



PRESS RELEASE

DETERMINATIONS OF DISCIPLINARY CASES BY THE MEDICAL COUNCIL OF MALAWI

Section 53(1) (a) and (b) of the Medical Practitioners and Dentists Act empowers the Medical Council of Malawi (MCM) to publish the outcomes of disciplinary proceedings. Accordingly, the Council wishes to inform the public of the determinations made in the following disciplinary cases.

The Council heard a total of 21 cases, of which 17 originated from public health facilities and 4 from private health facilities. The cases involved various healthcare professionals and institutional managers, including 2 obstetricians and gynaecologists, 3 medical practitioners, 3 clinical officers, 2 intern clinical officers, 1 medical assistant, 1 anaesthetic nurse therapist, 1 public health officer and 8 managers. The managers included health facility in-charges, medical directors, director generals and Directors of Health and Sanitation Services (DHS).

Of the 21 cases heard, 13 resulted in guilty verdicts, 7 resulted in not guilty verdicts, while 1 case was referred.

This press release communicates the Council's determinations in cases whose findings have significant implications for professional practice, patient safety and the delivery of healthcare services.

No	Name and qualification of Practitioner	Hospital involved	Issue	Verdict	Council Penalties
1	Andrew Master Mwale, Clinical Officer	Kamuzu Central Hospital	Failure to consult a pathologist despite being aware of the medicolegal complexity of the post-mortem examination.	Guilty	1.Written warning. 2.To conduct a (Continuing Professional Development) CPD on ethics and professionalism at an MCM recognized session. A report by a senior MCM registered practitioner should be submitted to MCM as evidence. 3.To pay a fine equivalent to the full cost of the investigation. 4. Mr. Mwale should comply to the MCM circular of 2024 on the conduct of postmortems in Malawi and any proceeding MOH circulars. 5. The preliminary postmortem report had gaps therefore there is need for a comprehensive and conclusive report. KCH to address this.

2	Officer In-Charge	Katoto MASM MEDI Clinic	Failure to establish and maintain a proper documentation and filing system, as well as failure to provide adequate resources.	Guilty	1. Written warning. 2. Pay a fine equivalent to 50% of investigation costs. 3. There should be a mandatory CPD session at Katoto MASM clinic on ethics and professionalism focusing on adequate medicines and supplies.
3	Dr Enette Chipungu, Obstetrician and Gynaecology Specialist.	Good Hope Medical Centre Limited	Converted a surgical procedure from a transvaginal to a transabdominal approach without obtaining the patient's informed consent.	Guilty	1. Written warning. 2. To conduct a CPD session on elements of informed consent as outlined in the Code of Ethics and Professional Conduct of 2022. 3. To pay a fine equivalent to 30% of the investigation costs.
4	Nelson Msiska, Clinical Officer	Good Hope Medical Centre Limited	Conducted a procedure without obtaining a patients' informed consent.	Guilty	1. Written warning 2. To conduct a CPD session on elements of informed consent as outlined in the Code of Ethics and Professional Conduct of 2022. 3. To pay a fine equivalent to 30% percent of the investigation costs.
5	The Managing Director	Good Hope Medical Centre Limited	Presided over surgical procedures conducted without obtaining a patients' informed consent	Guilty	1. Written warning. 2. The hospital should have a CPD session for all practitioners on elements of informed consent as outlined in the Code of Ethics and Professional Conduct of 2022. 3. To pay a fine of 30% of the investigation costs. 4. The hospital should improve their informed consent forms to be comprehensive.
6	Mr Duncan Chifuniro Banda, Medical Assistant	Bwaila Hospital	Induced labour using an excessively high dose of misoprostol; performed a procedure beyond his scope of practice and without supervision; and engaged in the unauthorised sale of misoprostol.	Guilty	1. Written warning. 2. Conduct a mandatory CPD on the Induction of Labor, to be supervised by a specialist obstetrician and gynaecologist. A report on the same to be submitted to the MCM by the QECH Director General, or the Head of Department 3. A fine equivalent to 50% of the investigation costs. 4. De-register as an intern clinical officer, requiring Mr. Banda to recommence internship and attend an 18 months internship placement at Queen Elizabeth Central Hospital. 5. Refund the Mk15,000 to the complainant and provide evidence to the MCM on the same.

7	The Office of the Facility In-charge	Area 25 Health Centre	Loss of patient records.	Guilty	1. Written warning. 2. The Office of the Health Centre In-charge should develop strategies to secure medical records.
8	The Office of the Director of Health Services (DHS)	Lilongwe District Hospital	Loss of patient records.	Guilty	1. Written warning. 2. The Office of the DHS should develop strategies to secure medical records.
9	The Office of the Director of Health and Sanitation Services	Rumphi District Hospital	Failure to establish and implement appropriate patient transfer protocols.	Guilty	1. Written warning 2. The office of the DHS to pay a fine, equivalent to 30% of the investigation cost.
10	The Office of the District Medical Officer (DMO)	Rumphi District Hospital	Failure to provide a report or explanation regarding the cause of death, and failure to establish and implement safe patient transfer protocols.	Guilty	1. Written warning 2. The office should ensure a CPD session is conducted focusing on lessons learnt and the importance of safe patient transfer protocols. 3. The Office of the DMO is fined, with payment to be made jointly alongside the Office of the DHS. 4. Referral to the Nurses and Midwives Council of Malawi.
11	Mr Sangwani Chirwa Anaesthetic Nurse Therapist	Rumphi District Hospital	Failure to conduct a comprehensive pre-procedure assessment; inadequate post-operative monitoring; inappropriate patient handover; and provision of anaesthesia services below the expected standard of care.	Guilty	1. Written warning. 2. To conduct a CPD session on patients monitoring during anaesthesia and another on management of high spinal anaesthesia, a report on the CPD to be submitted to MCM. 3. To pay a fine equivalent to 30% of investigation costs. 4. Referral to the Nurses and Midwives Council of Malawi.
12	Mr Sydney Mkandawire, Intern Clinical Officer	Chitipa District Hospital	Submission of falsified internship reports to the MCM and forgery of a signature to produce fraudulent reports.	Guilty	1. Written warning 2. To deliver a CPD session on ethics and professionalism focusing on fraudulent reports. 3. Deregistered as an intern clinical officer for 2.5 years 4. To restart and complete an extended internship (18 months) at a central hospital after the 2.5 years if he would want to rejoin the clinical practice. 5. To pay a fine equivalent to 30% of the investigation costs.

13	Dr Victor Matumbo Principal Medical Officer	Chitipa District Hospital	Deliberate approval of falsified internship reports.	Guilty	1. Written warning. 2. Suspension for 2.5 years 3. To deliver a CPD on ethics and professionalism and submit a report after the session to the MCM. 4. To pay a fine equivalent to 30% of the investigation costs.
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