

PATIENT'S RIGHT & DOCTOR'S RIGHT

FUNCTIONS OF SLMC





A good doctor's
comforting and
reassuring words
are sometimes
more powerful
than medicines.

WMA DECLARATION OF LISBON ON THE RIGHTS OF THE PATIENT

- ▶ *Adopted by the 34th World Medical Assembly, Lisbon, Portugal, September/October 1981 and amended by the 47th WMA General Assembly, Bali, Indonesia, September 1995 and editorially revised by the 171st WMA Council Session, Santiago, Chile, October 2005 and reaffirmed by the 200th WMA Council Session, Oslo, Norway, April 2015*

PRINCIPLES

- ▶ Right to medical care of good quality
- ▶ Right to freedom of choice
- ▶ Right to self-determination
- ▶ The unconscious patient
- ▶ The Legally incompetent patient
- ▶ Procedures against the patient's will- Diagnostic procedures or treatment against the patient's will can be carried out only in exceptional cases, if specifically permitted by law and conforming to the principles of medical ethics.
- ▶ Right to information

PRINCIPLES

- ▶ Right to confidentiality
- ▶ Right to Health Education
- ▶ Right to dignity
- ▶ Right to religious assistance

<https://www.wma.net/policies-post/wma-declaration-of-lisbon-on-the-rights-of-the-patient/>

Cole's Medical Practice in New Zealand



"I'd like a second second opinion."

WMA INTERNATIONAL CODE OF MEDICAL ETHICS

- ▶ *Adopted by the 3rd General Assembly of the World Medical Association, London, England, October 1949
and amended by the 22nd World Medical Assembly, Sydney, Australia, August 1968
and the 35th World Medical Assembly, Venice, Italy, October 1983
and the 57th WMA General Assembly, Pilanesberg, South Africa, October 2006*

DUTIES OF A DOCTOR



- ▶ DUTIES OF PHYSICIANS IN GENERAL
- ▶ DUTIES OF PHYSICIANS TO PATIENTS
- ▶ DUTIES OF PHYSICIANS TO COLLEAGUES

The privileges of licensed medical practitioners - GMC

- ▶ performing any duties as a physician, surgeon or other medical officer
- ▶ prescribing prescription-only medicine
- ▶ signing death certificates or other types of medical certificates
- ▶ assessing the mental health state of an individual and recommend compulsory treatment


Sri Lanka

Guidelines on ethical conduct for medical and dental practitioners registered with Sri Lanka Medical Council -2009

Physicians Have Other Rights, Too

According to American Medical
Association

Except in an emergency, the
AMA notes that physicians
have a right to choose whom
they will serve, with whom
they associate and the
environment in which they will
provide care.

- 
- The physicians have the right to practice medicine in the best interests of their patients
 - The medical decisions should not be based on cost
 - The physicians should be reimbursed promptly and at a fair market value
 - They have the right to terminate an adverse relationship with a patient



THE SRI LANKA MEDICAL COUNCIL IS HOUSED IN
A MODERN AND EXCELLENT OFFICE BUILDING

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Objectives



- Organizational structure
- Powers and duties
- Disciplinary procedures

FUNCTIONS OF SLMC- History

THE CEYLON MEDICAL COUNCIL
(CMC) WAS ESTABLISHED BY THE
MEDICAL COUNCIL ORDINANCE NO
24 OF 1924

Since 1905 registration of Medical
Practitioners was done by the Ceylon
Medical College Council.



FUNCTIONS OF SLMC

PROVISIONS ENACTED IN THE
ORDINANCE CAN ONLY BE
CHANGED BY THE
PARLIAMENT

FUNCTIONS OF SLMC

- ▶ First meeting of the CMC was held on 22nd June 1925 at 3 pm in the Colombo Medical Library chaired by the first president Dr. N. Duncan walker



FUNCTIONS OF SLMC

- ▶ The Sri Lanka Medical Council was established by the Medical (Amendment) Act No 40 of 1998
- ▶ The title was substituted for the “Ceylon Medical Council”

SLMC



“The Sri Lanka Medical Council shall be a body corporate by the name and style of “The Sri Lanka Medical Council” having perpetual succession, and a common seal with power to sue and be sued in such name and to acquire and hold property.....”

- Medical Ordinance (Section 12)

FUNCTIONS OF SLMC

- ▶ The SLMC is a statutory body established for the purpose of protecting healthcare services by ensuring the maintenance of academic and professional standards, discipline and ethical practice by health professionals who are registered with it



► Need of SLMC

The need for a Medical Council in Ceylon/ Sri Lanka followed the practice in U.K., Australia and Canada.

The General Medical Council (G.M.C.) was established by the Medical Act in 1858.

