concordia Univ)

Mrs. Claudia Taylor East

Member appointed by the University of Malta

Prof.Godfrey Laferla

MD.,MRCS.,LRCP.,FRCS.,FRCSRCPS.,FRCS(Edin.),Ph.D.

Members elected by the registered medical practitioners

Dr.Michael J.Boffa MD.,MRCP(UK),MSc.,T(Derm),FRCP(Edin)FRCP(Glas)

Dr.Paul Soler MD.,MRCP

Dr. Doreen Cassar MD., MMCFD., Dip W.H. (ICGP),Dip PC&GP (Ulster)

Dr Bryan Flores Martin MD., MMCFD

Dr Alex Portelli MD., MMCFD

Members elected by the registered dental surgeons

Dr Anthony Charles BChD

Dr James Galea BChD

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3 Objectives

The Medical Council's purpose is to protect, promote and maintain the health of the public by ensuring proper standards in the practice of medicine. Some of the Council's statutory functions are defined in the Health Care Professions Act Cap.464 (2003) as:

- To keep, publish and update registers in respect of the medical and dental professions, and specialist registers of the medical and dental professions as may be prescribed;
- To prescribe and maintain professional and ethical standards for the medical and dental professions;
- To levy such fees, from its registered medical practitioners and dental surgeons, for initial registration and yearly retention fees thereafter
- Administering the systems for the registration and recommend to the President of Malta the granting of licences to medical practitioners and dental surgeons to practise their profession:

The Medical Council strives to safeguard the highest standards of medical ethics, education and practice, in the interest of patients, the public and the profession. To this end Council is working on a strategy to identify the aims and objects to meet its statutory obligations and strengthen its role as an authoritative and independent voice on issues facing doctors, patients and society at large.

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4 Principal Tasks for the year 2007:

- Finalizing pending inquiries
- Introducing a new personal filing system for all medical practitioners and dental surgeons
- Establishing and collecting payment of the annual retention fee due by medical practitioners and dental surgeons according to Legal Notice 330/2006
- Publication of an updated Medical Register both 'printed' and electronically 'on line'
- Holding Elections for a new Medical Council according to the HCP Act Cap 464 (2003)
- Updating of the Specialist Register for each individual speciality listed in the fifth Schedule of the HCP Act Cap 464.
- Election among the medical profession of a new representative on the Appeals Committee
- Providing effective and efficient professional regulation so that those who deal with Council will appreciate better the role of the Medical Council. .
- Taking a leading role in the future development of health care by engaging proactively with the Minister responsible for Health, the devolved administration, institutions within the EU and others on issues affecting regulation in this country.

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5 Meetings and Attendances

In the year 2007 the Medical Council held 24 meetings.

Five meetings were held up to the end of term of office 17.03.2007 and 19 meetings were held by the new Council as from the 25th April 2007.

	Present	Excused	Absent
Judge Victor Caruana Colombo	5	-	-
Dr Herbert Messina Ferrante	5	-	-
Dr Denis A. Soler	18	4	-
Prof. Frederick F. Fenech	4	1	-
Dr Conrad Azzopardi	5	-	-
Dr Michael J. Boffa	22	2	-
Dr Karl Couson	2	3	-
Prof. Godfrey Laferla	13	11	-
Dr Paul Soler	21	3	-
Dr James Galea	10	14	-
Dr Alfred Magri Demajo	5	-	-
Rev. Fr. Joe Borg	22	2	-
Ms Claudia Taylor East	19	5	-
Judge Albert Manche'	13	6	-
Dr David Muscat	14	5	-
Dr Doreen Cassar	17	2	-
Dr Bryan Flores Martin	15	4	-
Dr Alex Portelli	15	4	-
Dr Anthony Charles	17	2	-

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6 Sub-Committees of the Medical Council

There are three sub-committees, which do preliminary work on behalf of the Council. All sub-committees act under powers delegated to them by the Council.

- Sub-Committee for the hearing of Inquiries

This committee is chaired by the President of the Medical Council, Judge Albert Manche', Dr David Muscat; Dr. Alex Portelli, Dr. Paul Soler, Rev. Fr Joe Borg and Mrs Claudia Taylor East. The purpose of this sub-committee is to hear the proceedings of the inquiries and report back to the Council.

- Sub-Committee for Registration of the Medical Practitioners

This committee is composed by Dr Michael Boffa, Dr Doreen Cassar, Dr Bryan Flores Martin and Dr. Paul Soler. This committee is responsible for reviewing all new applications of Medical Professionals for registration with the Medical Council.

