



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. PF. 8-2033/2021-DC/PMC

Reference from office of the President of Pakistan

Mr. Ali Raza	Chairman
Dr. Anis-ur- Rehman	Member
Dr. Asif Loya	Member

Present:

Dr. Rukhsana Kazi (184-AJK)	Respondent
Hearing dated	15.01.2022

I. FACTUAL BACKGROUND:

1. A petition addressed to the President of Pakistan was forwarded by Director (Petition & Digitization) President's Secretariat (Public) Aiwan-e-Sadr received at the Pakistan Medical Commission on 01.11.2021. In the said petition reference was made to the public notices issued by the Pakistan Medical Commission regarding prohibition to unlawful use of the specialization titles by medical practitioners without having requisite qualifications. In the petition certain medical practitioners were identified who have been granted license to practice basic medicine or dentistry as general practitioners and were allegedly representing themselves as consultants or specialists. It was further alleged that such individuals/practitioners are practicing in clear violation of section 29(2) of the Pakistan Medical Commission Act 2020.



2. Similar petition was lodged to the President of Pakistan Medical Commission vide a letter received on 20.10.2021. Also, in-charge Federal Investigation Agency, Cyber Crime forwarded the same petition vide letter dated 05.11.2021 which was received on 10.11.2021.
3. The petitions mentioned the names and detail of medical practitioners allegedly involved in the specialized dermatology/aesthetic procedures without requisite qualifications. Name of Dr. Rukhsana Kazi (hereinafter referred to as the “Respondent”) was also mentioned in the petition.

II. SHOW CAUSE NOTICE:

4. In view of the allegations leveled in the complaint, Show Cause Notice dated 08.11.2021 was served to Dr. Rukhsana Kazi in the following terms:
 5. **WHEREAS**, in terms of Information, evidences available on record, website www.ruxanakazi.com, and other social media networking accounts such as, <https://www.facebook.com/DrRuxanaKazi/>, you are practicing at Dr. Ruxana Kazi Aesthetic Skin Clinic at House: 11-A, Main Agha Khan Road, F-6/3, Islamabad and have published information and represented yourself in the following manner;
Dr. Rukhsana Kazi (Dermatologist)
F.C.P.S (Dermatology); and
 6. **WHEREAS**, you are registered with Pakistan Medical Commission under Registration No: 184-AJK, whereby you have got the degree of Basic Medical Qualification (MBBS) only; and
 7. **WHEREAS**, a general practitioner cannot practice in the field of specialty without requisite qualification duly recognized by the Commission and represent as having acquired or seek to practice a specialty unless same is recognized by the Commission. Therefore in view of facts mentioned in this notice your conduct of representing yourself as a specialist is in violation of Section 29 (2),(8)&(10) of the Act, read with Regulation 8 (2) of Code of Ethics of Practice for medical and dental practitioners, Regulations, 2011; and
 8. **WHEREAS**, it is observed that, your current registration status as per record of this Commission is inactive as your registration has been expired in Dec, 2020, while you are running a clinic with the name and style “Dr. Ruxana Kazi

Aesthetic Skin Clinic, House: 11-A, Main Agha Khan Road, F- 6/3, Islamabad.” and till the issuance of this notice regularly practicing as per the timing of clinic i.e. (02:30 pm to 05:00 pm Monday to Thursday).

9. **WHEREAS**, every licensed practitioner is responsible to maintain his license as valid and in good order. A practitioner shall not be permitted to practice in the absence of a valid license issued by the Commission. Your conduct to continue practice in absence of a valid license is in violation of Section 29 (7) of the Act, read with Regulation 7 (2) of Code of Ethics of Practice for medical and dental practitioners, Regulations, 2011; and

III. REPLY TO SHOW CAUSE NOTICE:

5. Dr. Rukhsana Kazi in response to Show Cause Notice submitted her reply/comments on 01.12.2021 wherein she stated that:

