



**PROCEEDINGS OF THE COUNCIL HELD ON THURSDAY 28TH JANUARY 2016
BETWEEN 2PM AND 4 PM IN THE TELE-RADIOLOGY ROOM OF THE DIAGNOSTIC
CENTRE AT SEYCHELLES HOSPITAL ON THE COMPLAINT DATED 22ND
DECEMBER 2015 AGAINST SCH-96-20-2-M-5**

Members present

1.	Dr Bernard Valentin	Chairman
2.	Dr Susan Fock Tave	Registrar
3.	Dr Velmurugan Chetty	Member
4.	Dr Joachim Bistoquet	Member
5.	Dr Winnie Low-Wah	Member
6.	Mr Victor Pool	Member
7.	Dr Valentina Seth	Member
8.	Dr Harold Pothin	Member
9.	Dr Derick Samsoodin	Member
10.	Father Danny Elizabeth	Member

Member Absent

11.	Miss Josie Chetty	Member
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DECISION - SCH-96-20-2-M-5 - 28.1.2016

Caution, reprimand and penalty on SCH-96-20-2-M-5 being decision of the Seychelles Medical and Dental Council following adjudication by the Council of the complaint dated 22nd December 2015 against SCH-96-20-2-M-5

After due process, the Council noted that

1. SCH-96-20-2-M-5 is a highly experienced dentist with over twenty years of practice as a dentist in Seychelles.

2. SCH-96-20-2-M-5 did admit to the substance of the complaint, i.e. the use of the words to the effect of “... *his mouth is like a septic tank!*”, while referring to a patient that SCH-96-20-2-M-5 had attended to.
3. SCH-96-20-2-M-5 did apologize to the complainant after she had taken issue with SCH-96-20-2-M-5 on the matter **but the complainant does not appear to have accepted the apology**

The Council found therefore that the ground set out in the complaint had been well-established.

The Council adjudicated that SCH-96-20-2-M-5

1. Breached the patient’s right to confidentiality by discussing the health condition of the patient with people not involved in the care of the patient.
2. Used highly inappropriate language when referring to a patient that SCH-96-20-2-M-5 had treated and by so doing showed utter disrespect for the patient.

After consideration of SCH-96-20-2-M-5’s acts, the Council concluded that SCH-96-20-2-M-5’s behavior constituted a violation of section 10 (1) (a) ii of the Medical Practitioners and Dentists Act 1994 because what SCH-96-20-2-M-5 did amounts to serious professional misconduct.

The Council reminded SCH-96-20-2-M-5 of his obligations as a dentist according to the International Principle of Ethics for the Dental Profession (1997) which stipulates that

- ***“The professional dentist must ensure professional confidentiality of all information about patients and their treatment”***
- *“The professional dentist must deal ethically in all aspects of professional life and adhere to rules of professional law.”*

As a result of the breach of section 10 (1) (a) ii of the Medical Practitioners And Dentists Act, 1994, the Council decided on the following measures as per section 10 (1) (b) C and D, of the Medical Practitioners And Dentists Act, 1994 .

SCH-96-20-2-M-5 be:

1. Reprimanded for his behavior as outlined in the complaint
2. Be cautioned that should a further complaint be lodged against SCH-96-20-2-M-5 within two years of the date of this reprimand, SCH-96-20-2-M-5 will face more severe disciplinary measures which may include suspension of SCH-96-20-2-M-5’s registration
3. Required to pay a penalty of SR 1000 to the Council.

The Council decided to advise SCH-96-20-2-M-5 that he may appeal this decision in the Supreme Court of Seychelles within 14 (fourteen) days after the date of notice of this decision.

End of the Decision.