



**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 Mohammad Ilyas Khan
Registration Number:	020770
Registered Address:	25 Fan Aoibhinn Cahir Road Clonmel Co Tipperary
Date of Inquiry:	16th, 17th April, 11th, 12th, 13th May, 24th, 26th June and 27th July, 2015.
Members of Inquiry Committee:	Ms Cornelia Stuart (Chair) Ms Ger Feeney Dr Mary Henry
Legal Assessor:	Mr Seamus Woulfe SC
Appearances - For the Chief Executive:	Ms Elaine Finneran BL by Mc Dowell Purcell Solicitors.
For the Practitioner:	Mr Eugene Gleeson SC instructed by O'Donnell Waters Solicitors

Findings of the Committee:

Allegation 1a:

That following the birth of Patient BT, Dr Khan failed to put in place an adequate plan for the treatment of Patient BT's diagnosis of Hypoxic ischaemic encephalopathy (Hypoxia).

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

Allegation 1a was proven as to fact.

Reason: The evidence of Nurse Cahill satisfied the Committee beyond a reasonable doubt that Dr Khan was alerted by Nurse Cahill to manifestations of seizure activity at 24:15 on the 16th of June 2012. The Committee notes that this evidence was not disputed by Dr Khan at the time that Nurse Cahill gave her evidence. Having regard to those facts the evidence of Dr Connolly established beyond a reasonable doubt the failure to put in place an adequate plan to include possible cooling for the treatment of patient BT's diagnosis of HIE after having being alerted to the seizures and seizure activity manifestations at 24:15.

Allegation 1a amounted to poor professional performance

Reason: The evidence of Dr Connolly established beyond a reasonable doubt that this was a serious failure to meet the standards of competence that can be reasonably expected of a locum consultant paediatrician working in paediatrics.

Allegation 1b:

That Dr Khan failed to consider and/or follow adequately or at all the National Neo-Natal Transport Programme's Guidelines dated September, 2011 in respect of the transfer of infants for hypothermic treatment.

Allegation 1b was proven as to fact.

Reason: The evidence of Nurse Cahill satisfied the Committee beyond a reasonable doubt that Dr Khan was alerted by Nurse Cahill to manifestations of seizure activity at 24:15 on the 16th of June 2012. The Committee notes that this evidence was not disputed by Dr Khan at the time that Nurse Cahill gave that evidence. Having regard to those facts, the evidence of Dr Connolly established beyond reasonable doubt that Dr Khan failed to follow adequately the guidelines after being alerted to the seizure activity at 24:15.

Allegation 1b amounted to poor professional performance

Reason: The evidence of Dr Connolly established beyond reasonable doubt that this was a serious failure to meet the standards of competence that can be reasonably expected by a locum consultant paediatrician working in paediatrics.

Allegation 1c:

That following the birth of Patient BT Dr Khan failed to arrange for the transfer of Patient BT to a neo-natal intensive care unit for specialist treatment to include hypothermic treatment (cooling of the baby's head and/or body).

Allegation 1c was proven as to fact.

Reason: This was proven beyond a reasonable doubt by the undisputed evidence heard by the Committee.

Allegation 1c amounted to poor professional performance

Reason: The evidence of Dr Connolly established beyond a reasonable doubt that this was a serious failure to meet the standards of competence that can be reasonably expected of a locum consultant paediatrician working in paediatrics.

Allegation 1d:

That in circumstances where Patient BT was approximately three hours of age, and where Dr Amin Adbdelrahim, registrar discussed the possibility of hypothermic treatment with Dr Khan, Dr Khan failed to arrange for the transfer of Patient BT for hypothermic treatment.

Allegation 1d was not proven as to fact.

Reason: The allegation was not proven beyond a reasonable doubt.

Allegation 1e:

Dr Khan failed to obtain a second opinion from a paediatrician, either in the Hospital or another hospital, in relation to the management and/or treatment of Patient BT's condition.

Allegation 1e was proven as to fact.

Reason: This was proven beyond a reasonable doubt by the undisputed evidence heard by the Committee.

Allegation 1e amounted to poor professional performance.

Reason: The evidence of Dr Connolly established beyond a reasonable doubt that this was a serious failure to meet the standards of competence that can be reasonably expected of a locum consultant paediatrician working in paediatrics.

Allegation 1f:

That on or about 16 June 2012 Dr Khan failed to arrange for the transfer to the Patient BT in circumstances where he had been categorised as a high dependency care neonate.

Allegation 1f was proven as to fact.

Reason: This was proven beyond a reasonable doubt by the undisputed evidence heard by the Committee.

Allegation 1f amounted to poor professional performance.

Reason: The evidence of Dr Connolly established beyond a reasonable doubt that this was a serious failure to meet the standards of competence that can be reasonably expected of a locum consultant paediatrician working in paediatrics.

Allegation 1g:

That on one or more occasion(s), on or around 16 to on or around 17 June 2012, in circumstances where Patient BT was displaying seizure like/type activity, Dr Khan told Patient BT's parent(s) that Patient BT was "fine" in circumstances where he knew or ought to have known that was not the case.

Allegation 1g was proven as to fact.

Reason: The evidence of patient BT's parents together with the evidence of Dr O'Malley and Dr Carroll established beyond a reasonable doubt the Dr Khan told the parents that patient BT was fine and the evidence of Dr Connolly established beyond a reasonable doubt the Dr 14 Khan ought to have known that this was not the case, notwithstanding the evidence of Dr Khan to the contrary.

Allegation 1g amounted to poor professional performance.

Reason: The evidence of Dr Connolly established beyond a reasonable doubt that this was a serious failure to meet the standards of competence that can be reasonably expected of a locum consultant paediatrician working in paediatrics.

C Stuart

Chairperson

31st July, 2015

Date