



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. PF. 8-2065/2021-DC/PMC

Mr. Jamal-ud-din Kooharo Vs. Dr. Shafaq Shahid

Professor Dr. Naqib Ullah Achakzai	Chairman
Mr. Jawad Amin Khan	Member
Barrister Ch. Sultan Mansoor	Secretary
Expert of Pediatrics	

Present:

Mr. Jamal-ud-din Kooharo	Complainant
Dr. Shafaq Shahid (51466-S)	Respondent
Hearing dated	26.10.2022

I. FACTUAL BACKGROUND

1. Mr. Jamal-ud-din Kooharo (the “Complainant”) filed a complaint on 09.02.2022 against Dr. Shafaq Shahid (the “Respondent”). Brief facts of the complaint are that:
 - a) *Complainant’s daughter, Aqsa Jamal (the “Patient”) 10 years old died on 10.07.2021 due to negligence of Respondent doctor and staff at the Hospital who neither gave proper treatment nor diagnosed through lab reports. Patient’s disease was not followed through medical protocols, assigned SOPs were not followed by doctors for treatment of the patient’s condition of fever, vomiting and digestive system disturbance. Patient was not given proper treatment.*
 - b) *The Complainant requested to take stern action against the Respondent doctor.*

Reference from Sindh Healthcare Commission

2. The Complainant also filed a complaint of similar nature before the Sindh Healthcare Commission (the "SHCC). The Sindh Healthcare Commission decided the matter on 15.02.2022 and imposed penalty on the Respondent, in the following terms:

A penalty of rupees 100,000/- is imposed on Dr. Shafaq Shahid, Pediatrician at Mamji Hospital, as she failed to make a proper diagnosis of the disease suffered by patient during the time of her admission at Mamji Hospital and the treatment provided to the baby was not according to her medical condition as the labs done were not matching to her diagnosis.

II. SHOW CAUSE NOTICE TO RESPONDENT, DR. SHAFaq SHAHID

3. In view of the allegations leveled in the complaint, Show Cause Notice dated 06.04.2022 was issued to Respondent, in the following terms:

4. **WHEREAS**, in terms of Complaint, it has been alleged that the Complainant's daughter namely Ms. Aqsa Jamal (late) (hereinafter referred to as the "Patient") was admitted to Mamji Hospital, Karachi on 06.07.2021, who was suffering from fever, vomiting and weakness. The patient further showed symptoms such as frequent urination, dry mouth, headache, weakness and lack of appetite. In terms of Complaint, the patient remained admitted under your care from 06.07.2021 to 08.07.2021, however you failed to diagnose the disease and discharged her without proper treatment; and
5. **WHEREAS**, in terms of Complaint, on 10.07.2021, the patient was shifted in emergency to Aga Khan Hospital, Karachi where it was determined after medical investigation that no proper treatment was provided earlier to the patient. As per the death certificate issued by Aga Khan Hospital, Karachi, the patient expired on the same day due to 'Cardiopulmonary Arrest Hypokalemia Ventricular Fibrillation' with significant condition of 'Diabetic Ketoacidosis Severe Metabolic Acidosis'; and
6. **WHEREAS**, in terms of Complaint, the matter was also investigated by Sindh Healthcare Commission and as per its order dated 15.02.2022, you failed to make a proper diagnosis of the patient during the time of her admission at Mamji Hospital, Karachi and the treatment provided to the patient was not according to her medical condition as the labs done were not matching to her diagnosis. Furthermore, you also failed to call the consultant pediatrician considering the condition of the patient; and



7. **WHEREAS**, in terms of the facts mentioned in the Complaint, you failed to diagnose and treat the patient properly and due to your negligence, she died. Such conduct is, prima facie, in violation of the Code of Ethics of Practice for Medical and Dental Practitioners, Regulations, 2011 in general and Regulations 3(b), 4(c), 21(1), 49(a) and 50 in particular; and ...”

III. REPLY TO SHOW CAUSE NOTICE BY RESPONDENT DR. SHAFaq SHAHID

4. Respondent, Dr. Shafaq Shahid submitted her reply to Show Cause Notice on 28.04.2022, wherein she stated that:
- The patient was admitted in Emergency of the Hospital by the duty Dr. Saima Moiz, on 06.07.2021 at the parents' own request. The case was discussed by Dr. Saima with me (the visiting consultant) on phone at the time of admission. At that moment I suggested her initial treatment of the patient on the basis of history and examination and advised to carry out her investigations (CBC, UCE, RBS, Blood CS, Ultrasound Abdomen). The patient was shifted to the ward from ER and her prescribed treatment was started.
 - Later, the same day, I visited the patient and also performed two more follow-up visits of this patient on the following two days of her admission. During my first visit, I came to know that the patient was having symptoms since 15 days before coming to this hospital and her parents had been getting her treatment from some GP. After taking patient's history and her examination, I finalized her treatment. Patient's lab reports stated her potassium was low (2.5), her RBS was 150 (just normal). I prescribed empirical antibiotic therapy for infection, potassium supplement to cover her deficient potassium and kept her on maintenance fluid and electrolytes.
 - Patient started responding, she became asymptomatic and started taking diet after 2 days of therapy. On 08.07.2021 (3rd day of admission) patient was discharged (on verbal consent of the parents) after making sure that the patient was vitally stable, she had passed stool and urine in washroom and she was mobilized. Everything was fine up to the discharge of the patient and no mishap; no controversy took place.
 - Complainant had called me on hospital extension to ask whether the injectable dosing of the antibiotics was necessary and I had responded that yes, it was necessary. I felt that the Complainant was reluctant to the antibiotic dose, further, that he did not report/discuss any re-appeared symptoms and the patient was not brought by the attendants for follow up visit.



