



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No P.F.12-Com-95/2016-legal

Mr. Muhammad Javed Butt vs Dr. Samina Saeed

Mr. Ali Raza	Chairman
Mr. Aamir Ashraf Khawaja	Member
Dr. Asif Loya	Member
Brig. Dr. (Retd.) Ambreen Anwar	Expert (Obstetrics & Gynecology)

I. FACTUAL BACKGROUND

Reference from Punjab Health Care Commission

1. A reference was sent on 01-08-2016 by Punjab Health Care Commission to Disciplinary Committee in the matter of complaint filed by Muhammad Javed Butt (hereinafter referred to as the "Complainant") against Dr. Samina Saeed (hereinafter referred to as the "Respondent"). Brief facts of the case are that the Complainant took his wife Mst. Fauzia Javed to Zubaida Memorial Clinic, Mugalpura, Lahore for her delivery on 09-12-2013, where the Respondent attended and reassured the patient that it was a normal delivery. The Complainant was later asked by the Respondent to take his wife to some other hospital as the condition of the patient during the delivery became critical. The Complainant took his wife to the Shalimar Hospital, Lahore in view of her deteriorated condition where emergency C-Section was performed and

Decision of the Disciplinary Committee In the matter of Complaint No P.F.12-Com-95/2016-legal



a dead baby boy was delivered. The hospital was initially reluctant to admit her, but upon his continued request and reassurance that in case of any mishap management shall not be responsible, patient was eventually admitted by the hospital. It was disclosed there that due to the high potency medicines and careless pushes, uterus of patient got ruptured and the baby expired due to lack of oxygen. As a result of surgery, the patient remained on ventilator for two days.

2. The subject complaint was taken up by the Punjab Health Care Commission. The matter was presented to the expert in the field of Gynecology, who opined as under:

“The complaint submitted by the complainant and the evidence produced by the Respondent are both verbal. The documentary evidence of management at the clinic is not sufficient enough to prove/disapprove the allegations. Having had a “Partogram” maintained in the clinic, the ambiguities in the observations would have been much simpler to explain.

There is lack of consensus in the statements regarding pushing of patient’s abdomen by the labor room staff. Even if the pushing had been done, the force applied at pushing cannot be quantified just on verbal comments to be held responsible for rupture of the uterus. The stay at the clinic is relatively short to explain uterine rupture on the basis of obstructed labor and the documentary evidence of uterine hyperstimulation because of over responsiveness of uterus or over dosage of oxytocic drugs is missing.

The indication of referral to hospital and mode of transport seems satisfactory.”

3. Based on expert opinion and hearing of parties the Healthcare Commission gave following findings:

“Dr. Samina Saeed is warned and directed to develop and implement SOPs for attending the serious patients. Dr. Samina Saeed is directed to get her HCE i.e. Zubaida Memorial Clinic, Mughalpura registered and licensed with the Commission and implement MSDS under intimation to the Commission within one (1) month from the date of receipt of the order.



The case of Dr. Samina Saeed be referred to the PM&DC which shall decide whether she be allowed to practice or not in view of the fact that she is suffering from Parkinsonism.”

II. PROCEEDINGS OF DISCIPLINARY COMMITTEE ERSTWHILE PMDC

4. Matter was taken up by Disciplinary Committee of erstwhile PMDC in its meeting held on 28th June, 2019. Both Parties were absent. Case was adjourned due to non-appearance of the parties.

III. DISCIPLINARY COMMITTEE UNDER PPAKISTAN MEDICAL COMMISSION ACT 2020

5. 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 27-03-12

6. The Disciplinary Committee held the hearing of pending disciplinary proceedings including complaint of Mr. Muhammad Javed Butt on 27-03-2021. On the date of hearing both parties; Complainant and Respondent were absent. The Committee decided to proceed with the matter.

Expert Opinion by Brig. Dr. (Retd) Ambreen Anwar:

7. Brig Dr. (Rtd) Ambreen Anwar was appointed as an expert to assist the Disciplinary Committee in the matter. She has opined that:



“Mrs Fouzia Javed Patient was admitted for delivery with R at a private clinic on 9/12/2013. Later as patient’s condition became critical, R advised to shift the patient to a higher facility. At Shalimar hospital Lahore emergency CS revealed Rupture and IUD and patient remained on ventilator for 2 days. No negligence found. I agree to the preliminary analysis of PHCC expert. Allowance or not to practice on grounds of Parkinsonism cannot be made as R did not attend the 27th March meeting and there was no accompanying medical certificate in the documents.’

IV. Findings/ Conclusion of the Disciplinary Committee:

8. The Committee has perused the relevant record and the expert opinion in the matter. The Complainant has alleged that the Respondent reassured the patient about her normal delivery and later when her condition deteriorated, the attendants were told to take her to other hospital. It has been further alleged that due to the high potency medicines and careless pushes, uterus of patient got ruptured and the baby expired due to lack of oxygen.
9. The Committee observes that documentary evidence available on record is not sufficient to prove any allegation. As of for the statements regarding pushing of patient’s abdomen by the labor room staff which allegedly caused damage to uterus, it is observed even if the pushing had been done, the force applied at pushing cannot be quantified just on verbal comments to hold the Respondent responsible for rupture of the uterus. The stay at the clinic is relatively short to explain uterine rupture on the basis of obstructed labor and the documentary evidence of uterine hyperstimulation because of over responsiveness of uterus or over dosage of oxytocic drugs is missing. Therefore, based on the expert opinion the treatment provided at clinic of Respondent was right and this did not lead to worsening of condition. Upon observing that the patient was deteriorating the Respondent had well in time referred the patient to a better care facility.
10. In view of above, the Disciplinary Committee is of the considered view that the treatment protocol was rightly observed and management by the Respondent doctor was of standard. Therefore, there appears no negligence/ misconduct at the end of the Respondent doctor and is therefore exonerated from charges levelled against her.



11. The subject proceedings stand disposed of accordingly.

Mr. Aamir Ashraf Khawaja
Member

Dr. Asif Loya
Member

Muhammad Ali Raza
Chairman



28th April, 2021