



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. 12 comp.190/2018-Legal

Mr. Shahid Javaid vs Dr. Sajida Riaz

Mr. Ali Raza Chairman

Mr. Aamir Ashraf Khawaja Member

Dr. Asif Loya Member

Present:

Brig. (Retd) Dr. Ambreen Anwar Expert (Obstetrics & Gynecology)

Dr. Sajida Riaz (69888-P) Respondent

Hearing dated 20-03-2021

I. FACTUAL BACKGROUND

Reference from Punjab Health Care Commission

1. A reference was sent to the Disciplinary Committee of erstwhile PMDC on 15-11-2017 by Punjab health Care Commission (PHCC) in the matter of complaint by Mr. Shahid Javaid (hereinafter referred to as "Complainant") against Dr. Sajida Riaz (herein after referred to as the "Respondent"). Facts of the case are that Complainant's wife Mst. Fauzia was a booked patient of Dr. Sajida Riaz during pregnancy. All her previous deliveries were normal. The Complainant alleged that the patient was not thoroughly attended by the Respondent during her labor. After the delivery when condition deteriorated 04 pints of blood were arranged by the Complainant, but none was transfused. The Respondent doctor instead of attending the patient went out of hospital and returned after 03 hours. The Complainant's wife was referred to Nishtar Hospital Multan stating that the hospital did not have adequate facilities, after seven hours, when her condition got out of hand.

2. PHCC took cognizance thereupon and proceeded with the case. After through deliberation and perusal of available documentary as well as oral evidence, inspection report and expert opinion



the PHCC board decided that the case of Respondent Dr. Sajida Riaz is referred to Pakistan Medical & Dental Council and primary and secondary Health Department, Government of the Punjab to take disciplinary action against for:

- i. Not practicing the skills which she possessed and delaying the referral of the patient Fauzia to tertiary care setup to prevent further incidents of morbidity and mortality.
- ii. Transferring her to some tertiary care set up to prevent further incidents of morbidity and mortality.

II. PROCEEDINGS OF DISCIPLINARY COMMITTEE OF ERSTWHILE PMDC

3. Matter was taken up by the Disciplinary Committee 28-06-2019, however none of the parties appeared and the matter was adjourned.

III. DISCIPLINARY COMMITTEE UNDER PAKISTAN MEDICAL COMMISSION ACT 2020

4. 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

5. The Disciplinary Committee held the hearing of pending disciplinary proceedings including complaint of Mr. Shahid Javaid on 20-03-2021. On the date of hearing Respondent was present.
6. Dr. Sajida Riaz was inquired about brief summary of the procedure she performed. She stated that Fauzia was a booked patient. She was G6P4; previous 1 scar followed by all vaginal deliveries. She had regular antenatal visits (3-4). She was obese, hypertensive and asthmatic and was on Tab Aldomet for hypertension. On 36+ week, she came with non-progressive labor when she was admitted. Her husband was not there. There was a female attendant. All risk factors were



explained to the attendant and she was told that patient needs tertiary care. Patient's attendants wanted C-section. On request of attendant C-section was performed.

7. On enquiry regarding post-operative findings, she stated that after C-section patient started to experience shortness of breath along with mild chest pain that's when she was referred to a better facility. Ambulance was arranged for the patient. Unfortunately, mother died on the way.
8. Upon inquiring the considered possible reasons of deterioration of the patient, she stated that in her opinion it could have been a cardiac arrest secondary to thrombosis, however at the very instance she had assumed that it was uterine rupture.
9. Regarding her Diploma in Anesthesia qualification. She stated that she is working as consultant Anesthesia in THQ on the basis of the said Diploma in Anesthesia.

