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Be updated on recent developments and pressing Medico-Legal issues faced by medical practitioners and healthcare providers

# MEDICO-LEGAL

16-17 June 2009 • Prince Hotel, Kuala Lumpur, Malaysia

**"It is my aspiration that health will finally be seen not as a blessing to be wished for; but as a human right to be fought for."**

-Former United Nations Secretary General, Kofi Annan-

## PANEL OF DISTINGUISHED SPEAKERS:

Datuk Kuthubul Zaman Bukhari, *Chairman, BAR COUNCIL - MALAYSIAN MEDIATION CENTRE*

Datuk Dr. Megat Burhainuddin Megat Abdul Rahman, *Elected Council Member MALAYSIA MEDICAL COUNCIL and Vice-Chancellor, MAHSA UNIVERSITY COLLEGE*

Dato Dr. Ravindran Jegasothy, *Senior Consultant & Head, Dept of Obstetrics and Gynaecology HOSPITAL KUALA LUMPUR*

Prof Dato' Dr. Syed Mohamed Aljunid, *President PUBLIC HEALTH MEDICINE SPECIALIST ASSOCIATION OF MALAYSIA and Senior Research Fellow UNITED NATIONS UNIVERSITY-INTERNATIONAL INSTITUTE FOR GLOBAL HEALTH*

Datuk Dr. Teoh Siang Chin, *Public Health Specialist, Health Service Manager and Head of Research Management, CLINICAL RESEARCH CENTRE*

Anit Kaur Randhawa, *Partner, ASBIR, HIRA SINGH & CO*

Benjamin Gaw, *Senior Associate, DREW & NAPIER LLC, SINGAPORE*

Damian Lim, *Director - Legal Affairs, SUNWAY MEDICAL CENTRE*

Daniel Koh, *Partner, RAJAH & TANN LLP, SINGAPORE*

Harry Jaila, *Senior Legal Advisor - Legal Affairs, GLENEAGLES INTAN MEDICAL CENTRE*

Dr. H Krishna Kumar, *Senior Consultant - Obstetrics & Gynaecology Department HOSPITAL TUANKU JA'AFAR, SEREMBAN*

Dr. Milton Lum, *Consultant Obstetrician & Gynaecologist, ASSUNTA HOSPITAL, PETALING JAYA and Chairperson, COMMONWEALTH MEDICAL TRUST*

Dr. Mohamad Farouk Abdullah, *Head, Senior Consultant and Reproductive Medicine Specialist, Department of Obstetrics and Gynaecology, HOSPITAL TENKU AMPUAN RAHIMAH, KLANG*

Dr. Molly Cheah, *President, PRIMARY CARE DOCTORS ORGANISATION MALAYSIA (PCDOM)*

Dr. Murali Ganesalingam, *Senior Consultant and Head of Department, Department of Obstetrics and Gynaecology, HOSPITAL AMPANG*

Raja Eileen Soraya, *Partner, RAJA, DARRYL & LOH*

Dr. Sarjeet Singh Sidhu, *Obstetrician & Gynaecologist, VISITING CONSULTANT IPOH SPECIALIST HOSPITAL and Hon. Deputy Secretary, MALAYSIAN MEDICAL ASSOCIATION*

Mr. Wan Adnan Wan Hussein, *Consultant Surgeon & Medical Superintendent, HOSPITAL PENAWAR and Chairman, MALAYSIA MEDICAL ASSOCIATION (JOHOR BRANCH)*

## CONFERENCE HIGHLIGHTS:

- ➔ Recent Medico-Legal Developments
- ➔ Medico-Legal inquiries: the ministry of health experience
- ➔ Guidelines on using mediation in clinical negligence cases
- ➔ Proactive strategies and preventive measures to reduce legal risks and costs
- ➔ Steps in preparing and documenting medical findings and medical opinions
- ➔ Legal risk and why of a "Good Samaritan": When you are off duty
- ➔ What are the trends in health care cost and spending?
- ➔ GPs: Who cares? Indemnity arrangements, 'patient safety and risk management'
- ➔ Legal considerations where placebos or active ingredients are administered into patients
- ➔ Key considerations when there is written evidence that the terminally ill patient does not wish to be resuscitated
- ➔ When can restraint be applied which is legally and ethically acceptable?
- ➔ Steps to take if a request is made for access to confidential charts/reports/progress notes



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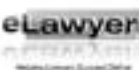
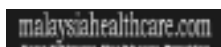


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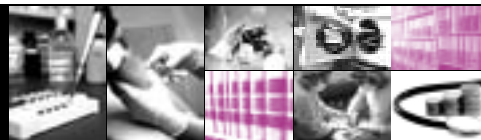
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**"Conscience is the guardian in the individual of the rules which the community has evolved for its own preservation."**

