



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. PF.12-Comp-216/2018-Legal

Mr. Burkhurdar vs Dr. Muhammad Zahid

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

Present:

Brig. Dr. Ambreen Anwar	Expert (Obstetrics & Gynecology)
Mr. Burkhurdar	Complainant
Dr. Muhammad Zahid (11468-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 14-05--2018 by Punjab health Care Commission (PHCC) in the matter of complaint by Mr. Burkhurdar (hereinafter referred to as the "Complainant") against Dr. Muhammad Zahid (herein after referred to as the "Respondent"). Brief facts of the case are that Complainant took his pregnant wife for ultrasound at Munawar Hospital Painsrah on 14-06-2016. Where C-Section of the patient was performed instead of carrying out ultrasound and due to their negligence, patient encountered profuse bleeding and ultimately expired.
2. The matter was taken up by the PHCC on receipt of complaint filed by Mr. Burkhurdar on 14-07-2016. Perusal of the record and statements of witnesses revealed that C-section of the patient was performed by Dr. Zahid who had been posted as ENT specialist at the THQ Hospital, Gojra at the time of incident.



3. Dr. Munawar owner and MS of Munawar Hospital denied the allegations and contended that the patient had P/V bleeding. She was being referred to Allied Hospital Faisalabad but upon insistence of the Complainant, Dr. Muhammad Zahid performed LSCS under spinal anesthesia and a healthy baby boy was delivered. The patient developed Postpartum Hemorrhage post-operatively due to Type-IV Placenta Previa. The Complainant was advised to arrange blood. Two pints of blood were arranged which were transfused. Dr. Zahid tried to control the bleeding, but it could not be controlled. Further blood transfusion was advised by Dr. Zahid which could not be arranged so she was referred to Allied Hospital, Faisalabad after about two hours.
4. After through deliberation and taking into consideration record and evidence produced by the parties as well as the expert opinion, the board decided to refer the case Dr. Muhammad Zahid to PMDC for appropriate disciplinary action for:
 - i. Performing C/section of Mst. Aliya bibi under spinal anaesthesia given by him, whereas he is posted as ENT specialist at THQ Hospital Gojra
 - ii. Not Managing the case of PPH professionally &
 - iii. Administrating anaesthesia himself and operating patient at the same time.

Reply of Respondent

5. The respondent doctor submitted his response dated 03-06-2019 as under:
 - a. *I received your letter dated 27-05-2019 regarding the above said matter on 31-05-2019. In this regard this is to be noted that the secretary Primary and Secondary Healthcare has already initiated an inquiry which is in its final stages against me. The copy of the letter of the Secretary Health is attached herewith.*
 - b. *It is requested to delay the proceedings in this case till the decision of Secretary Health, department Lahore.*
 - c. *It is interesting to note that this case was filed in June 2016 in PHCC Lahore. PHCC referred the case to secretary health in May 2018. The same case is referred to PMDC in May 2019."*
6. A written application was filed by the Complainant before erstwhile PMDC on 19-6-2019 wherein it was stated that he filed application before PHCC whereupon decision was accordingly issued by the PHCC on 14-05-2018 and case of the Respondent doctor was referred to PMDC for the further necessary legal action. However, the said application was based on misunderstanding which has been cleared by now hence seek no further indulgence in case and requested to dispose of accordingly as no grievance has been left to be redressed and regarding this a settlement agreement has been submitted before the learned district and session judge.



II. PROCEEDINGS OF DISCIPLINARY COMMITTEE OF ERSTWHILE PMDC

7. The matter was taken by the Disciplinary Committee on 28-06-2019 at Lahore. Both parties were absent. Case was adjourned and it was decided that the parties will be re-noticed for appearance before next DC meeting.

III. DISCIPLINARY COMMITTEE UNDER PAKISTAN MEDICAL COMMISSION ACT 2020

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. Burkhurdar on 20-03-2021. On the date of hearing both parties; Complainant and Respondent were present. Moreover Mr. Inamullah appeared on behalf of Dr. Munawar Ahmad (MS, Munawar hospital).
10. Complainant reiterated his allegations against Dr. Muhammad Zahid. He stated that his wife was a booked patient at Munawar Hospital where she was being seen by Dr. Nazia w/o Dr. Munawar. He took the patient to Dr. Zahid for ultrasound on 14-06-2016 as she was bleeding. He was advised by Dr. Muhammad Zahid to arrange blood and was informed that she requires C-Section which will be done by Dr. Munawar Ahmad. According to him risks and complications that the patient may encounter were never explained to him. Also, no referral was made prior to surgery so he could take the patient to a better care facility.
11. The Respondent doctor was inquired about the surgical procedure he carried out on the patient to which he stated that he received a call from Munawar Hospital for the patient who was in APH. As per protocol of the Hospital it was the hospital staff's job to assess the patient and seek consent and accordingly to



refer the patient, if need be. He further stated that the C-Section was performed upon insistence of the attendants. All complications regarding procedure were explained to them and accordingly high-risk consent was sought. Spinal anesthesia was given to the patient by himself. According to him surgery was uneventful and there were no intra operative complications. On enquiring regarding precautionary measures to manage intra operative complications, he stated that if as a final resort hysterectomy was required, he would have done so by himself.