- Sub-Committee for Registration of the Dental Surgeons

This committee is composed by Dr Anthony Charles, Dr James Galea and Dr David Muscat. This committee is responsible for reviewing all new applications of Dental Surgeons for registration with the Medical Council.

It is the intention of this Medical Council to set up a new sub-committee on Standards of Professional Conduct and Medical Ethics. The purpose of the Standards and Ethics Sub-Committee would be to foster excellence in Medical/Dental practice by formulating guidance to doctors and dentists on the principles of good medical practice and ethics. At present Dr Denis A. Soler is giving advice on this subject whenever the Council needs counsel.

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7 Participation in conferences

- The Medical Council was represented at a two day seminar organized by the Medical Association of Malta. The subject of the seminar was 'patient safety'.
- The Medical Council actively took part in a conference organized by the Malta Qualifications Recognition and Information Centre. This conference gathered all the professions to discuss matters of common interest. Information was given on the EU Directive about Mutual Recognition of Professionals Qualifications.
- The Medical Council was represented in a conference organized by the Data Protection Department
- The former acting registrar attended a working group meeting to discuss the setting up of the Internal Market Information (IMI) System. The implementation of this project is entrusted to the Ministry of Competitiveness and Communication.
- Dr Bryan Flores Martin represented the Medical Council at a 'Round the Table Conference'. Subject: Sick leave management organized jointly by the General Workers Union and the Malta Employers Association.
- The Registrar represented the Medical Council at an EU Conference which was organized by Dr Joanna Drake. This conference was to highlight the effect of the various EU directives and their impact on local legislation.
- Twinning Light project meeting. Dr Doreen Cassar, Dr Alex Portelli, Dr Brian Flores Martin and the Registrar attended to this meeting. The co-ordinator of this project highlighted the benefits that the council would gain through the exchange of information from an EU Member State and how the latter are implementing the EU directives.
- CODE (Conference of Orders and Assimilated Bodies of Dental Practitioners in Europe)– Paris. Dr Anthony Charles B.Ch.D was nominated by the Medical Council to represent Malta during the meeting which was held in Paris last October.

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8 Recognitions:

The Medical Council endorsed the qualification MMCFD (Member of the Malta College of Family Doctors awarded by the College of Family doctors, for inclusion in the Council registers.

The new Hospital - Mater Dei was recognized as a hospital in terms of the provisions of the HCP Act Cap 464 (2003) Art 3 (3) and 11 (C).

9 Examinations for Non – EU Doctors/Dentist for registration in Malta

No exams were held during the year under review; however Dr Cynthia Jones was nominated as a co-ordinator to conduct the Examination of Medical Professionals, while Dr Alex Cassar was nominated as a co-ordinator for the Examination of Dental Surgeons.

10 Elections

The Health Care Professions Act Cap 464 (2003) First Schedule (Art. 6) stipulates that members of a Council whether appointed or elected shall hold office for three years. The first council under this Act was constituted in 2004; hence an election had to be called in 2007. A new ballot system was introduced in terms of art 50 of the HCP Act. After a call for applications in the local press the Medical Council received the following nominations:

- 9 Medical Practitioners
- 4 Dental Surgeons

Comparative analysis is shown in the table below

Year	No of ballots posted	No of ballots received back	Total number of valid votes
2004: Doctors 11	1060	520	515
Dentists 3	154	81	81
2007: Doctors 9	1219*	564	560
Dentists 4	183	114	114

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Medical Practitioners

Total votes cast	564
Invalid	004
Valid	560

Candidates:

Dr Boffa Michael	450 (Elected)
Dr Causon Karl	206
Dr Cassar Doreen	280 (Elected)
Dr Grech David	074
Dr Martin Flores Bryan	240 (Elected)
Dr Pace Joseph	219
Dr Portelli Alex	240 (Elected)
Dr Soler Paul	236*
Dr Xuereb Joseph	236*

Dental Surgeons

Total votes cast, all valid 114

Candidates

Dr Charles Anthony	70 (Elected)
Dr Galea James	58 (Elected)
Dr Magri Demajo Alfred	44
Dr Messina Ferrante Herbert	35

* see by-election in the following page

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Note: According to the Regulations: holding of elections, only those on the register and residing in Malta are entitled to vote. Since two medical practitioners obtained the same number of votes a by-election was held.

