

MALAYAN MEDICAL ASSOCIATION

ETHICAL CIRCULAR

A member of the Association wrote to the Ethical Committee requesting guidance on the extent to which medical details of an employee should be revealed to his employer. It was stated that some practitioners record entire details of illness, investigations and treatment on medical record cards which are filed with the employer and not with the doctor. Employers are now exerting pressure on their medical retainers to supply them with details of medical information and in support of this quote certain private practitioners and some practitioners in Government service who have little hesitation in supplying medical details.

The Ethical Committee wishes to remind members of the Malayan Medical Association of the following sections of our Ethical Code:—

Para. 2 of Section 2 reads “It is a practitioner’s obligation to observe strictly the rule of professional secrecy by refraining from disclosing voluntarily without the consent of the patient (save with statutory sanction) to any third party information which he has learnt in his professional relationship with the patient.”

Section 4 para. 40 reads “The personal medical records of employees maintained by an industrial medical officer for his professional use are confidential documents. Access to them must not be allowed to any other person except with the consent of the industrial medical officer or with the consent of the employee concerned.”

Our Ethical rules clearly state that all medical record cards are privileged documents and their contents should only be revealed to another doctor, or to a third party after obtaining consent of the patient. If a firm insists it should keep the medical records of its employees then the firm’s medical practitioner should record on these cards information limited to the name and other personal particulars (address, age, sex, etc.), the dates of attendances and the number of days medical leave granted. The cards should neither contain the patient’s symptoms, signs, results of any investigations carried out and diagnosis, nor the treatment prescribed. The practitioner should have his own private record cards for each and every employee who is his patient. These should be his own private documents and will necessarily contain all details of medical examinations, investigations, diagnosis and treatment. Any information of a confidential nature should only be revealed to the employer with the written consent of the patient. The advantages of this practice are obvious for not only in the long run will medical practitioners help to maintain a sound doctor-patient relationship but also absolve themselves from any future litigation which may result from disclosure of medical details of an employee to his employer.

The Ethical Committee feels that if all medical practitioners (whether in private practice or Government Service) explained to employers that it is against medical ethics to reveal details of medical examinations to a third party this unhealthy practice would cease.

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