~ William Somerset Maugham ~



Datuk Dr. Megat Burhainuddin Megat Abdul Rahman



Prof Dato' Dr. Syed Mohamed Aljunid



Dato Dr. Ravindran Jegasothy



Daniel Koh



Harry Jaila



Dr. H Krishna Kumar



Benjamin Gaw



Dr. Milton Lum

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8.00	REGISTRATION AND MORNING COFFEE	
9.00	<b>CHAIRPERSON'S OPENING REMARKS</b> Datuk Dr. Megat Burhainuddin Megat Abdul Rahman <i>Elected Council Member</i> Malaysia Medical Council & Vice-Chancellor, MAHSA University College	<ul style="list-style-type: none"> <li>■ The Bolam test: Its application in practice</li> <li>■ Professional indemnity</li> </ul> <p>Daniel Koh <i>Partner</i> Rajah &amp; Tann LLP, Singapore</p>
9.10	<b>MEDICO-LEGAL ISSUES AND HEALTH CARE COST</b> <ul style="list-style-type: none"> <li>■ What are current trends in medical litigations globally?</li> <li>■ What are the trends in health care cost and spending?</li> <li>■ What are the factors contributing to medical litigations?</li> <li>■ What are response by stakeholders on growing medico-legal cases?</li> <li>■ What is the direct and indirect impact of medico-legal issues on health care cost?</li> <li>■ What are the future challenges face by health policy makers in managing health care system taking into account the current scenario on medico-legal issues?</li> </ul> <p>Prof Dato' Dr. Syed Mohamed Aljunid <i>President, Public Health Medicine Specialist Association of Malaysia</i> and <i>Senior Research Fellow</i> United Nations University-International Institute for Global Health</p>	12.25 LUNCH
9.55	MORNING REFRESHMENT	1.30 <b>CHAIRPERSON'S OPENING REMARKS</b> Harry Jaila <i>Senior Legal Advisor - Legal Affairs</i> Gleneagles Intan Medical Centre
10.10	<b>IMPLEMENTING WINNING STRATEGIES TO ENHANCE COMMUNICATION BETWEEN DOCTORS AND PATIENTS</b> <ul style="list-style-type: none"> <li>■ Handling patients' complaints effectively through recording and investigating the complaints</li> <li>■ Raising awareness of benchmarking by sharing best practice of quality care</li> <li>■ Minimising medico-legal issues by enhancing staff-patient, doctor-patient and staff-doctor relationships</li> <li>■ Identifying role models and implementing exemplary practices</li> </ul> <p>Datuk Dr. Teoh Siang Chin <i>Head of Research Management</i> Clinical Research Centre and <i>Public Health Specialist,</i> <i>Health Service Manager</i></p>	1.40 <b>THE EXPERT WITNESS AND PRESENTING THE EVIDENCE</b> <ul style="list-style-type: none"> <li>■ Protecting communications and legal advice with in house counsel of hospitals</li> <li>■ Steps to take when a claim or complaint is filed</li> <li>■ Selecting the expert witness</li> <li>■ Duty of the expert witness</li> <li>■ Presentation of the reports and evidence</li> </ul> <p>Daniel Koh <i>Partner</i> Rajah &amp; Tann LLP, Singapore</p>
10.55	<b>DETECTING MEDICAL ERRORS AND MINIMISING ADVERSE EVENTS THROUGH EFFECTIVE RISK MANAGEMENT</b> <ul style="list-style-type: none"> <li>■ Investigating the cause of adverse event</li> <li>■ Identifying the risk and potential problems</li> <li>■ Analysing the systems which negligence occurred and changing these systems to reduce probability of malpractice</li> <li>■ Proactive strategies and preventive measures to reduce legal risks and costs</li> <li>■ Case study</li> </ul> <p>Dato Dr. Ravindran Jegasothy <i>Senior Consultant &amp; Head,</i> <i>Dept of Obstetrics and Gynaecology</i> Hospital Kuala Lumpur</p>	2.30 <b>MAINTAINING ACCURATE, CONTEMPORANEOUS RECORDS &amp; APPROPRIATE SHARING OF INFORMATION</b> <ul style="list-style-type: none"> <li>■ Explore how confidentiality can be eroded</li> <li>■ When medical records can be destroyed or deleted</li> <li>■ Steps to take if a request is made for access to confidential charts/reports/progress notes</li> <li>■ Who can seek access to health information?</li> <li>■ Responding to a request for access to health information</li> <li>■ Refusing access to personal health information</li> <li>■ Third party requests for assessments or reports for courts or tribunals</li> </ul> <p>Dr. H Krishna Kumar <i>Senior Consultant - Obstetrics &amp; Gynaecology Department</i> Hospital Tuanku Ja'afar, Seremban</p>
11.40	<b>THE LAW OF PROFESSIONAL NEGLIGENCE</b> <ul style="list-style-type: none"> <li>■ The tort of negligence</li> <li>■ The duty of care</li> <li>■ Determining the breach of duty</li> <li>■ Establishing causation</li> </ul>	3.15 AFTERNOON REFRESHMENT
		3.30 <b>LEGAL AND ETHICAL CONSIDERATIONS IN CLINICAL TRIALS</b> <ul style="list-style-type: none"> <li>■ Ethical considerations in clinical trials a – From Nuremburg to Helsinki</li> <li>■ Regulatory issues – What's so good about good clinical practices?</li> <li>■ Clinical trial agreements – What you need to know</li> </ul> <p>Benjamin Gaw <i>Senior Associate</i> Drew &amp; Napier LLC, Singapore</p>
		4.15 <b>OPEN DISCLOSURE</b> <ul style="list-style-type: none"> <li>■ Elements of open disclosure</li> <li>■ What, when, how</li> <li>■ Barriers to open disclosure</li> <li>■ Advantages of open disclosure</li> <li>■ Effectiveness of open disclosure</li> </ul> <p>Dr. Milton Lum <i>Consultant Obstetrician &amp; Gynaecologist</i> Assunta Hospital, Petaling Jaya and <i>Chairperson</i> Commonwealth Medical Trust</p>
		5.00 <b>END OF DAY ONE</b>



