



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No 177/2017-legal

Mr. Khalid Mehmood VS Dr Abdul Qadir

Mr. Ali Raza	Chairman
Mr. Aamir Ashraf Khawaja	Member
Dr. Asif Loya	Member

Present:

Brig. (Retd) Dr. Irfan Shukar	Expert (Surgery)
Dr. Abdul Qadir Awan	Respondent
Dr. Fida Hussain	Respondent
(on behalf of MS DHQ, Khanewal)	

I. FACTUAL BACKGROUND:

Reference from Punjab health Care Commission

1. A reference was sent to the Disciplinary Committee of erstwhile PMDC on 10-08-2017 by Punjab health Care Commission (PHCC) in the matter of complaint by Mr. Khalid Mehmood (hereinafter referred to as the "Complainant") against Dr. Abdul Qadir (herein after referred to as the "Respondent"). Brief facts of the case are that the brother in law of



Complainant namely Muhammad Saleem (patient) became ill. Respondent doctor, Dr. Abdul Qadir Awan was consulted at his private surgical clinic (Ali Surgical Centre). The Respondent had been working as consultant District Surgeon advised admission at DHQ Hospital. He advised operation and reassured the attendants that the surgery is minor and will take a short while. That allegedly on 29-10-2015 the Respondent operated the patient and upon his deterioration immediately discharged him. post operatively there was foul smell from the wound and pus was oozing out. The patient was taken to the Nishtar Hospital where he was admitted after repeated requests of the attendants. He further alleged that upon scrutiny of the medical record, he realized that no consent had been obtained for the surgery as no signature was present on the consent form.

2. The matter was taken up by the PHCC Board. Expert in the field of General Surgery opined as follows:

“Mr. Mobammad Saleem was admitted to DHQ Hospital Khanewal under care of Dr Abdul Qadir Awan, District Surgeon at the Hospital. Patient was suffering from Necrotizing Fasciitis. He underwent incision & drainage at DHQ Hospital Khanewal by Dr Abdul Qadir. Patient's condition deteriorated subsequently and was later admitted in Nishtar Medical College / Hospital, from where he was discharged after surgical debridement once his condition became stable. Necrotizing Fasciitis is associated with significant morbidity and mortality. There is no evidence that this condition was caused by negligence of Dr Abdul Qadir Awan. The basis of complaint appears to be lack of counselling & education of the patient and care by the treating doctor.”

3. The PHCC Board observed that from the record and evidence adduced by the respective parties it becomes distinctly clear that the complainant has failed to prove his allegations as contained in the complaint through cogent, independent and confidence inspiring evidence. However, after considering all the available record, facts, evidence of witness and expert opinion the board after detailed deliberation decides that the Board of the Punjab Health Care commission decided to refer the case of Dr Qadir Awan to PMDC for forging the signatures of the patient on the consent form.



Inquiry Report (Office of the MS DHQ, Khanewal)

4. An inquiry Committee was also constituted vide letter No.1260-66/EDO dated 09-01-2016 to probe the matter against Dr. Abdul Qadir Awan, Surgeon, DHQ, Khanewal on complaint lodged by Mr. Khalid Mehmood. The Committee vide its report dated 27-02-2016 concluded as under:

“After scrutinization of the hospital record, statement of the complainant, his witness and reply of Surgeon Dr. Abdul Qadir Awan and statement of employees of this hospital involved in the treatment of the said patient. The Enquiry Committee is of the opinion that complaint lodged by Mr. Khalid Mahmood s/o Asmatullah against Dr. Adbul Qadir is false and baseless. No negligence and mismanagement is proved on the part of surgeon regarding the treatment of the patient Mr. Muhammad Saleem s/o Shaki Muhammad. The complainant has failed to prove the charge of receiving money by the surgeon.”

Reply of Respondent

5. In response to hearing notice issued to the Respondent, he submitted his reply vide letter dated 12-03-2021 that:
- It is stated that the complaint lodged by Mr Khalid Mehmood S/O Asmat Ullah R/O Camp Jaswant Nagar Khanewal is baseless. The matter has already been inquired by a Committee Constituted by Executive District Officer (Health) Khanewal. The conclusion of the enquiry committee is that the complaint lodged by Nr Khalid Mahmood S/O Asmat Ullah against Dr Abdul Qadir Awan I false and baseless. No negligence and mismanagement has proved on the part of surgeon regarding the treatment of the patient i.e. Mr. Muhammad Salem S/O Sakhi Muhammad. The complainant has failed to prove the charge of receiving money by the surgeon.*
 - The same complaint was also lodged to the Punjab Healthcare Commission Lahore by Mr. Khalid Mahmood S/O Asmat Ullah. The Commission has enquired the matter in detail and the opinion of the expert was that there is no evidence that this condition was caused by negligence of Dr Abdul Qadir. The basis of complaint appears to be lack of counseling and education of the patient and cares by the treating doctor.*



