

# All about MCs

By SMA Ethics Committee

## Issuing post-dated MCs

A query was received from an employer on whether a doctor can issue post-dated medical certificates (MCs).

The Committee highlighted Singapore Medical Council's Ethical Code and Ethical Guidelines to the employer, which states that "Medical certificates may neither be post-dated nor back-dated and shall start from the day of consultation or procedure, except where it is clear that a patient's absence from work prior to consultation is consistent with the patient's clinical presentation to the doctor and there is medical justification to issue the certificate." It is clear from this guideline that it is not a norm to issue post-dated MCs, although it is also not prohibited. The provision is that when a doctor does issue a post-dated MC, he should provide an accompanying justification.

The Committee also noted that the doctor who issued the MCs to the employee specialises in Obstetrics and Gynaecology, and the MCs were issued as "hospitalisation MCs". The Committee felt this is likely to be an obstetric or gynaecological condition that requires enforced rest, which normally takes place in a hospital but can also take place at home as long as the patient complies with certain instructions. The Committee advised the employer to seek clarification by communicating directly with the staff. The employer can also request, with patient's permission, that the doctor furnish a memo as an attachment to the MC, explaining the reasons for post-dating the MCs (without necessarily disclosing the diagnosis, thereby maintaining medical confidentiality). The employer or its HR department can then assess if the reasons are in line with and acceptable according to the company's policy and the contractual terms of the patient's employment. However, any employer which disputes a doctor's judgement in the MC had better have adequate justification, as it is likely to be challenged by the patient.

## Invalidating MCs

The Committee received a query from an SMA member asking the following, after one of his patients took an MC and left after consultation, but did not pay:

- Can he invalidate the MC?
- Should he report the incident to the police?
- Are there any other measures to implement besides calling up the patient?
- Will any of the above affect doctor-patient confidentiality?

The Committee highlighted that the MC cannot be invalidated as medical opinion and payment are separate matters, but the clinic could try calling up the patient to warn him that they would report the incident to the police if no payment is made.

## Issuing MCs for skin irritation

The Committee received a query from an employer on whether a skin irritation condition warrants the issuing of an MC. The Committee highlighted the following:

- MCs are issued by doctors based on medical and public health considerations. It is difficult for a third party to determine if an MC is justified without adequate information. Such information is protected by medical confidentiality, and can only be released with the permission of the patient.
- Unless contractually waived in the employment contract, the employer should respect the employee's right of privacy and confidentiality. Therefore, if the employer wishes to pursue the matter further, he should either request that the employee concerned provide him with more information, or the employer should obtain the consent of the employee to request for more information from the doctor who issued the MC. **SMA**