**"It may seem a strange principle to enunciate as the very first requirement in a hospital - that it should do the sick no harm"**

~ Florence Nightingale:  
Notes on Hospitals, 1859 ~



Damian Lim



Datuk Kuthubul Zaman Bukhari



Dr. Mohamad Farouk Abdullah



Dr. Sarjeet Singh Sidhu



Dr. Molly Cheah



Dr. Murali Ganesalingam



Mr. Wan Adnan Wan Hussein



Anit Kaur Randhawa

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8.30 MORNING COFFEE

9.00 **CHAIRPERSON'S OPENING REMARKS**

Damian Lim  
Director - Legal Affairs  
Sunway Medical Centre

9.10 **RECENT MEDICO-LEGAL DEVELOPMENTS**

- Contemporary medico-legal issues
- Challenges affecting the healthcare industry
- Looking ahead

Raja Eileen Soraya  
Partner  
Raja, Darryl & Loh

9.55 MORNING REFRESHMENT

10.10 **MEDIATION AS AN ALTERNATIVE DISPUTE RESOLUTION IN CLINICAL NEGLIGENCE**

- Guidelines on using mediation in clinical negligence cases
- Confidentiality and the negotiation process
- Role of lawyers or medical legal advisors and the parties in the mediation process

Datuk Kuthubul Zaman Bukhari  
Chairman

Bar Council - Malaysian Mediation Centre

10.55 **MEDICO-LEGAL INQUIRIES: THE MINISTRY OF HEALTH EXPERIENCE**

Dr. Mohamad Farouk Abdullah  
Head, Senior Consultant and  
Reproductive Medicine Specialist,  
Department of Obstetrics and Gynaecology  
Hospital Tengku Ampuan Rahimah, Klang

11.40 **LAWFUL CONSENT TO TREATMENT: HOW MUCH INFORMATION IS ENOUGH?**

From the point of view of Malaysian doctors the key consideration to obtaining consent is deciding how much information and advice is sufficient to meet legal requirements. That is what concerns them most. The topic will include other issues such as the direction that the courts appear to be taking. The substance will generally be based on English Law, with Malaysian Cases cited where possible.

- Basis for obtaining consent
- True consent and Informed consent
- Development of consent requirements via case law
- Speculating on the probable direction that will be taken by the courts

Dr. Sarjeet Singh Sidhu  
Obstetrician & Gynaecologist  
Visiting Consultant Ipoh Specialist Hospital  
and Hon. Deputy Secretary  
Malaysian Medical Association

12.25 LUNCH

1.40 **MEDICO-LEGAL ISSUES ARISING FROM GENERAL PRACTICE**

- Current medical practice environment (or constraints) - legal rights and obligations

- GP indemnity arrangements - impact on patient safety and risk management
- Balancing healthcare financing regulation with duty to patient and standards of care
- Dealing with patients' decision making capacity, confidentiality of medical information and malpractice liability

Dr. Molly Cheah  
President  
Primary Care Doctors Organisation  
Malaysia (PCDOM)

2.30 **PROVIDING LEGAL PROTECTION FOR DOCTORS AND HEALTHCARE PROFESSIONALS**

- What constitutes medical negligence or malpractice?
- How does a court decide whether a doctor or hospital employee has been negligent?
- What to do when a lawsuit is filed due to negligence?
- Protection against frivolous and malicious complaints
- Case studies and examples

Dr. Murali Ganesalingam  
Senior Consultant and Head of Department  
Department of Obstetrics and Gynaecology  
Hospital Ampang

3.15 AFTERNOON REFRESHMENT

3.30 **END OF LIFE DECISION MAKING**

- Resuscitation versus natural death
- Difference between active and passive euthanasia
- Key considerations when there is written evidence that the terminally ill patient does not wish to be resuscitated
- Can a valid document be overridden and under what circumstances
- Case studies and examples

Mr. Wan Adnan Wan Hussein  
Consultant Surgeon & Medical Superintendent  
Hospital Penawar  
and Chairman  
Malaysia Medical Association (Johor Branch)

