



**BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION**

In the matter of

Complaint No. PF. 8-2117/2022-DC/PMC

Ms. Hina Mahmood Vs. Dr. Sana Majeed

Professor Dr. Naqib Ullah Achakzai	Chairman
Professor Dr. Noshad Ahmad Shaikh	Member
Mr. Jawad Amin Khan	Member
Barrister Ch. Sultan Mansoor	Member
Dr. Mudassara Zahid	Expert (Pathology)

*Present:*

Ms. Hina Mahmood	Complainant (online)
Dr. Sana Majeed (56333-S)	Respondent along with Counsel
Date of Hearing	10.10.2022

**I. FACTUAL BACKGROUND**

1. Miss. Hina Mahmood (the “Complainant”) filed a complaint via an email on 31.03.2022 against respondent Dr. Sana Majeed (the “Respondent”) before the Disciplinary Committee of Pakistan Medical Commission. Brief facts of the complaint are that:

- a) Being the representative of Great Plains Laboratory (GPL), USA; the Respondent coordinates the distribution of kits and dispatch of samples to GPL, from Pakistan. The Respondent collected samples from the Patient (Complainant's daughter) in Pakistan and sent them onwards to the GPL.
- b) The Complainant alleged that the Respondent mishandled the sample of the Patient, for her test by GPL. As treatments are based on these test results, it is very critical matter and a criminal negligence if ignored deliberately.

## II. SHOW CAUSE NOTICE TO RESPONDENT:

2. In view of the allegations leveled in the complaint Show Cause Notice dated 25.05.2022 was issued to Respondent, Dr. Sana Majeed mentioning the allegations in the following terms:

“... **3. WHEREAS**, a complaint has been received by Disciplinary Committee of Pakistan Medical Commission from Ms. Hina Mehmood, on 31.03.2022 wherein, it has been alleged that you collect samples of patients of Autism and ADHD and forward the same to GPL (Great Plains Laboratory, USA) for testing. Furthermore, in terms of complaint, it has been alleged that you mishandled the sample of patient Ms. Haniya Mehmood for her test by GPL and further treatment of Autism based on the said tests.

**4. WHEREAS**, it has also come into the knowledge of Disciplinary Committee, that the matter was also investigated by Islamabad Healthcare Regulatory Authority (IHRA), on complaint of Ms. Hina Mehmood, wherein it was alleged that “my daughter Haniya Mahmood, having Autism Spectrum Disorder, was having treatment from Dr. Sana Majeed, Bioheal Spectrum. During the treatment, I observed certain negligence at the end of Dr. Sana Majeed, that is; the samples are mishandled, i.e irregular transfer of samples and deployment of unqualified staff for sample handling. The time and date on the samples are mismanaged, causing complications in treatment of children. As I lodged complaint here, Dr. Sana being distributor of Bionexus, has made the company to stop providing my daughter the supplements she needs for her treatment”; and

**5. WHEREAS**, the above mentioned complaint has been decided by the IHRA with the following observations, “for committing mal-administration the services of collection and transportation of the samples within Pakistan and from Pakistan to USA are suspended, till the HCE establishes a proper cold-chain maintenance system for the samples (within Pakistan and from Pakistan to USA) to prove the capability





of safe transportation of the sample without compromising the pathological findings of the sample. The above-mentioned services shall be provided only under the supervision of a pathologist and after the approval for the kits and medicine / supplements provided to the patients from DRAP. However, Dr. Sana Majeed can practice as General Practitioner as per her Pakistan Medical Commission's certificate; and

**6. WHEREAS**, in terms of information available on record, you are practicing as "Partner Practitioner" of Great Plains Laboratory, USA at Bioheal Spectrum Office No. 01, First Floor, building ace up town, E-11/2 Islamabad and representing yourself on website of your clinic <https://biohealspectrum.com/>, and other social medical networking accounts in the following manner;

**Dr. Sana Majeed,**  
MBBS,  
OATS Master,  
SIBO Master, IBCESS Autism,  
GAPs Certified,  
Pediatrician,  
Autism and ADHD Consultant, (attention-deficit/ hyperactivity disorder),  
Certified ABA Therapist (applied behavior analysis),  
Consultant of Great Plan Laboratory, United States  
GAP Practitioner; and

**7. WHEREAS**, in terms of Complaint, decision of IHRA and information available on record you are practicing as Consultant/Partner Practitioner of GPL and providing services to patients of Autism, ADHD and other transportation of samples to GPL and further prescribing treatment to such patients as Consultant of Autism & ADHD;

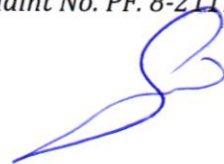
**8. WHEREAS**, you are registered with Pakistan Medical Commission under Registration No. 56333-S, whereby you have got the degree of Basic Medical Qualification (MBBS) only; and ..."