6. The Respondent has enclosed a written statement (no date mentioned) too along with his response that he claims to have submitted before the erstwhile PMDC, In the statement he submitted:

- a. *It is stated that the complaint of Mr. Khalid Mehmood s/o Asmatullah is false and fabricated to gain some material as well as ulterior motives due to following reasons which are supported by documentary evidences. That on dated 26-10-2015 patient Muhammad Saleem came at DHQ Khanewal and took an outdoor ticket No. 7305, whereupon he was checked by Dr. Masood Iqbal and was registered in his medical OPD register No. 1894 and referred to surgeon. He presented to me in surgical OPD with a referral slip from Dr. Masood Iqbal. He was registered in SOPD No. 642.*
- b. *I examined the patient in OPD. He was suffering from extensive cellulitis involving right side of the abdomen, right groin and right side of scrotum. I admitted the patient in male surgical ward of DHQ Khanewal and started his conservative management. On daily examination of the patient on 28-10-2015, I noticed that cellulitis is being converted into abscess which needs surgical intervention. The whole condition of the patient and nature of operation was explained to the attendants (his son and wife). It is pertinent to mention that applicant (Khalid Mehmood s/o Asmatullah) has never come to the hospital. Patient was put on list for surgery on 29-10-2015 and necessary instructions were given to staff nurse for preparation of the patient for surgery on 29-10-2015.*
- c. *On date 29-10-2015 Dr. Ghulam Sarwar Consultant Anesthetist of DHQ Hospital Khanewal anesthetized the patient and I did operation "incision and drainage and debridement". As being infected and dirty case it was operated at the end of the list. Post operatively he was treated by daily dressing and appropriate medication. On 02-11-2015 his son requested for discharge of the patient from DHQ Hospital Khanewal. It was explained to the attendant i-e his son that the patient is not in a condition to be discharged but his son continuously insisted for the discharge. So on his request patient was discharged.*
- d. *On dated 05-11-2015 the same patient was brought on my private clinic where I examined the patient and found that general condition is not satisfactory and on local examination, there was infected wound on the right side of abdomen with foul smell and patches of gangrene (Maloney's gangrene). As the general condition of patient was not good, so to stabilize the*



patient, he admitted the patient in male surgical ward DHQ Hospital Khanewal with necessary treatment.

- e. *On next day i-e 06-11-2015 he examined the patient that general condition relatively improved with the treatment so he referred the patient to Nishtar Hospital Multan (Tertiary Care Center) for further management of Maloney's gangrene. In the above circumstances it is stated that he took all the steps in accordance to his utmost sincerity and professionalism regarding the patient.*

II. PROCEEDINGS OF DISCIPLINARY COMMITTEE OF ERSTWHILE PMDC

7. Matter was taken up by Disciplinary Committee of erstwhile PMDC in its meeting held on 29-06-2019. The subject proceedings were adjourned due to no show.

III. DISCIPLINARY COMMITTEE UNDER PAKISTAN MEDICAL COMMISSION ACT

8. Pakistan Medical and Dental Council was dissolved on promulgation of Pakistan Medical Commission Act on 23 September 2020 which repealed Pakistan Medical and Dental Council Ordinance, 1962. Section 32 of the Pakistan and Medical Commission Act, 2020 empowers the Disciplinary Committee consisting of Council Members to initiate disciplinary proceedings on the complaint of any person or on its own motion or on information received against any full license holder in case of professional negligence or misconduct. The Disciplinary Committee shall hear and decide each such complaint and impose the penalties commensurate with each category of offence.

Hearing on 20-03-2021

9. The Disciplinary Committee held the hearing of pending disciplinary proceedings including complaint of Mr. Khalid Mehmood on 20-03-2021. Complainant was absent. Respondent Dr. Abdul Qadir was present. Dr. Fida Hussain appeared on behalf of MS DHQ Khanewal.