By-election

Between two contestants who obtained equal number of votes:

Year	No of ballots posted	No of ballots received back	Total number of valid votes
2007	1191*	548	541

Dr Paul Soler 286 (Elected)

Dr Joseph Xuereb 255

* The difference of ballot papers sent in the first round of elections and the by-election is due to the elimination of returned post (28) due to various reasons.

The Electoral Commission was composed of the following members.

Dr George Depasquale

Dr Roy Schembri Wismayer

Dr Joseph Farrugia

Substitutes: Dr Raphel Patiniott

Dr Louis A. Camilleri

Dr Mario V. Masini.

In the by-election Dr Raphael Patiniott substituted Dr. George Depasquale.

11 Elections for a Representative on the Appeals Committee:

The term of office of the representative of the Medical professions sitting on the Appeal Committee expired in July 2007. According to the HCP Act Cap 464 Art. 49 (1) (i) the appeals committee is to include a representative elected from such professionals regulated by the Medical Council where the appeal concerns a member of a health care

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profession regulated by that Council. For this reason the Medical Council was bound to carry out an election among the medical and dental profession.

A formal call for applications was issued in the local press accordingly.

Originally two medical practitioners submitted their applications but two days prior to the mailing of ballot papers one of the medical practitioners withdrew his application.

Dr Norbert Vella was consequently elected uncontested.

Dr Norbert Vella is not the representative of the Medical Council on the Appeals Committee but the representative of the Medical and Dental professions.

12 Registrations in 2007

The Medical Council issued

- 69 Permanent and 9 Temporary New licence to EU Nationals Medical Professions
- 8 New licence to EU Nationals Dental Professions
- 15 Temporary licence to non EU nationals

13 Payment of Annual Retention Fees

The Medical Council implemented the provisions of Legal Notice 330/2006 by introducing an annual retention fee to for medical and dental professionals.

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14 Knowledge of the Maltese Language

The Medical Council sought legal advice on the issue of the provisions regarding knowledge of the Maltese language for registration with the Council in the light of EU Directive, Title IV, Art 53 on Knowledge of Language, and EC Directive 2005/36/36 on Freedom of Movement. A meeting on this issue was also held with the Hon. Minister of Health – Dr. Louis Deguara MD on the 19.12.2007. Dr Ray Busuttil MD- Director General Health was also present for this meeting. It was agreed that that the Medical Council should put a clause in the Code of Ethics to safeguard both patients as well as medical/dental professional with regards to effective communication.

The University of Malta approved a Course to teach ‘the basic knowledge of the Maltese language’. This course includes ‘medical terminology of ailments and other related information for mutual understanding between Maltese patients and foreign medical and dental professionals.

15 TV Talk Shows and Advertising

This subject was discussed in depth by the Medical Council. Dr Denis A. Soler was nominated by the Medical Council to participate in the formulation of new standards and practices issued by the Broadcasting Authority with respect to participation of medical / dental practitioners on the broadcasting media. In the light of this the Malta Broadcasting Authority has published: ***Requirements as to Standards and Practice on Programmes Involving the Participation of Certain Health Care Professionals in the Broadcasting Media and Requirements as to Advertisements, methods of advertising and direction applicable to Medicinal Products and Treatments***: this is available on :www.ba-malta.org.

The Medical Council acknowledge the co-operation of the Broadcasting Authority by providing the necessary information which the Council requested in a relatively short time in particular with regard to the programme Arani Issa. All pending (10) cases brought forward from 2006 in relation to the TV programme Arani Issa were reviewed and participants were summoned before the Council for clarification. Participants were advised to abide by the General Notice for the Guidance of Practitioners and Ethics

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both for the medical and dental profession before accepting to participate in these programmes.

The Medical Council objected to a proposed advertisement on the Publication 'Yellow Pages' of medical consultants indicating their attendance in particular clinics.

The Medical Council did not approve the inclusion of names giving credit to members of the medical profession in birth announcements, letters to the editor and other opportunities in the media.

16 Practising without licence

Notice was brought to the Medical Council that foreign medical Practitioners (File reference MC/40/2007) were working without licence. The police were asked to investigate and report back with its findings to the Medical Council. However it turned out that these allegations proved to be false.

The Medical Council wishes to draw the attention of all concerned that according to the HCP Act no person shall practise the Medical and Dental Profession unless his/her name is entered in the Register of the Medical Council. Case in point is the foreign plastic surgeon's advert to do consultations in Malta.