4.15 **MEDICO-LEGAL CASE STUDIES**

- Challenges and issues faced
- Lessons learnt

Anit Kaur Randhawa  
Partner

Asbir, Hira Singh & Co

5.00 **END OF CONFERENCE**

## UPCOMING EVENTS

Apr	14-15	Advanced Balanced Scorecard
Apr	22-23	Corporate Tax Planning
May	5-6	Credit & Operational Risk Management
May	12-13	Talent Management & Leadership Success
May	26-27	Financial Crime & Fraud
June	10-11	Waste Management
June	23-24	Financial Controller

# Profiles:

**DATUK KUTHUBUL ZAMAN BUKHARI** has held various positions in the Malaysian Bar and the Bar Council. He was the Secretary from 2000 to 2002, the Vice President from 2002 to 2003, and the President of the Malaysian Bar and Chairman of the Bar Council from 2003 to 2005. He is also currently the Chairman of the Malaysian Mediation Centre which was set up by the Bar Council in 1999. He was appointed to sit on the Royal Commission to Enhance the Operation and Management of the Royal Malaysian Police on 4.2.2004 and was also appointed to sit on the Royal Commission To Enquire Into The Standard Operating Procedure, Rules And Regulations In Relation To The Conduct Of Body Search In Respect Of An Arrest And Detention By The Police on 1<sup>st</sup> December 2005.

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**DATUK DR. MEGAT BURHAINUDDIN MEGAT ABDUL RAHMAN** graduated in Medicine with M.B.B.S from University Malaya, underwent specialty training in Public Health Medicine and served in the Malaysian Government for 30 years as Public Health Medicine Specialist with special interest in Health Services Management, Health Planning and Health Manpower Planning. Appointments held in the Ministry of Health in the area of training include Director, Public Health Institute and Director, Training and Manpower Planning Division. He had experience in Health Services Management when he was Director of Kuala Lumpur Hospital. The last appointment held in the Ministry of Health Malaysia was Deputy Director General of Health Malaysia. After retirement from Public Services, he became Principal and Chief Executive Officer of Melaka-Manipal Medical College. Currently he is Vice-Chancellor in MAHSA University College, Kuala Lumpur, an Elected Member of the Malaysian Medical Council and Chairman of the Preliminary Investigation Committee of the Council.

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**DATO' DR. RAVINDRAN JEGASOTHY**, a Senior Consultant in Obstetrics & Gynaecology who is presently the Head of the Department of Obstetrics & Gynaecology at Hospital Kuala Lumpur, the premier public hospital in Malaysia. He is a Fellow of the Royal College of Obstetricians and Gynaecologists, London and having the Masters in Medicine (O&G) from National University of Singapore. He has the Fellowship from the Academy of Medicine of Malaysia and the Indian Academy of Medical Sciences. He has been honoured by many states in Malaysia and most significantly was awarded the Distinguished Community Services Award for Safe Motherhood activities by the International Federation of O&G (FIGO) in 2003. He serves as a Board Member of the Malaysian Society for Quality in Health, member of the Malaysian Council on Healthcare Standards, currently secretary of the Asian Society for Quality in Healthcare, member of the Patient Safety Council of Malaysia and currently serving on the Malaysian Transplantation Council.

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**PROF DATO' DR. SYED MOHAMED ALJUNID** obtained his MD from UKM in 1985, Master of Science in Public Health from National University of Singapore in 1989 and PhD in Health Economics and Financing Programme, London School of Hygiene and Tropical Medicine in 1995. He is a Fellow of Academy of Medicine Malaysia since 2000. Currently, he is the Consultant and Advisor to Ministry of Health Indonesia on the implementation of Case-mix System for Health Financing Programme and served as consultant and adviser to World Health Organisations, UN-AIDS, UNDP, UNICEF, GAVI and the World Bank. He is currently the President of Public Health Medicine Specialist Association of Malaysia, Pro-tem President of Asia Pacific International Society of Pharmacoeconomics and Outcome Research (Malaysia Chapter), Executive Board Member of Malaysian Council for Tobacco Control, & Executive Board Member and Member of Health Technology Council of ISPOR (Asia Pacific).

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**ANIT KAUR RANDHAWA** commenced legal practice in 1999 and was made a Partner in 2003 at Asbi, Hira Singh & Co. Her portfolio comprises Medical Negligence, Corporate Receivership, Banking, Commercial Law and Tortious Actions. She regularly advises on issues relating to potential medico legal claims and defenses and also handles trouble shooting to avoid claims being filed. She deals with complex Corporate Receivership and Insolvency matters and has

worked with some prominent accounting firms advising them on the management of the projects in receivership and handle the affairs of corporate recovery. In addition to her litigation portfolio, Anit also deals with Conveyancing matters. Anit holds a Bachelor of Laws (Honours) from the University of Bristol, United Kingdom. She was called to the English Bar (Lincolns Inn) in October 1999 and was admitted as a Advocate and Solicitor of the High Court of Malaya in 6.10.1999.