10. The Disciplinary Committee inquired from the Respondent about details of the case. He stated that the patient was admitted in male surgical ward through OPD on 26-10-2015. He suffered from extensive cellulitis involving right side of the abdomen, groin and right side of scrotum. On 26-10-2015 upon assessment of the patient he informed the patient and attendant that a minor operation would be conducted. He was subsequently operated upon on 29-10-2015 and proper incision, drainage and debridement was done. The patient was discharged from DHQ, Khanewal on 02-11-2015 on his request. The patient subsequently was referred to Nishtar Hospital on 06-11-2015 but was taken there on 09-11-2015. He further submitted that from the date of discharge of the patient from DHQ Hospital, Khanewal i-e 02-11-2015 till 05-11-2015 he was taken to some private doctor who refused to admit him as he was very serious.
11. The Disciplinary Committee inquired from the Respondent about pre-operative assessment of the patient. He stated that the wound was extremely infected. He added that all necessities with respect to vital charting and consent had been completed before the surgery. Despite high blood sugars surgery was proceeded in order to save the patient's life.
12. Upon specific question by the Disciplinary Committee regarding consent, he stated that getting signatures on the consent form is the responsibility of staff as per Hospital policy. However, he explained that the whole condition of the patient and nature of operation was explained to the attendants; his son and wife and he himself conducted the operation of the patient. He further submitted that Complainant (Khalid Mehmood s/o Asmatullah) has never come to the hospital.
13. With regards to intra operative findings, he stated that during surgery the pus came out and some necrotic tissue was also there. He drained the pus and gave to the attendant for Culture and Sensitivity (C/S) but he does not know whether culture was carried out or not. He further stated that the disease of the patient had started from cellulitis and had converted to gangrene with the passage of time.
14. Dr. Fida Hussain appearing on behalf of MS DHQ, Khanewal has submitted complete record of the patient which has been perused by the Committee.



Expert opinion by Brig. (Retd) Dr. Irfan Shukar

15. Brig. (Retd) Dr. Irfan Shukar who was appointed as an expert to assist the Disciplinary Committee in the matter has opined that:

“Mr. Khalid Mehmood suffered from Necrotizing Fasciitis, which is associated with significant morbidity & mortality. The patient underwent incision & drainage in DHQ Hospital Khanewal by Dr. Abdul Qadir. Later he was referred to Nishtar Hospital Multan for further management from where he was discharged after surgical debridement once his condition became stable.

Necrotizing Fasciitis is a severe infection of soft tissue. The severe soft tissue infection and pus formation resulting in death of soft tissue. Dr. Abdul Qadir did incision drainage that was correct. It is one of the procedures done in a case of necrotizing fasciitis.”

IV. CONCLUSION/ FINDINGS OF THE DISCIPLINARY COMMITTEE

16. The Disciplinary Committee has perused relevant record and the expert opinion in the matter and has heard both the respondents at length. From the record of DHQ Hospital Khanewal made available to the Disciplinary Committee it appears that the patient was first seen in Medical OPD on 26-10-2015 from where he was referred to Surgical OPD and eventually admitted in Male Surgical Ward on the same day. He suffered from extensive cellulitis involving right side of the abdomen, groin and right side of scrotum and was operated on 29-10-2015 and discharged on 02-11-2015. He was again admitted on 05-11-2015 upon being seen by the patient privately by treating surgeon and on 06-11-2015 he was referred to Nishtar Hospital Multan. The patient however reported to Nishtar after gap of 04 days.
17. With regards to clinical assessment, diagnosis and treatment of the Respondent from available record and the record submitted by DHQ Khanewal the choice of treatment opted by the Respondent was right and there was no delay on account of Respondent regarding management of the patient. Keeping in view the expert opinion and perusal of record the Committee observed that surgery is absolutely inevitable in a patient who is suffering from 'Necrotizing Fasciitis, which is associated with significant morbidity & mortality. The Respondent explained the whole condition of the patient and nature of operation to the attendants; his son and wife The patient underwent incision & drainage



in DHQ Hospital Khanewal by Dr. Abdul Qadir correctly and later upon complication he was referred timely and correctly to Nishtar Hospital Multan for further management.

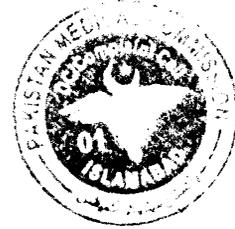
18. In view of above, the Disciplinary Committee is of the considered view that Dr. Abdul Qadir being qualified had exercised his professional skills adequately and there appears no professional negligence on his part therefore he is exonerated from charges leveled against him.

19. The subject proceedings stand disposed of accordingly.

Mr. Aamir Ashraf Khawaja
Member

Dr. Asif Loya
Member

Muhammad Ali Raza
Chairman



31st May, 2021