17 Onus of Responsibility with Prescriptions

When the Council's advice was sought as to the responsibility of a junior doctor in prescribing a repeat prescription of a drug prescribed by a Psychiatric Consultant, the Council upheld the autonomy of every medical/dental practitioner and emphasize that this principle be respected.

18 Press Releases

The Medical Council issued the following Press Releases during the current year:

Update of new Register

14th June 2007, 19th September 2007 and 26th September 2007.

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19 Finances

Although the Medical Council is generating revenue by collecting fees from medical / dental practitioners who register with it, this revenue is not being administered by the Council but by the Department of Health. Lack of appropriate funds account for the slow progress Council has registered in enabling Council to function to its full efficiency and autonomously. It is however to be noted that in anticipation of the Medical Council being in position to manage its own resources; an appropriate strategic plan is being drawn up so as to handle and maintain a sound financial system.

20 Complaints and Inquiries

The Medical Council often gets to know by chance of disciplinary decisions taken against medical practitioners and dental surgeons by other entities, as well as judgments delivered by the law courts relating to medical practitioners or dental surgeons. A letter was sent to the Department of Social Security, the Police, the Education Department and the Registrar of the law courts requesting them to inform the Medical Council of any reports of misconduct or inter departmental corrective measures or complaints in relation to medical practitioners/dental surgeons.

Notwithstanding any measure taken by other entities with respect to medical / dental practitioners, the Medical Council is bound by the provisions of the HCP Act Cap (Art. 32 (1) (b)., to investigate after due inquiry. Complaints are discussed during council meetings and a decision is taken whether to hold an inquiry or not. If a decision is taken to hold an inquiry the relative sub-committee is entrusted with the task of hearing the case and reporting to the Council. The present Council inherited three decisions that had been taken during the Council meetings of 17/01/2001, 18/07/2001 and 15/05/2002 from the previous Council.

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MC/13/2007

A lawyer raised a complaint, on behalf of his client, against a medical practitioner alleging that he made false allegations while giving court evidence in 2005.

From the transcripts provided it results that the case was time barred.

Case considered closed.

MC/28/2007

The Director of Corporate Services in the Ministry of Education, Youth and Employment referred a press report concerning a facilitator who while on sick leave was in fact attending a training course with Air Malta. The Director also referred to various medical certificates issued by a medical practitioner and eventually submitted to the Department by the facilitator in question. The Medical Council after having received an extensive report by the medical practitioner concerned came to the conclusion that the certificates were issued in good faith and any abuse was committed by his patient. Case considered closed.

MC/D/279

A patient raised a complain regarding misconduct by a medical practitioner in relation to diagnosis.

The complainant died in due course of the investigations. However, his relatives were asked if they considered pursuing their complaint.

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They opted to stop all proceedings. Case was considered closed.

MC/34/2007

A medical practitioner raised a complaint alleging that his employer is intruding in the performance of his duties - issue of medical certificates to a particular employee.

From the evidence produced both from the doctor as well as from his employer it results that the case does not fall within the jurisdiction of the Medical Council. No further action was taken.

Case considered as closed.

MC/39/2007

Report received by Medical Council on a medical practitioner advertising her name as a new medical practitioner on a publication issued by a local council. Dr. Juanita Debattista in reply excused herself due to lack of knowledge of the law and assured the Medical Council that she will never indulge in any similar adverts for the future.

Case considered closed.

MC/26/2007

A complaint was raised by a foreigner who was taken ill and admitted to a private hospital instead of a state hospital. Complainant argued that in his opinion such a decision was 'only a matter to extract insurance money'.

Council asked complainant several times to give further details relating to alleged abuse by the doctor.

Complainant never replied. Case was considered as closed.

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MC/16a/2007

A complaint was brought forward to the Medical Council from a person disagreeing with a decision that a panel of medical practitioners (appointed by the Department of Social Security) regarding a claim for invalidity from work.

Council decided that this matter does not merit an investigation.

Case considered closed.

MC/D/278

A complaint submitted by an employee of a textile factory worker about a private company doctor.

From the records it transpired that this same complaint was investigated by the Police who took the matter to court. The Courts did not find the medical practitioner guilty due to the facts as reported, not being proved.

In view of this decision the Medical Council decided that there was no reason to investigate further.

MC/65/2007

A complaint was raised by an individual who alleged that a medical practitioner sexually harassed his wife. Medical Council asked complainant to give further details to start investigations.

Complainant did not give a reply. He was asked again to reply within 20 days No further information was forthcoming.

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Case closed.