12. On a specific question regarding pre-operative assessment and investigations carried out, the Committee observed that the Respondent had no knowledge of the same and had neither advised any. Further he states that investigations and follow them later was the duty of staff on call.
13. The respondent was inquired why he performed surgery on a gynae patient and that too a high-risk patient being an ENT specialist and not holding requisite skills and qualification in the relevant specialty. He stated that he performed the C-Section on the basis of his M.B.B.S license.
14. During the hearing specific question was asked regarding blood transfusion he responded that attendants were asked to arrange blood and initially no cross match was required therefore it wasn't done. He could not satisfy the Committee as to why two pints of blood transfused to the patient when he had earlier made a statement that the surgery was uneventful.
15. Mr. Inamullah, a non-doctor who looks after accounts of Munawar hospital is present in place of Dr. Munawar (MS Munawar hospital). The Committee inquired from him whether he accompanied the patient from Munawar Hospital to Allied Hospital Faisalabad to which he responded in affirmation.
16. During the proceedings it was observed from available record that there was no blood bank and laboratory facility at the hospital where the surgery was carried out.

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

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

- *Facts: R is an ENT Surgeon at THQ Gojra. He was called by Hospital Management (Munnawar H) to perform a CS. Without taking any History or pre op evaluation or high risk consent (A generic Consent form was produced on demand.)he performed CS after administering spinal anesthesia himself. As patient bled heavily, she was referred now to Allied Hospital Faisalabad. Acc to C was referred to Allied H Faisalabad (25 min drive) without a referral note. or*



qualified medical assistant. Patient underwent Postpartum/Obstetric hysterectomy -She developed DIC, ARF and MODS and expired on 20/6/2016 (6th POD).

- *Expert Opinion. Gross Negligence. Only DLO and performing CS and SA. Not evaluating the pt. Not developing any laisian at Tertiary care or giving a referral note to patient. Hospital Part: Booked patient of Munnawar hospital. Not referred to Tertiary care- a case of Major Pl Praevia. Unqualified staff doing surgery. No accompanying doc/Nurse/NA with patient.*

IV. FINDINGS/ CONCLUSION OF THE DISCIPLINARY COMMITTEE

18. The Committee has perused the relevant record, submissions of the parties and the expert opinion in the matter. It has been alleged by the Complainant that the patient named Aliya Bibi was taken by the Complainant to Munawar Hospital on 14-06-2016 for an ultrasound where she was a booked patient and was at high risk. She was having P/V bleeding. Dr. Zahid was called on phone for C-Section, which was performed by him under spinal anesthesia. A healthy baby boy was born. The patient developed postpartum hemorrhage due to type IV Placenta Previa. The Complainant was advised to arrange two pints of blood which were transfused later on. She was referred to Allied Hospital, Faisalabad after two hours.
19. During the course of hearing, the Respondent doctor had admitted that he works at DHQ and also performs surgeries privately. In the instant case he performed C-Section on the patient and also gave spinal anesthesia to the patient which he was not qualified on the basis of MBBS. The Respondent doctor showed no knowledge of pre-operative assessment and investigations as he had not advised any. Further he stated that investigations and follow them later was the duty of staff on call. He was also of the view that seeking consent that too in this high risk surgery was the duty of the staff at the hospital.
20. Th Respondent doctor could not give any satisfactory reply to specific question asked as to why two pints of blood were transfused to the patient if the surgery was uneventful which indicates that that the surgery had not been uneventful and the Respondent had started blood transfusion keeping in view excessive bleeding during the surgery. The Committee observes with concern that the Respondent doctor had not even checked the blood cross matching and screening reports at the time of transfusion of blood.
21. The Committee does not agree to the stance of the Respondent doctor that he performed surgery on the insistence of attendants of the patients. In fact it was his duty to explain to patient and her attendants that he is not qualified for this job and should have referred the patient to any tertiary care hospital either in Faisalabad or Gojra which was only 25 minutes away. The Disciplinary Committee further observes



that there was not blood bank and laboratory at the hospital and the Respondent doctor still chose to perform a high risk surgery at the hospital having no adequate staff and facilities. Moreover, he had not given any referral slip to the attendant at the time of referring the patient who was critically ill. These are glaring flaws on part of the Respondent doctor. On deterioration of the condition of the patient she was referred to Allied Hospital, Faisalabad where her Exploratory Laparotomy/Obstetrical Hysterectomy was done on 14-06-2016. There she remained admitted but developed DIC, ARF and Multi organ failure and subsequently passed away on 20-06-2016.

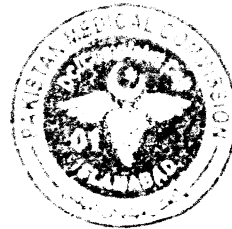
22. In view of the abovementioned facts and expert opinion it is established beyond any doubt that the Respondent doctor performed surgery on a high-risk patient without pre-operative assessment and investigations and without following any protocol required for management and treatment of patient. He performed a complicated gynecology surgery for which he does not have the requisite qualification. He also does not have qualification of anesthesia and administered spinal anesthesia to the patient who was in APH. Keeping in view the gross misconduct and professional negligence of the Respondent as established in the instant case through documentary record and for the reasons recorded above, the license issued to the Respondent Dr. Muhammad Zahid to practice medicine is hereby permanently cancelled.

23. 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