### III. REPLY OF RESPONDENT, DR. SANA MAJEED

3. The Respondent, Dr. Sana Majeed submitted her reply to the Notice through her Counsel on 20.06.2022 wherein she contended that:

- a) Facts have been concealed by the Complainant. Patient has never been respondent's patient nor did respondent mishandle any of the patient's treatment. The complainant never visited respondent's clinic or took her appointment, and so Complainant has never taken any medical treatment from respondent.

- b) Patient was under treatment of Dr. Jodi Dashore from the US and any complications caused to patient may have resulted due to the medications prescribed by Dr. Jodie Dashore. Dr. Jodie Dashore advised her test from GPL. This is to be noted that, Dr. Jodie Dashore has never seen her GPL report and no medication was ever prescribed to her based on that 'GPL report'. The complainant never consulted any doctor upon the test report of GPL and the patient was not prescribed any treatment based on it.
- c) Complainant wanted partnership in operations of clinic from the Respondent and upon refusal by the respondent, and thus, he, owed to his grudge, moved false and frivolous complaints on different forums. Complainant is defaming and harassing Respondent on social medical and other forums continuously during the last 9 months and this complaint is the result of that grudge and continuation of earlier attempts to defame Respondent. The complainant's husband has given life threats to respondent in the Islamabad Healthcare Regulatory Authority (IHRA) premises and tried to physically assault her.
- d) Complaint is false and fictitious as Respondent is not engaged in any kind of sample testing & collection. Respondent is an authorized representative of the GPL, USA and only coordinates the distribution of kits and dispatch of samples back to USA. The kits are designed for the home collection of samples, are packed, and sealed by GPL. Respondent does not open those kits and the samples are taken at home, can be sent by parents to GPL individually on their own or through respondent.
- e) The Respondent has already filed an appeal against the decision of IHRA before the Honorable Secretary, Ministry of National Health Services, Regulations and Coordination, which is pending. Complaint on same facts/ allegations cannot be heard on two different forums, comes in the ambit of double jeopardy and sheer violation of Article 13 of the Constitution of Pakistan, hence, the instant complaint is not maintainable. IHRA has not found any negligence on part of respondent. Any small difference in the date of collection is due to the complainant's mistake, but GPL has confirmed that it had no impact on her sample. A testimony from Dr. Jodie Dashore's representative Ms. Benazir has already been presented in IHRA that the complainant was discharged from Dr. Jodie Dashore's clinic because of the complainant's bad behavior with Ms. Benazir.
- f) Respondent is General Practitioner and also advises on lifestyle and dietary changes for Autism and ADHD affected children. Further, Respondent is an autism advocate, parents' counselor, and mother of an 8 years' old autistic child who has now started a normal life. The credentials shown are not degrees these are only certifications, a qualified MBBS doctor can do these certifications, and no authorization is required for such certificates from the Commission. Hence, Respondent has not violated any law and code of ethics.

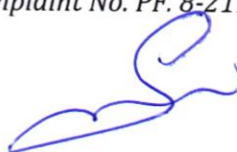


#### IV. REJOINDER OF THE COMPLAINANT

4. Reply received from the Respondent, Dr. Sana Majeed was forwarded to Complainant through a letter dated 29.06.2022 for her rejoinder. Complainant submitted her rejoinder on 29.07.2022 wherein she reiterated her allegations requesting to stop Respondent from her illegal practice. Further, alleging that Respondent is involved in importing and selling medicines without due registration and mishandling of samples due to untrained staff management.

#### V. HEARING

5. Subsequent to the receipt of written reply of the Respondent to the Show-Cause Notice and the rejoinder by the Complainant; the matter was fixed for hearing before the Disciplinary Committee on 10.10.2022. Notices dated 27.09.2022 were issued to the Complainant and Respondent, Dr. Sana Majeed directing them to appear before the Disciplinary Committee on 10.10.2022.
6. On the date of hearing, the Complainant was present through zoom (online), whereas, the Respondent was present in person alongside her Counsels.
7. The Complainant stated before the Disciplinary Committee that the Respondent doctor has mishandled the samples collected from her, to be sent onwards to the Great Plains Laboratory, USA for testing. The Complainant shared the telephonic text messages and voice messages between the Complainant and the Respondent concerning the receipt and dispatch of samples of the Complainant's daughter. According to the Complainant, these were evidences of the negligent handling of samples by the Respondent.
8. The Respondent was enquired to state her stance who categorically denied the allegations by the Complainant and said that she is dealing with the collection of samples from the patients and transmits them onwards to the Great Plains Laboratory, USA for testing. Respondent stated clearly that she has no involvement, whatsoever, in the physical dealing of the collected samples. The samples are stored in the Kits by the patients when sending them to her or directly to the GPL, USA. It was clarified by the Respondent that Kits containing the samples are impossible to



be tampered with by the Respondent after storage by the user (patient), when being transferred onwards to the GPL, Laboratory, USA.