MC/44/2007

A patient raised a complaint about a specialist doctor vis-à-vis an appointment to his clinic and a follow up of his diagnosis.

Medical practitioner was asked to submit his version regarding these allegations.

From preliminary investigation the Medical Council found substantial difference from the facts as produced by the two sides.

Medical Council decided that there was no need to go into further details on the merit of the case. Case was considered closed.

MC/61/2007 and MC/62.2007

The attention of the Medical Council was drawn to two adverts on a magazine issued with a Sunday newspaper, showing two dentists in a dental clinic.

On a request by the Medical Council to explain their position, the dentists submitted an explanation that they were unaware of any photo being used as an advert for the facilities offered by their employer before it was published. However, they undertook to instruct the publishers not to allow any of the sorts on the magazine. No further action was necessary.

MC/D/264

An employee reported to the Medical Council the case of a company doctor disagreeing with the diagnosis of his family doctor.

The Medical Council while noting the explanation by both sides came to the conclusion that the company doctor should communicate with the

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patient informing him that it is his right to ask his practitioner to be present during the examination.

The attention of the company doctor was drawn to the fact that he should scrupulously avoid interference with, or of any remarks upon the treatment or diagnosis that has been adopted by his colleague.

The Medical Council considered this warning was sufficient in the circumstances and that no further action was necessary.

MC/33/2007

The relatives of a patient brought to the attention of the Medical Council a complaint regarding the treatment of an 80 year old that was admitted to hospital and discharged, while in the opinion of his relatives, he was not in a condition to take him back home due to the deterioration of his health.

The Medical Council requested more information especially regarding the name of the doctor. It was understood that the Medical Superintendent was also in contact with the complainants and personally explained the state of affairs. A letter was later on received from the same relatives stating that they do not wish to continue to pursue their case further. Case closed.

MC/16/2007

A patient complained that on being given anesthesia no precautions were taken considering she had a cardiac history and (b) that after waiting in the corridor for two hours the biopsy that she required was not carried out. A departmental inquiry was also carried out about this case and it transpired that patient signed for the operation and also the histology report was in the respective file which confirms that a biopsy was taken when under anesthesia. From further medical reports received from the consultant, the Medical Council is satisfied that normal and adequate measures had been

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taken though complainant remains of a different opinion and cannot be persuaded. In these circumstances the Council decided that no further action should be taken.

MC/D/305/2007

Complaint by an Insurance Agency on a medical practitioner alleging that incorrect dates were inserted on a claim certificate of an insurers' son claim form with the aim of obtaining insurance money for his patient. Evidence put forward by the Insurance Company to the Medical Council were verified by Council After detailed examination of the case Council found no misconduct by the medical practitioner and the case was closed.

MC/64/06

A pharmacist raised a complaint on Dr. Carmelo Brincat MD who dispenses medicine to patients at a charge. Dr. Brincat was reminded that 'under no circumstances is a doctor justified selling the medicines to a patient even if this is done on a non-profit basis.' Medical Council considered that at this stage no further action should be taken.

(It is to be noted that this case prompted the Medical Council to submit its views regarding dispensing of medicines by medical practitioners)

MC/65/06

A pharmacist has drawn the attention of the Medical Council that Dr. Raymond Fenech MD who dispenses medicine from the boot of his car.

The doctor was reminded that 'under no circumstances is a doctor justified selling the medicines to a patient not even if this is done on a non-profit basis.'

Medical council considered that at this stage no further action should be taken.

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INQUIRIES DECIDED

MC/D/ 788

According to EU Directive and incorporated in the HCP Act., Member States are obliged to inform the Member state of origin of any serious matter which occurred outside their territory.

Dr. Christopher Vella Bonnici MD was found guilty of misconduct and his licence was suspended for one month by the General Medical Council (UK)

Since Dr. Christopher Vella Bonnici though registered on the medical council register is not resident in Malta, the report received was recorded in his personal file.

MC/D/309/07

A medical practitioner (whose name was withheld by court order) was found guilty of sexual harassment on a patient while under his care in a government clinic. He was sentenced by the criminal court to eighteen months suspended sentence for 4 years and suspension of licence for 10 years. On appeal to the court of Criminal Appeal the sentence was confirmed. The case was referred to Medical Council according to Art.32 of the HCP Act.

The Medical Council was of the opinion that from the records of the case as amply described by the Court hence there was no need for further investigation. Consequently the medical practitioner's name was erased

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from the Register according to Art 32 (1) (c) (i) of the HCP Act., for the period of time as stipulated by Court's decision.