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**BENJAMIN GAW** is currently a Senior Associate with Drew & Napier LLC. He is a member of the Corporate & Finance Department as well as the Biomedical Sciences Practice Group. Benjamin's areas of practice range from corporate and finance to insolvency and restructuring work. He has also regularly advised numerous biotechnology, health and pharmaceutical companies on regulatory and contractual issues in Singapore, including advising on clinical trial agreements, research and development agreements, manufacturing and supply agreements and distribution agreements. Benjamin is the author of an article in the Singapore Law Review titled "Legislating the Fruits of Biotechnology: Suggestions for Regulating Bio-engineered Food". See (2001 - 2) 22 Sing LR. He is also a co-contributor to the Atkin's Court Forms - Singapore, Insolvency (Chapter XLV), Lexis Nexis, 2007 Ed, and to an article in the Singapore Biotech Guide 2007/2008 titled "Employment Contracts - Safeguard Your Intellectual Property Rights."

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**DAMIAN LIM** is a thoroughbred La Sallian from P.J. He graduated from the University of London in 1992 and completed the Certificate in Legal Practice in 1993. He underwent chambership under senior criminal lawyer Puan Sri Saraswathy Devi and was called to the Bar in December 1994. During his first 6 years of practice as a civil litigator Damian handled negligence, defamation, trespass, estate and family matters in the High Court and Appeals Courts. In 2001 he joined the Sunway Group as the Legal Advisor to their Medical Centre, primarily managing their medico-legal portfolio as in-house counsel. In 2006 Damian was appointed Director of Legal Affairs and today he heads the hospital's Risk Management Department. Damian has on many occasions given talks for the Association of Private Hospitals (APHM), Lexis Nexis and the International Medical University (IMU).

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**DANIEL KOH** is a partner in the firm of Rajah & Tann LLP. He was called to the Singapore Bar in 1994 after graduating from the Law Faculty of the National University of Singapore. He also graduated from Columbia University with a Master of Laws degree in 1997 as a Harlan Fiske Stone scholar for superior academic performance. Daniel teaches in the arbitration programme and the civil procedure programme at the Practice Law Course conducted by the Board of Legal Education. Daniel is currently the Vice-president of the Law Society Continuing Practice Development Committee. He is currently also the President of the Licensing Executives Society (Singapore). Daniel is the editor of The Law and Practice of Injunctions in Singapore, published by Sweet & Maxwell Asia in 2005. Daniel undertakes a broad range of work including professional negligence claims and dispute resolution. He has been lead counsel in several cases in the Supreme Court and Court of Appeal in Singapore as well as in arbitrations administered by the ICC and SIAC. He is also recommended in AsiaLaw Profiles.

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**HARMINDER JAILA or HARRY**, as he is commonly known, obtained his honours degree in law from the United Kingdom and graduated as a Barrister at law of Lincoln's Inn, London in 1988. He also graduated with a Masters in Business Administration degree in general management in 2001. He has practiced as an Advocate & Solicitor of the High Court of Malaya from 1989 to 2000 and was an in-house legal Manager to DiGi Telecommunications Sdn Bhd prior to joining GMC in year 2002. He is presently the Senior Legal Advisor to Gleneagles Intan Medical Centre, Kuala Lumpur.

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**DR. KRISHNA KUMAR S/O HARI KRISHNAN** M.B.B.S. (MALAYA), M.R.C.O.G. (LONDON), Full G.M.C. and M.M.C. registration. AWARDS: Ahli Setia Negeri Sembilan (2004), Noted in People at the Peak-The Who's Who of Malaysia. Pg 435. (2005). Nominated twice for the award Glory of India, India. (2002,2006). Currently working as Senior Consultant, Obstetrics & Gynaecology Department, Hospital Tuanku Jaafar Seremban. Has worked in various grades including as a consultant both in Malaysia and England. Also held positions in Malaysian Medical Association as National Hon. Deputy General Secretary (2003-04), SCHOMOS National Chairman (2001-2003), SCHOMOS National Secretary-General (2000-2001), SCHOMOS National Deputy Secretary-General (1999-2000), National Council Member (6 terms), National EXCO Member (2001-2004), Editorial Board member of the Malaysian Medical Journal (2003 & 2007-2009), Negeri Sembilan State Chairman (1997-1998, 2001-2003 & 2007-2009). Also served in committees of 'Majlis Bersama Kerajaan' (Professional and Management division), Malaysian Society in Quality in Health, Obstetrics & Gynaecology Society of Malaysia as well as RCOG Malaysian Representative Committee Member.