- a) Show Cause Notice is based on an unsigned letter addressed to President of Pakistan.
- b) Under second proviso to section 32(3) it is mandatory to disclose identity of the Complainant. The attached complaint does not bear names, addresses, full details, both of Complainant and Respondent, brief statement of facts and summary of alleged contravention, succinct representation in respect of each contravention, nature of misconduct alleged, all documents and evidence in support of each presentation and relief claimed (against respondent).
- c) The “information, evidences available on record” forming bases of the show cause notice are website account and facebook account, allegedly wherein I have “represented” myself in the following manner:
“Dr. Rukhsana Kazi (Dermatologist)
FCPS (Dermatology)
- d) I hereby attached printouts of both accounts which may kindly be scrutinized to ensure that I have neither represented myself as Dermatologist, nor as a specialist and this is not my area of practice.
- e) I am registered with Pakistan Medical Commission under registration No. 184-AJK having basic medical qualification (MBBS) only and I have never asserted otherwise.
- f) I have never represented myself to be a Dermatologist, or Dermatology specialist or any other specialist. I have never so represented in my Clinic stationary, website, Facebook or even verbally. I hereby attach printouts of website, Facebook page, Clinic letterhead and visiting card.
- g) It is incorrect that I have been practicing without a valid/renewed license. My Registration was valid until 31.12.2020, delay in renewal of registration happened due to wait in start of online renewal process. I have obtained renewal till 11.11.2023 which is current. I am, therefore, practicing under a valid license.
- h) Since I am not in violation of any provision of law or Regulations therefore show cause notice may be withdrawn. The complaint is false and frivolous, strict action may kindly be taken against the Complainant under Regulations 8.

IV. HEARING:

6. Notice dated 30.12.2021 was issued to Respondent Dr. Rukhsana Kazi directing her to appear before the Disciplinary Committee on 15.01.2022. The Respondent appeared before the Disciplinary Committee on the said date along with her counsel Barrister Khaliq Zaman.
7. The Respondent doctor was inquired about her representation as Consultant/Dermatologist/Specialist, to which she responded that she has never represented herself as specialist, as on her personal website she never mentioned as dermatologist, but the google directory referred her as dermatologist.
8. The Committee asked the Respondent about practicing with an invalid license for about a year to which she responded that, she had applied for renewal after receiving the show cause notice and her license is renewed now.
9. The Committee asked the Respondent doctor about all the aesthetic procedure she undertakes, to which she responded that, she does purely aesthetic procedures and run her own clinic. The procedure she does at her clinic are mostly lasers, (including hair removing laser, laser for rejuvenation and pigmentation), medical facial, fillers, botox and other non-invasive procedures.
10. The Respondent further stated that she had her training as Medical officer in Department of Dermatology from Pakistan Institute of Medical Sciences (PIMS) for seven (07) years. Furthermore, she had training from France to do botox, fillers and other injectable which was based on three days course, and has also obtained two trainings of laser from Korea and one from Singapore.
11. The Committee inquired if her clinic is registered with Islamabad Health Regulatory Authority (IHRA), to which she replied that it was under process and should have been registered by now. She was directed by the committee to provide a copy of registration by IHRA.

12. The Disciplinary Committee directed Respondent Dr. Rukhsana Kazi to remove words, titles such as consultant, dermatologist, FCPS dermatology used and advertised with her name on different websites and social media sites and submit a compliance report in this regard within 2 days.

V. FINDINGS AND CONCLUSION:

13. In so far as the concern raised by the Respondent Dr. Rukhsana Kazi that the Disciplinary Committee proceeded to issue show cause notice on an anonymous complaint it is clarified that the said complaint was forwarded by the President of Pakistan and thus is not an anonymous complaint. In fact, Disciplinary Committee has also received formal request from the Director (Petition & Digitization) President's Secretariat (Public) Aiwan-e-Sadr whereby a petition address to the President of Pakistan has been forwarded to take action against the medical practitioners who are practicing without requisite qualifications. Similar petition has been forwarded by the FIA. The Disciplinary Committee even otherwise has the mandate to take action of its own motion where information comes into the knowledge of the Pakistan Medical Commission of a violation of any regulatory provision by a practitioner.