FUNCTIONS OF SLMC

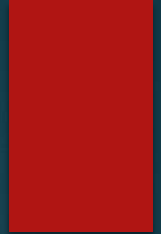


- As presently constituted council has representation from medical faculties of the state universities as well as from professionals in the state and private sector

FUNCTIONS OF SLMC

- ▶ The Medical Council shall perform the duties imposed on it by the Medical Ordinance and may make representations to the government on any matter connected with the medical profession in Sri Lanka

Sri Lanka Medical Council



Composition

- President (nominated by the minister of health)
- Vice President (elected among the members of the medical council)
- Council Members

Council Members



- One member elected by teachers of the Faculty of Medicine of each of the universities established by the Universities Act 16 of 1978
- Eight members elected by Medical Practitioners registered under section 29

Council Members

- One member elected by persons entitled to practice medicine registered under section 41 RMP
- One member elected by dentists registered under section 43
- Four members nominated by the minister, of whom at least two are not employed by the Government or receive a pension
- Director General of Health Services
- One member elected by the faculty board of dental sciences

FUNCTIONS OF SLMC

- ▶ Medical Council shall appoint a registrar who shall act as secretary of the medical council and also as treasurer, unless the medical council shall appoint another person as treasurer and may appoint an assistant registrar who shall assist the registrar in the performance of his duties

FUNCTIONS OF SLMC

▶ Registrations

▶ Medical practitioners

- ▶ full after internship
- ▶ Provisional for internship
- ▶ Temporary for foreign doctors to practice in Sri Lanka

▶ Dentists

▶ Registered medical officers

▶ Nurses

▶ Para Medical assistants – Audiologists, speech therapists etc

All must be over 21 years and Citizen of Sri Lanka

SLMC.....

- ▶ In 1927 – registration of Pharmacists, which included Apothecaries and Estate Apothecaries.
- ▶ 1949 – Nurses were registered
- ▶ 1987 – Registration of Para-medical assistants
- ▶ 1998 - Professions supplementary to medicine
 - Radiographers
 - Medical Laboratory Technicians
 - Physiotherapists
 - Occupational Therapists

FUNCTIONS OF SLMC

► Medical Education

- Standards/ facilities in medical colleges and teaching hospitals

The Medical (Amendment) Act No. 30 of 1987 makes provision for the Council to enter and make inquiries at recognized universities whether they comply to prescribed standards.

The council may recommend to the Minister to withdraw such recognition.

FUNCTIONS OF SLMC

- ▶ Disciplinary functions
 - ▶ Warning
 - ▶ Suspensions
 - ▶ Erasure
 - ▶ Reinstatement

**GUIDELINES
FOR
INTERNSHIP**

SRI LANKA MEDICAL COUNCIL

MARCH 2005

SRI LANKA MEDICAL COUNCIL

EVALUATION CERTIFICATE FOR INTERNSHIP



GUIDELINES

ON

ETHICAL CONDUCT

FOR MEDICAL & DENTAL PRACTITIONERS

REGISTERED WITH

THE SRI LANKA MEDICAL COUNCIL

SRI LANKA MEDICAL COUNCIL
31, NORTH CANTAL ROAD
COLOMBO 10
JAN 2018

GUIDELINES FOR MEDICAL PRACTITIONERS & DENTISTS

MEDICAL & DEATH CERTIFICATES

SRI LANKA MEDICAL COUNCIL

NO. 31, NORRIS CANAL RD

COLOMBO 10.

MAY 2004

FUNCTIONS OF SLMC

The Medical Council may

- ▶ Order the erasure of the name of any person
- ▶ Order to be suspended from rights, privileges and immunities
- ▶ Order restore the name of any person to register

FUNCTIONS OF SLMC

- ▶ In the following instances the SLMC can take disciplinary actions such as warnings, suspensions, erasure
- ▶ SLMC also has the right to erase the name of a doctor if he fails to respond to the notices

INSTANCES OF MISCONDUCT

- Deprived of diploma, degree, certificate
- Convicted of an offence (usually criminal)
- Convicted under Births and Deaths Registration Ordinance of dishonesty
- Guilty of infamous conduct
- Guilty of serious medical negligence

INSTANCES OF MISCONDUCT

- ▶ Failure to reply notices within 3 months
- ▶ Mentally incapacitated
- ▶ Dichotomy
- ▶ Touting for patients
- ▶ Patronizing a particular laboratory
- ▶ Patronizing a particular pharmacy

INSTANCES OF MISCONDUCT

- ▶ Prescribing drugs of a particular firm
- ▶ Medical negligence established by court of law
- ▶ Criminal negligence established by court of law
- ▶ Punished for grave criminal offences
- ▶ Illegal operations

INSTANCES OF MISCONDUCT

- ▶ Criticizing colleagues
- ▶ Breach of professional confidence

Disciplinary proceedings

- ▶ When a petition made against a doctor or courts report a case


Two committee levels

1. Preliminary Proceeding Committee(PPC)

Five members- Vice President(Chairman)

2. Professional Conduct Committee(PCC)

Eleven members- President(Chairman)

- 
- ▶ The procedure for disciplinary inquiries currently applicable was published in the Government Gazette No. 757/7 of March 10, 1993
 - ▶ The Medical (Amendment) Act No. 30 of 1987 introduced the requirement for renewal of registration at 5-year intervals.