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**DR. MILTON LUM** is currently a Consultant Obstetrician & Gynaecologist, Elected Member of Malaysian Medical Council (1995-2010), Chairperson of Commonwealth Medical Trust (2005 to date), Member of the Boards of the Social Security Organisation (2001-2009), National Heart Institute Holdings Private Limited (2006-2010), Tung Shin Hospital (2008 to date), Medical Defence Malaysia (2004 to date) and Nanyang Press Foundation (2006 to date), Member of the Midwives Board (2007-2010), Council of University Tunku Abdul Rahman (2002- 2011), National Patient Safety Council (2003 to date), Malaysian Council of Healthcare Standards (2001 to date) and the Executive Committee of the Malaysian Mental Literacy Movement (2006 to date) and Columnist, The Star newspaper (2002 to date). He was previously President of Malaysian Medical Association (1997-1998) President of Obstetrical and Gynaecological Society of Malaysia (1994-1995), President of Federation of Private Medical Practitioners Associations of Malaysia (1991-1995), Chairman of the Malaysia Representative Committee of the Royal College of Obstetricians and Gynaecologists (2000-2005) and Executive Board Member of the International Federation of Gynaecology & Obstetrics (1994-2003).

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**DR. MOHAMAD FAROUK ABDULLAH** is currently, the Head and Senior Consultant at the Department of Obstetrics and Gynaecology, Hospital Tengku Ampuan Rahimah, Klang. A medical graduate of University Malaya, he obtained his postgraduate qualifications in Obstetrics and Gynaecology (MRCOG) in 1993. He received his subspecialty training in Reproductive Medicine in London 1997 and was gazetted as a Reproductive Medicine Sub specialist (Malaysia) in 2003. In 2007, he was made a Fellow of the Royal College of Obstetricians and Gynaecologists, London, United Kingdom. He is actively involved in many training and planning committees at department, hospital and Ministry of Health level. He acts as a resource person to the Ministry of Health in matters related to Reproductive Medicine and Women's Health. His main interests are in the field of Fertility, Reproductive Endocrinology, Menopause, Family Planning, Reproductive Rights, Human Sexuality and Clinical Governance. He is regularly invited to speak on these issues.

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**DR. MOLLY CHEAH**, a medical practitioner with extensive experience in public health management and family practice in Malaysia since 1983. Apart from being a leading advocate for moving Free and Open Source Software (FOSS) into the mainstream of Information Communication Technology (ICT) in health care, she has led projects that focused on the development of the Electronic Medical Record (EMR) and clinic management systems. She had been the President of the Primary Care Doctors' Organisation Malaysia (PCDOM) for the past ten years and President of the Open Source Health Care Alliance (OSHCA) since its registration. Also active at advocating for tobacco control and community related issues, she has participated in several research projects focused on e-Health, evidence-based policy decision making and

human resource development and practice. She lectures part time and has served on various committees that deals with health financing and health accounts. She has presented papers particularly related to primary care and FOSS at conferences, seminars and workshops locally and internationally and co-authored publications in peer-reviewed journals and other health publications.

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**DR. MURALI GANESALINGAM** obtained his basic degree from Stanley Medical College at University of Madras in 1988 and subsequently posted as House Officer in Hospital Tengku Ampuan Rahimah, Klang. He worked in numerous hospitals in Malaysia including Hospital Sultanah Aminah, Johor Bahru, Hospital Queen Elizabeth at Kota Kinabalu and Hospital Kuala Lumpur and is currently a Senior Consultant and Head of the Department of Obstetrics and Gynaecology. He obtained his post graduate degree from the Royal College of Obstetricians and Gynaecologist, London and subsequently completed his fellowship in Advanced Obstetrics and Gynaecology with the Ministry of Health. He also has a post graduate diploma in Medical Law from the University of Northumbria, UK. He has organised the first National Seminar on Risk Management in Obstetrics and Gynaecology for the Ministry Of Health, ran a course in reducing risk in Obstetrics and Gynaecology and is an assessor with the Malaysian Society for Quality in Health (MSQH).

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**RAJA EILEEN SORAYA BTE RAJA AMAN** graduated from the London School of Economics & Political Science, London, with a Bachelor of Laws degree with Honours in 1993 and was called to the English Bar. A member of the Honourable Society of the Inner Temple, London, Raja Eileen spent a year reading in the Chambers of Farrars Building, Temple in London and later returned to Malaysia where she read in chambers with another legal firm in Kuala Lumpur. She was called to the Peninsular Malaysian Bar in January 1997, after which she practised with the same firm until mid-1998 when she left to join our Dispute Resolution Department as an associate to Darryl Goon. Raja Eileen Soraya was admitted into partnership on July 1, 2001. She currently handles a litigation portfolio of civil and commercial matters, specialising in media law and clinical malpractice work. She is a regular contributor to Medical Tribune and has been an invited speaker at various medico-legal conferences.

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**DR. SARJEET SINGH SIDHU**, FRCOG, is an Obstetrician & Gynaecologist in Private Practice in Ipoh. He is currently the Hon. Deputy Secretary of the Malaysian Medical Association (MMA) and serves on several MMA Committees, including the Ethics Committee. He has an abiding interest in Law and holds an LLB (Hons.) degree from the University of London. He recently had an article Bolam, Foo Fio Na and Doctors published in the MLJ of Nov-Dec 2008. Besides Medicine and Law, Dr Sidhu also has a keen interest in the study of religion, is on the Editorial Board of two leading Sikh religious Journals and has several articles on Sikhism published in various Journals.