14. In September 2021, the Pakistan Medical Commission widely circulated through public notice on its website and newspapers and warned all medical practitioners against using misleading titles with their names which cause misrepresentation to the general public and patients as to their qualifications and skills. It was made abundantly clear in the public notice that such misrepresentation as to specialized medical and dental practice is in violation of the code of ethics and tantamount to misconduct. In addition, such act is in gross violation of the PMC Act 2020 and mandates a disciplinary action against medical and dental practitioners involved in such deceptive practices.

15. Petition that was forwarded from the Office of President and FIA referred to the same public notice of the Pakistan Medical Commission and provided a list of medical practitioners who allegedly are carrying out practice in dermatology and aesthetics without requisite qualifications. Further the Authority has carried out its preliminary assessment of such cases resulting in

collection of relevant evidence. Therefore, Disciplinary Committee has proceeded to issue show cause notice based on sufficient information available to it and submission of a complaint.

16. Respondent Dr. Rukhsana Kazi is practicing at Dr. Ruxana Kazi Aesthetic Skin Clinic at House: 11-A, Main Agha Khan Road, F-6/3, Islamabad. She has published and represented herself on her website i.e. www.ruxanakazi.com, and other social media networking accounts such as, <https://www.facebook.com/DrRuxanaKazi/>, in the following manner:

Dr. Rukhsana Kazi (Dermatologist)

F.C.P.S (Dermatology)

17. Respondent Dr. Rukhsana Kazi in her written reply and during the course of hearing stated that she is a registered practitioner and practicing aesthetic medicines and to justify her practice she submitted following credentials/certificates.

- a) PMC registration certificate
- b) Certificate of Aesthetic Medical 2005
- c) Certificate of training of thread face lift workshop 2016
- d) Certificate of training of skin lift techniques 2017
- e) Certificate of Completion of training of HELIOSIII and HYPERION 2018

18. It is a matter of record that the Respondent doctor is registered with the PMC under registration number 184-AJK and she holds MBBS degree only. There is no post graduate degree/qualification registered in her name with the PMC.

19. A medical or dental practitioner can represent and practice only a specialty which is duly recognized and consequently registered on their license by the PMC. Medical practitioners who have been granted license to practice basic medicine or dentistry as a general practitioner cannot practice a specialty or use specialization or consultant titles with their names as it amounts to deceiving the general public. Section 29 of the Pakistan Medical Commission Act 2020 explicitly prohibits in this regard 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 (6) provides:

(6) 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 licence by the Commission.

Further 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. ...”

20. Dermatology is a specialist field of medicine which can only be practiced by a practitioner having acquired the requisite post graduate qualification in dermatology. Diplomas, certifications and other such qualifications are considered additional qualification and where the same pertain to the specific practice of dermatology the same are valid for further credentialing of a holder of a post graduate qualification. However, there are numerous diplomas and certifications in aesthetic medicine and cosmetology which are not specifically training in a medical specialty or the general practice of medicine rather are more in technical nature and in most cases consist of a few days training at non-medical facilities such as hotels or convention centers etc. These cannot be equated with medical qualifications. The field of aesthetic medicine has been loosely used over many years whereas in reality it is the practice of aesthetics or cosmetology which consists of procedures which may not be strictly speaking a practice of medicine yet have either medical consequences or cross over into the practice of medicine in part. A more recognized term for medical practitioners involved in the practice of aesthetics is an ‘aesthetic physician’. However, unfortunately over the years no effort has been made to define the credentialing pathways or privileging structure for an aesthetic physician and correspondingly those practices which fall in the domain and definition of technicians or the sphere of allied health. This

vacuum has resulted in the increasingly growing practice of aesthetics and cosmetology to be unregulated to a large extent. While it would be incorrect and unreasonable to generally limit all practice of aesthetics or cosmetology to only those who are qualified specialists in dermatology which is a wholly distinct specialty of medicine, it is imperative that the practice of aesthetics medicine be properly defined and credentialed.