MC/D/258

A scheduled inquiry regarding a psychiatrist was closed since complainant withdrew his charges stating that when he reported his case he was in a state of mental instability. Case considered to be closed.

MC/D/255

President informed members that a long standing (16.11.2005) payment of a fine of Lm 500 (Five Hundred Maltese Lira) by Dr Francis Farrugia MD, was paid on 24.06.2007.

PENDING INQUIRIES

MC/D/268

The preliminary queries have been concluded. Complainant could not be contacted and inquiry had to be postponed several times. The last time we received from the complainant was from an address from abroad. Case is still pending.

MC/D/262

A complaint was raised by a medical practitioner querying breach of code of Ethics by another medical practitioner. Case is pending for a final decision.

MC/D/272

The Education Division raised a complaint on a Medical Practitioner claiming that he issued sickness certificates to an employee with the same

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date and consecutive numbers. The Medical Council started an inquiry and the case is still pending for a final decision.

MC/D/285

A dental surgeon was found guilty by a Criminal Court of obtaining money from patients to speed up the process for new dentures.

Case was referred to Medical Council by Director General – Health in accordance with Art 32 of the HCP Act. Inquiry by Medical Council appointed.

MC/D/ 290 (a)

The Medical Council is still investigating a medical practitioner who has obtained a post-graduate diploma by untruthful and deceptive declarations.

MC/D/290 (b)

The Medical Council is still investigating a professor of medicine having supported a post-graduate qualification by untruthful and deceptive testimonial.

MC/D/ 293

Dr. Franco Mercieca. B.Ch.D...Dental surgeon was fined Lm1000 for adding false qualifications to his original degree. Fine still not paid.

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MC/D/295

The Medical Council is holding an inquiry on a medical practitioner who claimed to be a specialist without holding the specialization certificate. The case is still pending for further hearings.

MC/D/307

The Medical Council is holding an inquiry on a medical practitioner showing himself on a bill board which is in breach to the Code of Ethics.

MC/42/2007

The name of a dental surgeon was produced on an advertisement in a local band club publication. Since the same dental surgeon was found guilty of misconduct in a similar publication, the Medical Council decided to hold an inquiry. Inquiry is still pending.

MC/43/2007

An advocate from a legal firm reported a case to the Medical Council wherein two house physicians (with temporary licence) were involved in a quarrel between them. This case was also reported to the police who took the matter to court. Medical council informed the police to keep it posted of any decisions by the law courts.

MC/44/2007

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A complaint was made by a parent concerning the behaviour of a Medical Practitioner regarding fixing an appointment. The council decided that there was no case to investigate.

MC/49/2007

Dr. Peter Fenech MD was found guilty by the Criminal Court of false sick leave certificates. The court's decision has been referred to Medical Council in accordance with the provisions of Art. 32 of the HCP Act. The Medical Council held an inquiry and the case is pending for the final decision.

MC/D/310/2007

A Medical Practitioner was found guilty of drug abuse by the Criminal Court. Case was referred to Medical Council in accordance with the provisions of Art. 32 of the HCP Act. The Medical Council started an inquiry and will be delivering the sentence shortly.

MC/76/2007

A complaint was brought to the attention of the Medical Council on a medical practitioner by a person on behalf of a relative. The Medical Council has decided to start an inquiry.

MC/66a/2006

A complaint was brought to the attention of the Medical Council alleging improper behaviour by a member of a Medical Board. The Council decided that there was no case for further investigations.

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MC/77/2007

A complaint was brought to the attention of the Medical Council by a patient on a medical practitioner. The Council started its investigation. Case still considered to be pending.

MC/78/2007

A complaint was sent to the Medical Council by a person complaining about the treatment that was given to his late wife from a Medical Practitioner. The Medical Council started its investigation. Case pending

MC/79/2007

A complaint was raised to the Medical Council by a patient on a dental surgeon. The Medical Council started and inquiry. Case is still pending for further hearing.

MC/80/2007

A complaint was raised by a patient on a dental practitioner. The Medical Council started and inquiry. Case is still pending for decision.

MC/89/2007

A court case on a medical practitioner was brought to the attention of the Medical Council. Council is waiting for further information from the courts on the case

The Medical Council is setting up a strategy for next year to enhance its performance in reducing the volume of pending complaints and inquiries. The council is working hard to put in place its plan so as to meet its goals and objectives and continue to see that this target is achieved.

Mary Scicluna. Dip.Pub.Adm
Registrar
Medical Council - Malta