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**MR. WAN ADNAN BIN WAN HUSSEIN** is a Consultant Surgeon with 11 years of General and Laparoscopic experience, have being independently doing laparoscopic surgery since 1996. Solid knowledge of comprehensive surgical care procedures and excellent direct patient care skills. Reputation as a self-directed professional with superior problem solving, communication, and management skills. Successful in managing time, prioritising tasks, and organising projects to improve the quality of patient care. Achieved excellence service award from the state health department of Kuala Terengganu. He is currently Senior Consultant Surgeon and Medical Superintendent of Hospital Penawar. He is member of Malaysian Medical Association, Committee member of Malaysian Medical Association - Johor branch, Life Member of ELSA (Endoscopic and Laparoscopic Surgeons of Asia) and Member of the Academy of Medicine, Malaysia. He received Witakah Penghargaan from The Governor Of Malacca in 1996 and Penghargaan Perkhidmatan Cemerlang from State Health Department (Kuala Terengganu) in 1997.

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# HANDLING MEDICO-LEGAL MATTERS EFFECTIVELY TO SAFEGUARD AGAINST CLAIMS AND LITIGATION

## KEY BENEFITS OF ATTENDING:

- ✓ **STAY ABREAST** with the latest Medico-Legal issues that are affecting the Malaysia healthcare industry
- ✓ **BE AWARE** of the scope of legal accountability by doctors and hospitals in the standard of care
- ✓ **GRASP** key communication strategies of enhancing doctor-patient relationship to reduce Medico-Legal issues
- ✓ **GAIN** valuable advice of experts to manage your Medico-Legal exposure effectively
- ✓ **IMPLEMENT** strategies of minimising the damaging process of medical litigation through the use of mediation as an Alternative Dispute Resolution
- ✓ **EXCHANGE** views and **NETWORK** with co-delegates and speakers to gain hands-on advice and tips over a cup of coffee or tea

## WHO SHOULD ATTEND:

From Public & Private Healthcare Providers

- Chief Executive Officers
- Medical Practitioners
- Legal Advisors & Legal Counsels
- Medical Records Directors
- Compliance Directors
- Health Information Directors

As well as:

- Lawyers
- Consultants
- Investment Analysts
- Risk Analysts
- Insurance Claim Managers handling Medico-Legal matters

"If a pediatrician fails to administer an officially recommended vaccine and the child gets a preventable disease, the pediatrician could be sued for malpractice. If the child is injured as a side effect from such a vaccine, no pediatrician will be sued. HMOs cannot be sued. "

~ Roger Schlafly ~

Although the growth in public and private healthcare has encouraged tandem growth in medico-legal services, the practice of medicine is facing more scrutiny than ever. The increasing number of allegations of medical negligence is a cause for concern. This has certainly reinforced the need for healthcare organisations in Malaysia to implement effective framework and preventive measures to reduce Medico-Legal controversies and costly litigations.

WHAT TO DO WHEN MEDICAL RECORDS ARE RELEASED WRONGLY?

WHAT IS THE FIRST STEP IN PURSUING A MEDICAL MALPRACTICE CLAIM?

WHY IS A MEDICAL MALPRACTICE LAWYER NEEDED FOR MEDICAL MISTAKES?

IN THE EVENT OF MEDICAL NEGLIGENCE, HOW WILL THE PRIVATE-IN-PUBLIC ARM AND THE PUBLIC SIDE DECIDE CONTRIBUTORY LIABILITY?

WILL FEE-PAYING PATIENTS BE ALLOWED TO JUMP THE QUEUE FOR WAITING-LIST ELECTIVE OPERATIONS OR WILL THE WAITING LIST FOR NON-PAYING PATIENTS SUFFER AS A RESULT?

A NURSE MEDICATION ERROR OR A DRUG INFORMATION ERROR?

Recognising the above challenges, *Asia Business Forum* has specially designed a practical and informative 2-day Conference on **MEDICO-LEGAL** for organisations operating within the health sector. The aim of this Conference is to emphasise the importance of acquiring adequate medical indemnity as well as to provide information about the various elements and qualities of such indemnity protection. The Conference will also cover key strategies to increase the quality of patient care and minimise the threat of litigation. Also get the updates on current legal issues, risk management systems that will mitigate future litigation and alternative means of resolving disputes with patients.

**Invest your time in this 2-day Conference now to gain more information and knowledge that will assist you in reducing the risk of being exposed to medical negligence claims. Don't miss this good opportunity to network with the medical and legal professionals.**

REGISTER TODAY TO SECURE A PLACE!

- ✓ 10% discount for 3 or more delegates from the same organisation
- ✓ Early Bird discount of RM300 before 15 May 2009!