9. Furthermore, in response to the query of the Disciplinary Committee, that Respondent is using various titles, acronyms, qualifications to publicize her medical profile, whereas, she is registered with this Commission as a simple MBBS graduate, the Respondent admitted that she is a MBBS graduate only. She further asserted that the acronyms being used by her are certifications, not qualifications.

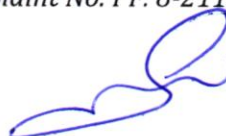
## VI. EXPERT OPINION

10. Dr. Mudassara Zahid Associate Professor of Pathology was appointed as expert to assist the Disciplinary Committee in the instant case. The expert after hearing the parties and perusing the record opined as under:

*“As per evidence in this case no medical negligence was found on the part of the doctor.”*

## VII. FINDINGS AND CONCLUSION

11. The Committee has perused the record of the case and has heard the arguments of both the Complainant and the Respondent. The Disciplinary Committee notes that the Respondent had collected the sample of the patient as the representative of Great Plains Laboratory, USA to which the Complainant alleged that the sample was mishandled by the Respondent due to deliberate negligence of the Respondent.
12. The Respondent has submitted before us that the Complainant's daughter wasn't her patient and was referred for sample collection, to her by someone. Respondent doctor emphasized that GPL, USA is a well-renowned lab and referral stands as a part of the process. She maintained that she only deals with the sample collection and dispatch of kits to GPL, USA from Pakistan, having no role in handling the samples' content. We have put this assertion of the Respondent to the Complainant; however, Complainant could not produce any evidence indicating that the

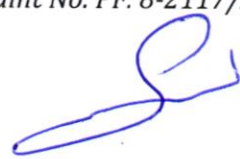


Complainant's daughter was the patient of the Respondent and had been diagnosed or prescribed by the Respondent.

13. The evidence of telephonic conversation and messages presented before us by the Complainant with the Respondent reveal that the Respondent was guiding the Complainant on how to deal with the situation where the parents might have wrongly written the name of the patient on the Kit, while sealing the sample and sending it to her for onwards transmission. We have inspected these evidences provided by the Complainant and observe that they are irrelevant to the allegation of negligence made by the Complainant on the Respondent. The expert of pathology after perusing the record has also opined that there is no negligence on part of the Respondent doctor.
14. Keeping in view the expert opinion, submissions of parties at length and complete facts/record of the case, the Disciplinary Committee is of the considered view that no evidence of negligence was found against the Respondent Dr. Sana Majeed. For this reason, Dr. Sana Majeed is absolved of the allegations of negligence.
15. Notwithstanding, while hearing the present Complaint and after considering the entire record of the case, it is observed that Respondent is representing herself on website of her clinic <https://biohealspectrum.com/>, and other social medical networking accounts in the following manner

***Dr. Sana Majeed,***  
*MBBS,*  
*OATS Master,*  
*SIBO Master, IBCESS Autism,*  
*GAPs Certified,*  
*Pediatrician,*  
*Autism and ADHD Consultant, (attention-deficit/ hyperactivity disorder),*  
*Certified ABA Therapist (applied behavior analysis),*  
*Consultant of Great Plan Laboratory, United States*  
*GAP Practitioner;*

16. It is pertinent to mention here that in terms of the provisions of the PMC Act 2020, a medical or dental practitioner can represent and practice in a special field only upon having obtained the post graduate qualification which is duly recognized and consequently registered on their license by the PMC. Section 29 of the PMC Act 2020 provides, 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 ..... No practitioner shall represent himself as a specialist or practice as a specialist without having appropriate qualifications, recognized and duly registered by the Commission. ....”*

Sub-section (8) provides:

*“(8) No medical or dental practitioner shall be permitted to represent in Pakistan as having acquired or seek to practice a specialty unless the same is duly registered on **his** license by the Authority. ...”*

Furthermore, Sub-section (13) provides:

*No registered licensee shall use or publish in any manner whatsoever any title, description or symbol indicating or intended to lead persons to infer that he possesses any additional or other professional qualification unless the same has been duly recognized and registered on his license by the Commission.*

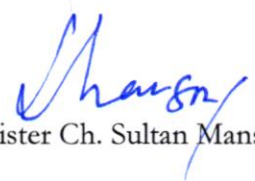
17. In view of the above, the Disciplinary Committee decides to warn Respondent Dr. Sana Majeed and directs her to refrain from such violation in future. Dr. Sana Majeed is directed to remove all such degrees, qualification, titles, descriptions mentioned on her prescription pad/sign board and/or website of her clinic immediately. The subject proceedings stand disposed of accordingly.

  
Prof. Dr. Noshad Ahmad Shaikh

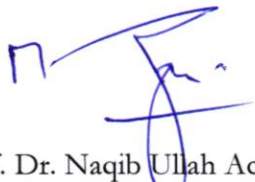
Member

  
Mr. Jawad Amin Khan

Member

  
Barrister Ch. Sultan Mansoor

Secretary

  
Prof. Dr. Naqib Ullah Achakzai  
Chairman

  
27<sup>th</sup> October, 2022