

香港醫務委員會
The Medical Council of Hong Kong

DISCIPLINARY INQUIRY
MEDICAL REGISTRATION ORDINANCE, CAP. 161

Date of hearing: 28 October 2010
Defendant: Dr HUEN Lok Lam (禰樂琳醫生)

1. The charge alleged against the Defendant, Dr HUEN Lok Lam, is that:

“On or about 26 August 2008 she, being a registered medical practitioner, had disregarded her professional responsibility to her patient Madam [REDACTED] (“the Patient”) in that she prescribed Fleming Tab 375mg to the Patient which contained amoxicillin and clavulanate potassium when she knew or should have known that the Patient was allergic to amoxicillin.

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

Facts of the case

2. In 2003, the Patient suffered drug allergy and the hospital issued an Allergy Reaction Record Card (“allergy card”) to her. The allergy card stated that she was allergic to amoxicillin and clavulanic potassium. The allergic reactions gave her a deep impression. From then on, she carried the allergy card in her wallet and would show it to a doctor whenever she consulted that doctor for the first time. She would also remind the doctor that she had drug allergy whenever the doctor prescribed medicine to her. However, prior to 29 August 2008 she did not know the names of the drugs to which she was allergic.
3. On 22 February 2008, the Patient consulted the Defendant at her clinic for the first time. She showed the allergy card to the clinic assistant upon registration. She also showed the allergy card to the Defendant before the Defendant prescribed medicine to her.

4. On 26 August 2008, the Patient consulted the Defendant again. Before the Defendant prescribed medicine, the Patient again told her that she had drug allergy. The Defendant replied that there was already record of the allergy in the clinic's computer record. The Defendant then prescribed to the Patient Fleming Tab 375mg. Fleming contains amoxicillin and clavulanate acid.
5. After taking the Fleming tablets, the Patient developed rashes, swelling and pain in her legs on 27 August 2008. As these reactions were the same reactions she had in 2003, she suspected that she was having drug allergy. She told the Defendant the situation over the telephone, and the Defendant advised her to stop taking the medication prescribed and to return immediately to the clinic.
6. In the morning on 28 August 2008, the Patient returned to see the Defendant. The Defendant treated her for the allergic reaction and replaced the Fleming tablets with Zinnat (cefuroxime).
7. On 29 August 2008 at about 4 am, the Patient had breathing difficulty and rashes on her body and hands. She was admitted to hospital for treatment until about 3 pm when the breathing difficulty subsided.
8. The Defendant does not dispute the above facts.

Council's findings

9. Although the facts are admitted, it is the responsibility of this Council to decide whether the Defendant's conduct constitutes professional misconduct.
10. Amoxicillin is a derivative of ampicillin and is a broad-spectrum penicillin. The most important side-effect of penicillin is hypersensitivity which causes rashes and anaphylaxis. Such hypersensitivity can be fatal.
11. In prescribing medicines to a patient with a known history of drug allergy, a doctor must exercise particular care to avoid triggering the allergy. A medicine to which the patient is allergic should not be prescribed unless there is no alternative and the medicine is absolutely necessary. If a patient has a known history of drug allergy but it is not known which drug the patient is allergic to, careful enquiry must be made before prescribing medicines.

12. The Patient has shown to the Defendant the allergy card on which the allergic drugs were stated. There was no reason for the Defendant to prescribe a drug which the Patient was known to be allergic to, particularly where the allergy can have fatal side-effects. This is conduct clearly below the standard expected amongst registered medical practitioners. We are satisfied that this constitutes professional misconduct. We find the Defendant guilty as charged.

Sentencing

13. The Defendant has a clear record.
14. In accordance with our published policy, we give her credit for admission of the charge in the inquiry. This shows her insight and remorse, which in turn has a significant bearing on the likelihood of recurrence of the misconduct.
15. Such mistakes can be easily prevented by exercising due care. In many cases, administrative measures in the clinic can prevent such mistakes from arising.
16. Drug allergies can have serious and sometimes fatal consequences. Patients' safety is entirely in the hands of the doctor. It is a matter which must be handled with particular caution by all doctors.
17. The Defendant has taken prompt remedial measures to deal with the Patient's allergic reaction. We are informed that she has also implemented measures in her clinic to ensure that drug allergies of patients are properly recorded and brought to her attention before prescribing and dispensing medicines.
18. Having regard to the gravity of the case and the mitigating factors, we order that the defendant's name be removed from the General Register for a period of 1 month. We further order that the removal order be suspended for a period of 1 year, subject to the condition that she does not commit further disciplinary offence within the suspension period.

Prof. Felice Lieh-Mak, CBE, JP
Chairman, Medical Council