DISCIPLINARY ACTION AGAINST DOCTORS

- SLMC does not act as a policeman
- Acts only when instances of professional misconduct is brought to its notice
- Must be a written statement addressed to the registrar
- Such complaint supported by an affidavit

DISCIPLINARY ACTION AGAINST DOCTORS


- In the affidavit name, designation and address of the sender
- Source of such information
- If the complaint constitutes a ground under section 25(1)(a)
- President of SLMC will direct the registrar of SLMC to refer to the “ Preliminary Proceedings committee”

Disciplinary proceedings

- ▶ PPC will inquire any complaint referred to the president and decides whether the case should be referred to PCC
- ▶ PCC conducts extensive inquiry on the cases

The parties can represent through lawyers

Warned to erasure of the name



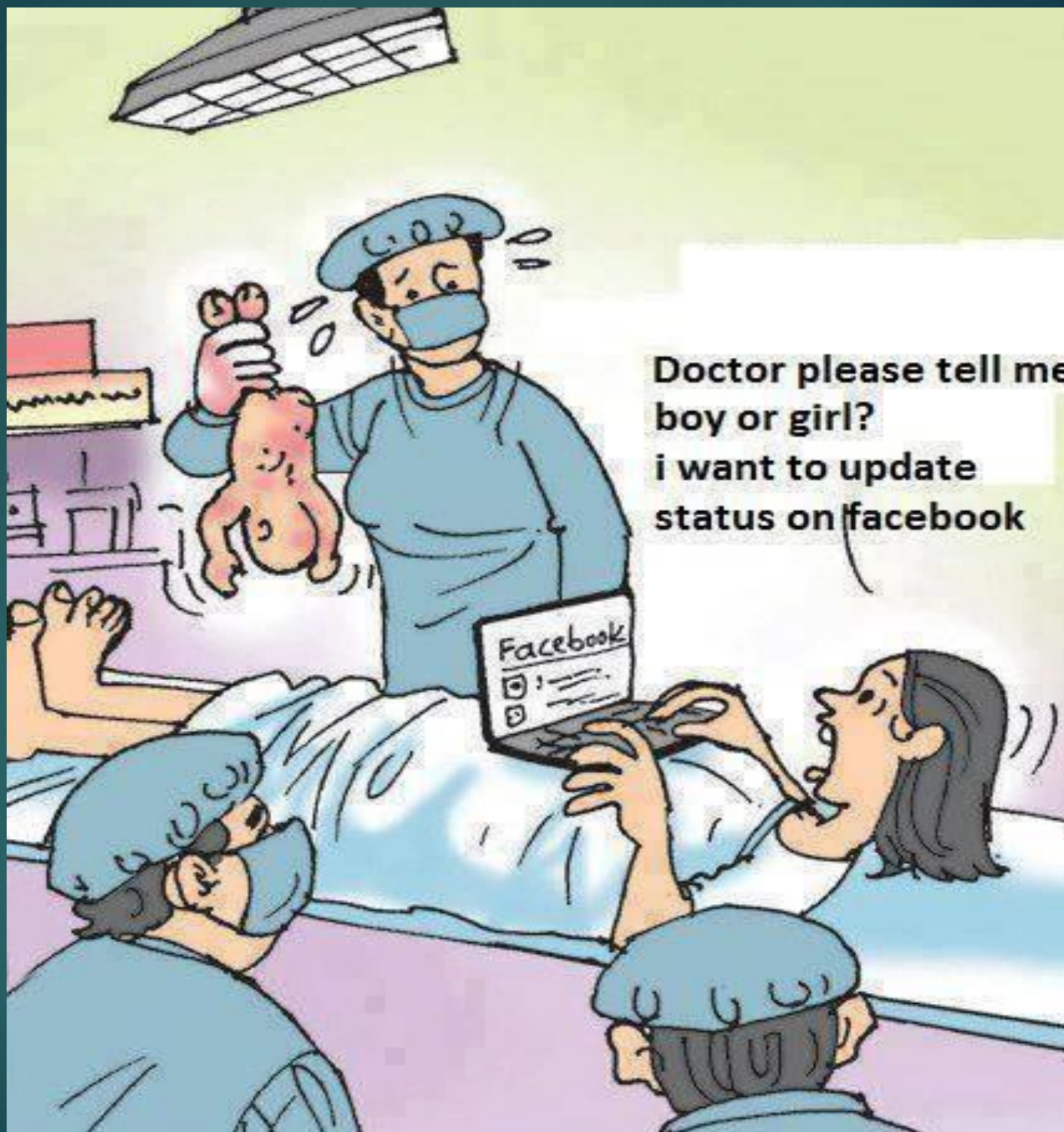
Doctor to patient: Why are you nervous?

Patient: Because this is the first time I am going to have an operation.

Doctor: Look at me, I am not nervous though this is going to be my first operation.

REFERENCE

1. <http://www.srilankamedicalcouncil.org>
2. Guidelines on ethical conduct for medical and dental practitioners registered with the Sri Lanka Medical Council , 2009
3. <https://www.gmc-uk.org/>
4. www.mc.lk



Doctor please tell me
boy or girl?
i want to update
status on facebook



THANK YOU