Expert Opinion by Brig. (Retd) Dr. Ambreen Sarwar

10. Brig. (Retd) Dr. Ambreen Sarwar was appointed as an expert to assist the Disciplinary Committee in the matter. She has opined that:

- *"Facts: Booked Patient – Obese, hypertensive and asthmatic 4/10/2016 on 0430 pm brought in suspected early labour. At 36 weeks (acc to R. Admitted for observation being high risk and arranged blood on pretext of an emergency CS/impending uterine rupture. After 05 hours of observation patient did not progress in labour neither her general condition improved/or worsen. She referred the patient to Nishter Hospital (drive of 01:30 hours) at 0930 pm. Patient expired on the way*
- *Evidence: R made a diagnosis of impending rupture. Observed her for appropriate interval while no changes in vitals or general conditions happened. Arranged blood appropriately (though 2 was enough) Referred pt at appropriate time ie before very late hours. She remained in the labour room throughout as stated by her and supported by evidence (R conducted 2 deliveries in the same labor rooms meanwhile. Patient contribution: Insisted on CS; Were not ready to take patient to a bigger facility initially.*
- *Expert Opinion: No negligence proved"*

IV. FINDINGS/ CONCLUSION OF THE DISCIPLINARY COMMITTEE

11. The Committee has perused the relevant record, submissions of the parties and the expert opinion in the matter. The Committee observes that the patient was a regular booked patient. She went to Respondent doctor at around 4:30 pm on 04-10-2016 with labor pains. She was obese, hypertensive and asthmatic.



12. The Respondent was asked specific question regarding counselling the family and advice regarding transport of patient to a better facility to which Respondent clarified that she had advised the attendants to take the patient to a better tertiary care hospital but since the attendants wanted C-Section and therefore she operated upon her after explaining the risk factors to the attendants. The Committee observed that the Respondent gave her a trial of labor which ideally should not have been given but she however identified the complication at the right time.
13. During the hearing the Respondent was asked about pre-operative care and it was observed that the Respondent had appropriately arranged blood for any emergency that may arise and meanwhile she was available at the hospital in the labor room for any assistance the family may need.
14. From available record, facts of the case and keeping in view the expert opinion, the Disciplinary Committee is of the view that, the Respondent had waited for five hours to observe for any changes in vitals and had appropriately arranged blood for any emergency. Considering the diagnosis of impending uterine rupture, the Respondent had made timely referral.
15. In view of above, the Disciplinary Committee is of the considered view that the treatment protocol was rightly observed by the Respondent and the treatment provided by her was appropriate and this did not lead to worsening of condition. Dr. Sajida, therefore, is exonerated from charges levelled against her.
16. However, the Disciplinary Committee has observed that the Respondent doctor is using titles of RMP with her name on her prescription which is not a specialty or even a qualification itself. It is clarified that in terms of Section 29(2) of the Pakistan Medical Commission Act, 2020 no medical practitioner shall represent himself as a specialist or practice as a specialist, without having appropriate qualifications, recognized and duly registered by the Commission. Section 29 is reproduced in relevant parts as under:

Section 29 - Licensing

- (2) A general practitioner may treat all ordinarily recognized common medical or dental ailments and shall not practice in fields or specialties, as recognized by the Commission for which formal training is required subject to any restrictions prescribed by the Council. In life saving emergencies treatment may be provided until ordinarily recognized specialist



services can be obtained or a safe referral can be ensured. No practitioner shall represent himself as a specialist or practice as a specialist, without having appropriate qualifications, recognized and duly registered by the Commission.

17. In view of above, a penalty of PKR 25,000 is imposed on the Respondent doctor Sajida Riaz for using deceptive titles which may mislead the public as to a qualifications or specialty. Accordingly, the Respondent Doctor is directed to pay the fine amount in the designated bank of the Commission within fourteen (14) days from the issuance of this decision and forward a copy of the paid instrument to the office of the Secretary to the Disciplinary Committee, failing which license of the Respondent doctor shall be deemed suspended and shall remain suspended until such time the fine is paid.
18. The subject proceedings stand disposed of in terms of above directions.

Mr. Aamir Ashraf Khawaja

Member

Dr. Asif Loya

Member

Muhammad Ali Raza

Chairman



31st May, 2021