**CALL OUR HOTLINE NOW (603) 2070 3299 or fax your registration to (603) 2070 3369 or email to [puvanes@abf-asia.com](mailto:puvanes@abf-asia.com) to reserve your place!**

# REGISTRATION FORM

## MEDICO-LEGAL

16-17 June 2009 | Prince Hotel, Kuala Lumpur, Malaysia

- Yes! Please register the following delegate(s) for this Conference (**Please photocopy for more delegates**)
- I am unable to attend but please put me on your mailing list
- I am interested in Sponsorship/Exhibition Opportunities
- I wish to claim special discount as a member of MDM

Membership no. \_\_\_\_\_ (please fax us your membership card)

Name:(Dr/Mr/Mrs/Ms): \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Email: \_\_\_\_\_

Name:(Dr/Mr/Mrs/Ms): \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Email: \_\_\_\_\_

Name:(Dr/Mr/Mrs/Ms): \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Email: \_\_\_\_\_

Approving Manager: \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Email: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Booking Contact: \_\_\_\_\_

Email: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Company Web site: \_\_\_\_\_

### CONFERENCE VENUE AND ACCOMMODATION INFORMATION

#### Prince Hotel, Kuala Lumpur, Malaysia

No.4, Jalan Conlay, 50450 Kuala Lumpur, Malaysia

Tel: (603) 2170 8888

FAX: (603) 2170 8808

Website: [www.princehotelkl.com](http://www.princehotelkl.com)

Attn: Room Reservation Department

For reservations, please make your bookings directly with the hotel. To enjoy the special room rates, please quote Asia Business Forum's Conference on "Medico-Legal". Hotel bills are to be settled by delegates directly with the hotel. Hotel reservations and travel arrangements are the responsibilities of the registrant. Please note that rooms are available on a first-come-first-served basis.

### INCORRECT MAILING INFORMATION

It is possible that you may receive multiple mailings of this event or incorrect company details on the labels, for which we apologise. If this happens, please let us know so that we can update our database immediately. If you do not wish to have your name on our mailing list, please let us know and we will remove it from our listing.

**IMPORTANT NOTICE:** Due to the provisions of the DIRECT SALES ACT 1993, the registration form herein shall only be used by body corporate. Since Asia Business Forum Sdn Bhd is unable to accept registration by mail from any individual, all individuals and applicants who are not body corporate and who wish to attend are requested to register themselves at Suite 20.05, Level 20, Wisma Goldhill, 67 Jalan Raja Chulan 50200 Kuala Lumpur, Malaysia or call (603) 2070 3299 for registration procedure.

# 5 EASY WAYS TO REGISTER



Telephone: **(603) 2070 3299**



Fax: complete and send this registration form to: **(603) 2070 3369**



Mail: this completed form together with payment to:  
**Asia Business Forum Sdn Bhd**  
**Suite 20.05, Level 20, Wisma Goldhill, 67 Jalan Raja Chulan, 50200 Kuala Lumpur, Malaysia**



Email: **noor@abf-asia.com**



WEB: **http://www.abf-asia.com**

Your investment for attending this Conference is:

	<b>Regular Fee</b> (Payment after 15 May 2009)	<b>Early Bird Fee</b> (If payment & registration are received by 15 May 2009)
Conference Only	RM3,995	RM3,695

*The fee includes lunch, refreshments and conference documentation.*

**Note:** For payment by Local Order, early bird fee will only apply if the local order is executed and **payment fully released to us on or before the early bird deadline.**

**Group Discount:** Enjoy a group discount of **10% for 3 or more delegates** registered at the same time from the same organisation and of the same billing source.

### PAYMENT METHODS

Please cross cheque or bank draft made payable to **ASIA BUSINESS FORUM SDN BHD** and mail your payment together with this registration to **Suite 20.05, Level 20, Wisma Goldhill, 67 Jalan Raja Chulan 50200 Kuala Lumpur, Malaysia.** Enclosed is our cheque/draft for RM \_\_\_\_\_

**Payment by credit card:** To make payment by credit card, please call our customer service hotline at **(603) 2070 3299**

**Important Notice:** Payment is required with registration and must be received prior to the conference to guarantee your place. Walk-in delegates with payment will only be admitted on the basis of space availability at the conference and with immediate full payment.

### CANCELLATIONS AND TRANSFERS

If you are unable to attend, a substitute delegate is welcomed at no extra charge. Please provide the name and the title of the substitute delegate at least 2 working days prior to the Conference. A refund less RM400 administration charge will be made for cancellation received in writing on or before **27 May 2009**. Regrettably, no refund can be made for cancellation received after this date. A complete set of documentation will however be sent to you.

The organiser reserves the right to make any amendments and/or changes to the programme, venue, speaker replacements and/or topics if warranted by circumstances beyond its control.

### FOR OFFICIAL USE

FEE RECEIVED	ADMISSION FORM SENT <b>9551M/AC/AT</b>
MDM	