



**Report of the Fitness to Practise Committee
following an Inquiry held pursuant to Part 8
of the Medical Practitioners Act 2007**

Registered Medical Practitioner:	Dr Munir Alam
Registration Number:	021999
Registered Address:	PO Box 91877 Riyadh 11643 King Fahad Road Olaya Saudi Arabia
Date of Inquiry:	19 th December, 2012
Members of Inquiry Committee:	Mr Brendan Broderick (Chair) Dr Mary Henry Ms Catherine Earley
Legal Assessor:	Ms Patricia Dillon SC
Appearances - For the Chief Executive:	Mr Patrick Leonard BL instructed by Ms Aoiffe Moran of Mc Dowell Purcell Solicitors.
For the Practitioner:	Not present or represented

The nature of the Complaint that resulted in the Inquiry:

The allegations of professional misconduct and/or poor professional performance considered by the Committee were as follows:

That Dr Alam, being a registered medical practitioner, failed to adhere to expected standards of competence and/or judgment in respect of care afforded to his patient, Patient A in that he:

1. In respect of the upper and/or lower lid blepharoplasty procedure carried out on or around 01 April 2010:
 - a. failed to explain adequately or at all to his patient in advance of the

procedure;

- i. The procedure itself and/or
 - ii. The pre-operative and/or intra operative and/or post-operative plan and/or
 - iii. The risks and/or complications associated with an upper and/or lower lid blepharoplasty procedure and/or
- b. removed an excessive amount of fat from the patient's lower left eyelid and/or
 - c. failed to ensure that adequate medical records were maintained and/or;

2. In respect of the brow lift procedure carried out on or around 01 April 2010:

- a. failed to explain adequately or at all to his patient in advance of the procedure;
 - i. The procedure itself and/or
 - ii. The pre-operative and/or intra operative and/or post-operative plan and/or
 - iii. The risks and/or complications associated with a brow lift and/or
- b. Carried out the brow lift in circumstances where you were aware or ought to have been aware that the patient had been incentivized by way of a discount to have the procedure carried out that day thereby depriving the patient of any or an adequate "cooling off" period and/or
- c. Failed to ensure that adequate medical records were maintained and/or;

Findings of the Committee:

Allegation 1:

Having regard to the evidence adduced, the Committee found that :

Allegation 1(a)(i) was proven as to fact.

Reason:

The Committee accepted the unchallenged evidence of Patient A and Mr Meagher.

Allegation 1(a)(i) did amount to professional misconduct.

Reason:

The Committee accepted the unchallenged evidence of Mr Meagher that the conduct amounted to a serious falling short of the standards of conduct expected among doctors.

Allegation 1(a)(ii) was proven as to fact.

Reason:

The Committee accepted the unchallenged evidence of Patient A and Mr Meagher.

Allegation 1(a)(ii) did amount to professional misconduct.

Reason:

The Committee accepted the unchallenged evidence of Mr Meagher that the conduct amounted to a serious falling short of the standards of conduct expected among doctors.

Allegation 1(a)(iii) was proven as to fact.

Reason:

The Committee accepted the unchallenged evidence of Patient A and Mr Meagher.

Allegation 1(a)(iii) did amount to professional misconduct.

Reason:

The Committee accepted the unchallenged evidence of Mr Meagher that the conduct amounted to a serious falling short of the standards of conduct expected among doctors.

Allegation 1(b) was proven as to fact.

Reason:

The Committee is satisfied based on Mr Meagher's examination of Patient A and his evidence in that regard.

Allegation 1(b) did amount to poor professional performance.

Reason:

The Committee accepted relying on the unchallenged evidence of Mr Meagher in that regard that Dr Alam failed to meet the standards of competence that can reasonably be expected of medical practitioners practising medicine of the kind practiced by Dr Alam.

Allegation 2:

Having regard to the evidence adduced, that Committee found that:

Allegation 2(a)(i) was proven as to fact.

Reason:

The Committee accepted the unchallenged evidence of Patient A in this regard.

Allegation 2(a)(i) did amount to professional misconduct.

Reason:

The Committee accepted the unchallenged evidence of Mr Meagher in this regard that the conduct so found was a serious falling short of the standard of conduct expected among doctors.

Allegation 2(a)(ii) was proven as to fact.

Reason:

The Committee accepted the unchallenged evidence of Patient A in this regard.

Allegation 2(a)(ii) did amount to professional misconduct.

Reason:

The Committee accepted the unchallenged evidence of Mr Meagher in this regard that the conduct so found was a serious falling short of the standard of conduct expected among doctors.

Allegation 2(a)(iii) was proven as to fact.

Reason:

The Committee accepted the unchallenged evidence of Patient A in this regard.

Allegation 2(a)(iii) did amount to professional misconduct.

Reason:

The Committee accepted the unchallenged evidence of Mr Meagher in this regard that the conduct so found was a serious falling short of the standard of conduct expected among doctors.

Allegation 2(b) was proven as to fact.

Reason:

The Committee accepted the evidence of Patient A that she was incentivised and that there was no "cooling off" period.

Allegation 2(b) did amount to poor professional performance.

Reason:

In view of the way the allegations were framed and notified to Dr Alam the Committee felt obliged to deal with the allegations as a single allegation. Having due regard to the evidence of Mr Meagher the Committee was satisfied that the behaviour meets the test of poor professional performance, namely that the conduct proven established that Dr Alam failed to meet the standards of competence that can reasonably be expected of medical practitioners practising medicine of the kind practiced by the practitioner.

Allegation 2(c) was withdrawn by the CEO.

Other matters relating to the registered medical practitioner the subject of the complaint which the Committee considers appropriate to specify:

The Committee was extremely concerned about the introduction of a second procedure on the agreed date of the planned procedure and by the fact that Patient was offered the second procedure at a significant discount.

Brendan Broderick,

Chairperson

19th December, 2012

Date