- e. On 30.08.2021 Complainant also filed a Complaint before the SHCC. Verdict was issued against me and being aggrieved of this decision, given without properly taking my point of view, I filed appeal against the decision before the Sessions Court, District Central, which is under pending adjudication.
- f. There are very clear and apparent arguments for proving me a good attending doctor in this case. Some of those are mentioned as under: -
- i. By going through the case sheets and lab reports, no competent peads physician can make any other logical diagnosis apart from the one which I had made.
 - ii. The patient was discharged after her physical condition had improved, she got asymptomatic, started feeding, and she was mobilized before being discharged.
 - iii. Why did the parents not lodge any complaint at the time of treatment or even at the time of discharge?
 - iv. For two days the patient was kept at home and not brought for any visit to the Hospital. The attendants also did not bring the patient on the scheduled follow up visit.
 - v. The patient was taken to Aga Khan University Hospital setting from home after two days of getting discharged from Mamji Hospital. The patient expired in AKU Hospital, so how can the patient's mal-treatment be alleged on me when she was discharged in good condition from Mamji Hospital.

IV. REJOINDER OF THE COMPLAINANT

5. Reply received from the Respondent doctor was forwarded to Complainant through a letter dated 29.04.2022 for her rejoinder.
6. The Complainant submitted his rejoinder on 10.05.2022, wherein, he has rejected the response of the Respondent being false and concocted.

V. HEARING

7. After completion of pleadings, the matter was fixed for hearing before the Disciplinary Committee on 26.10.2022. Notices dated 24.10.2022 were issued to the Complainant and Respondent Dr. Raheel Hussain directing them to appear before the Disciplinary Committee on 26.10.2022.



8. On the date of hearing, the Complaint and the Respondent doctor; both were in attendance and were heard in detail.

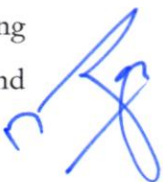
VI. EXPERT OPINION

9. A Pediatrician was appointed as an Expert to assist the Disciplinary Committee in this matter. The Expert opined as under:

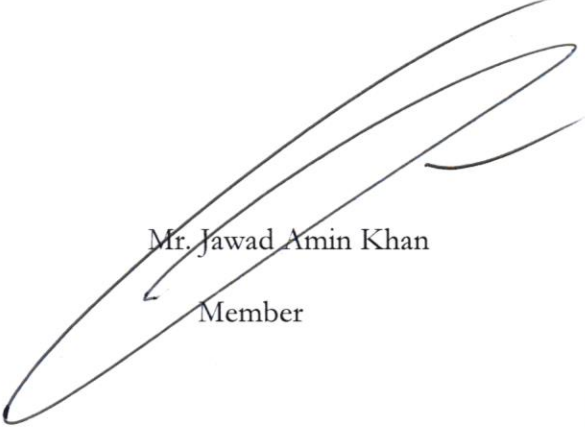
According to the available records of Mamji hospital the initial labs including RBS and Electrolytes show normal Sugar and decreased HCO₃ and borderline K. the patient's vomiting improved at the time of discharge and she was walking though weak. These things go against DKA at that time. But the doctor should have documented the refusal of labs by the parent and status of her urine and its output/ also low bicarbonate should have been investigated. Otherwise based on the available information management was fine.

VII. FINDINGS AND CONCLUSION


10. The Disciplinary Committee has perused the relevant record, heard submissions of the parties and the expert opinion in the instant Complaint, and noted that the Complaint has been directly filed with the Commission. We note that an inquiry has already been conducted earlier by the Sindh Healthcare Commission (SHCC) in the instant facts; who had fined the Respondent doctor.
11. Having gone through the relevant records and evidences pertaining to this Complaint, the Disciplinary Committee has observed no negligence by the Respondent doctor regarding treatment provided to the patient. We observe that the Respondent is properly qualified and possesses the requisite qualifications and is well-versed to treat such patients.
12. Nonetheless, the Disciplinary Committee stresses upon the medical practitioners to improve the medical record with proper documentation including refusal of patient/attendant for any treatment, investigation, procedure. Accordingly, we issue a warning to Respondent Dr. Shafaq Shahid (51466-S) to develop further the plight of record keeping practices.



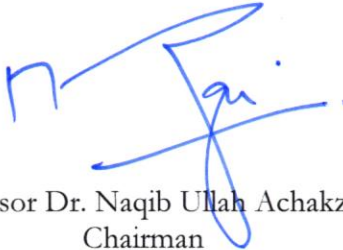
13. This case stands disposed off in the above terms.



Mr. Jawad Amin Khan
Member



Barrister Ch. Sultan Mansoor
Secretary



Professor Dr. Naqib Ullah Achakzai
Chairman

22nd November, 2022