21. What is relevant to the Pakistan Medical Commission as the national regulator of medical practices is what is commonly referred to as “Aesthetic Medicine”. Aesthetic medicine is a broad term for specialties that focus on altering cosmetic appearance through the treatment of conditions. It includes non-invasive procedures such as injectables including fillers, botulinum toxins, mesotherapy etc., rejuvenation treatments such as chemical peels, photorejuvenation etc., laser treatments, hair transplant etc. On the other hand Aesthetic Medicine also includes surgical or reconstructive procedures which requires qualified surgeons and specialists.
22. It has become abundantly clear that there is an urgent need to determine the scope of Aesthetic Medicine and its credentialing as in the absence of the same it is not possible to enforce the limits of practice on medical practitioners engaged in the practice of aesthetics and cosmetology, as well as those who are not medical practitioners and are practicing essentially as technologists. The absence of this clarity critically has created a confused state of affairs amongst the public and patients who are simply proceeding on the basis of marketing representations made by practitioners and clinics etc. As a result, the Authority is directed to immediately take up this issue and initiate a consultative process to prepare detailed credentialing for aesthetic medicine and guidelines for its practice whereupon the Council’s approval be sought for its notification and consequent implementation.
23. However, in the interim it is essential to ensure that no medical practitioner incorrectly represents themselves as a ‘dermatologist’, ‘consultant’ or ‘specialist’ in the absence of having acquired a recognized post graduate qualification registered with the Pakistan Medical Commission. This needs to be publicly communicated as well.
24. The Disciplinary Committee has noted that Respondent Dr. Rukhsana Kazi submitted a letter on 17.01.2022 wherein she stated that she has taken down her website, Facebook, Instagram and

google pages related to her practice. She submitted another letter on 25.01.2022 wherein she stated that she has filed a formal complaint to FIA (Cybercrime Branch) against websites including instacare.pk, www.marham.pk, hamariweb.com, heathwire.pk and medical.com.pk. The said information has been verified.

25. In view of the above discussion and the admitted absence of a proper credentialing system for aesthetic medicine and also considering the compliance report submitted by Dr. Rukhsana, the Committee has decided that no penalty shall be imposed upon Respondent doctor. However, Dr. Rukhsana Kazi is directed that if any third party without her consent represents her as dermatologist, consultant or specialist, she will initiate appropriate steps to have it corrected on an immediate basis.
26. On the additional issue of the Respondent having failed to validate her license as required and continued his practice without a valid license since December, 2021, it is an admitted position that she failed to renew her license after expiry in 2020 and renewed her license after issuance of the Show Cause Notice. More so she continued to undertake clinical practice without a license and her justification that she could not renew it because of non-availability of online licensing application system is not tenable.
27. As per sub-section (2) of 32 of Pakistan Medical Commission Act, 2020 the license of a practitioner which has expired or who has not successfully re-validated within the time prescribed shall be deemed to be suspended until such time as it is revalidated in the prescribed manner. The said provision is reproduced below for reference.

Section 32 (2)

The license of a practitioner which has expired or who has not successfully re-validated within the time prescribed shall be deemed to be suspended until such time as it is revalidated in the prescribed manner

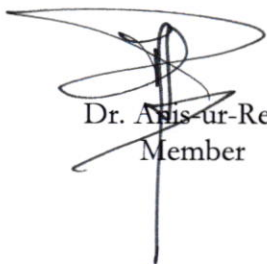
Furthermore, section 29 (7) of the PMC Act, 2020 provides that every licensed practitioner shall be responsible to maintain his license as valid and in good order. A practitioner shall not be

permitted to practice in the absence of a valid license issued by the authority. The said provision is reproduced hereunder:

Section 29 (7)

Every licensed practitioner shall be responsible to maintain his license as valid and in good order. A practitioner shall not be permitted to practice in the absence of a valid license issued by the authority.

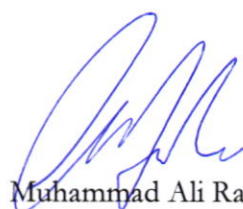
28. In view of foregoing, a fine of PKR 200,000/ (Two Hundred Thousand Rupees) is imposed on Respondent Dr. Rukhsana for failure to validate her license and continuing to practice without a valid license. Dr. Rukhsana is directed to pay the amount of fine in the designated bank of the Commission within 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 to be suspended and shall remain suspended until such time the fine is paid., irrespective of the same having been renewed during this period by Dr. Rukhsana.



Dr. Asis-ur-Rehman
Member



Dr. Asif Loya
Member



Muhammad Ali Raza
Chairman

28 February, 2022