PRESS STATEMENT
BY
THE HONOURABLE MINISTER OF HEALTH

REGARDING THE 2 ARTICLES PUBLISHED IN THE NEW STRAITS TIMES ON 3RD MARCH 2015 - THOUSANDS RISKING THEIR LIVES WITH FAKE DOCTORS & FALLING PREY TO ‘ALTERNATIVE’ HEALERS

The Traditional and Complementary Medicine (T&CM) Act 2013 was gazetted in the year 2013. The objectives of this Act are to regulate the T&CM practices and practitioners in Malaysia, and ensure the public receive safe and effective T&CM services by mandating compulsory registration with the T&CM Council which is to be established under this Act. Besides this, the T&CM Act 2013 will also set standards for registrable qualifications of T&CM practitioners and develop mechanisms to address issues which cannot be properly resolved by the existing legislation.

“Bogus” doctors or misuse of the title “Doctor”
The Ministry is aware of “bogus” practitioners that are using the title ‘Doctor’ to mislead patients that they are qualified registered medical practitioners providing medical treatment.

According to the Medical Act 1971, no person shall use the title ‘doctor’ in Malaysia unless he is a registered doctor under the Medical Act 1971 or holds the qualification of PhD. The Ministry is facing challenges in regulating the misuse of the title ‘Doctor’ under the Medical Act 1971, as the Medical Act 1971 can only take action against registered medical practitioners.

Under section 29 of the T&CM Act 2013, the T&CM Council will specify and provide the list of prohibited titles and abbreviations used by a registered T&CM practitioner through notification in the Gazette. This mechanism is to ensure that titles and abbreviations used do not confuse or mislead the public. Any practitioner who goes against this provision will be placed in a watch-list register and may have his registration revoked by the Council.

Misleading claims and unproven practices
To date, the Ministry only regulates modern medical practice. The T&CM Act 2013 allows the Ministry to regulate T&CM. Under section 3 of T&CM Act 2013, practice of T&CM means a form of health-related practice designed to prevent, treat or manage ailment or illness or preserve mental and physical well-being of an individual and includes such practices as traditional Malay medicine, traditional Chinese medicine,
traditional Indian medicine, homeopathy, and complementary therapies, but excludes medical and dental practices used by a medical and dental practitioner respectively.

The Ministry is aware that T&CM practices are very complex and diverse in nature. A mechanism was laid out in Section 20 of the T&CM Act 2013 for the T&CM Council to identify the practice areas that are to be undertaken in Malaysia, and make recommendation to the Ministry to prescribe such practice areas as recognised practice areas. No person shall practise in any practice area which is not a recognised practice area. Any person who contravenes that provision commits an offence, and legal action can be taken resulting in a fine not exceeding 30 thousand ringgit or imprisonment for a term not exceeding two years or both for the first offence. (Section 21, T&CM Act 2013)

Practices which are not evidence based may not be considered as a recognised practice area. This is to ensure public safety with regards to these types of treatment and prevent delays in getting proper medical treatment.

Registtable qualifications by T&CM practitioners
A person intending to practice T&CM in any of the recognised practice areas will need to register with the T&CM Council and fulfil the registration requirements (eg. with registrable qualifications) as determined by the Council.

The Ministry is working very closely with Malaysian Qualification Agency (MQA) and Department of Skills Development (DSD) in identifying and developing appropriate T&CM training programmes to ensure that all T&CM practitioners are competent and properly trained. (Please refer to attachment for list of identified T&CM qualifications in Malaysia at degree, diploma and skills level).

The Ministry is aware that there are illegal institutions offering non-accredited courses with claims that they are ‘recognised’ qualifications. These issues have been forwarded to the relevant agencies for further action. These inadequately trained practitioners shall cease to practice after the enforcement of this Act if they do not fulfill the registrable requirements as determined by the Council. On 19 March 2015, the Ministry has taken the initiative to organize a dialogue with MQA, DSD and local institutions or training centres with the objective to ensure that all T&CM courses should fulfil the existing legislation requirements.

Use of Medical Devices
The Medical Act 1971 [section 33(1)(d), 33(2)(b)] and Medical (Instruments) (Exemption) Regulations 1986 provide provisions that certain medical devices can only be used by a registered medical practitioner or under the supervision of a registered medical
practitioner. However, as the Medical Act 1971 only governs registered medical practitioners, the Ministry faces some limitations and restrictions in enforcing this provision to individuals not governed under this Act. Under Section 60(2)(g) of the T&CM Act 2013, the Ministry will prescribe procedures for application for permission to use any medical device by a T&CM practitioner. This will ensure that the practitioner is using only the approved medical devices.

**Short courses organized by homeopathy therapists**

The T&CM Division (T&CMD) is aware that there are many T&CM Courses being carried out which is not recognised and not accredited by any government agencies. For Homeopathy, Cyberjaya University College of Medical Science (CUCMS) started the “Bachelor of Homeopathic in Medical Science” programme in June 2010. Subsequently, the T&CMD and the Malaysian Homeopathic Medical Council (MHMC) agreed during the Practitioner Bodies meeting on 26th January 2015 that homeopathy practitioners who had enrolled in degree level programmes from August 2010 onwards and who qualify with a minimum qualification of bachelor’s degree can be registered as members of MHMC. Those individuals who attend short courses in homeopathy are deemed not qualified to practice and will face problems registering with the T&CM Council once the Act is enforced.

**Recognised T&CM programmes in Malaysia**

The Ministry of Health is not involved in the recognition of T&CM programmes in Malaysia. However, it is advisable for the public to refer to the Malaysian Qualifications Agency (MQA) and Higher Education Department (HED) of the Ministry of Education for T&CM programmes which are accredited. Currently there are 8 higher education providers offering diploma and degree level courses in T&CM. For skills courses, the Department of Skills Development of the Ministry of Human Resources can be referred to for accredited institutions providing skills courses according to the National Occupational Skills Standard (NOSS).

*Establishment of private higher education centres will need to be approved by the HED under the Private Higher Education Institution Act 1996 (Act 555).*

**Dubious institutions and training centre**

It is advisable for the public to report to the T&CMD if they are aware of any dubious institutions / training centres who are offering unaccredited courses as well as unqualified practitioners who are practicing unethically. Investigations will be based on the complaint and necessary action will be taken with the collaboration of relevant government agencies.
T&CM Products in Malaysia

Many people believe that because herbal products are natural they are safe. Many products however have potentially dangerous interactions with other medications and can have similar side effects to conventional drugs.

Traditional medicine, finished herbal products and homeopathic products require to be registered with the Drug Control Authority prior to marketing according to the Sales of Drug Act 1952 and Control of Drugs and Cosmetics Regulation, 1984. Regulatory measures include the licensing of manufacturers, importers and wholesalers. Other regulatory controls these products are subjected to include the Dangerous Drugs Act 1952, Poisons Act 1952, Medicines (Advertisement & Sale) Act 1956 and the Wildlife Conservation Act 2010 (Laws of Malaysia Act 716).

As of January 2015, there are 12,183 registered traditional / herbal / homeopathic products with a wide variety of claims from which the public can choose to use as an alternative medicine. With the huge number of registered products available, the Drug Control Authority warns the public against consuming unregistered products in the market. Such products have not been evaluated for their safety, quality and efficacy and if manufactured strictly following the Good Manufacturing Practice. Unregistered products can cause heart failure, kidney and liver failure and lead to serious medical complications.

During product registration, traditional products samples are tested and only those who pass the quality tests can proceed for registration. These same tests are also conducted during post-marketing surveillance. Post-marketing surveillance activity is conducted to ensure the products are of consistent quality and to ensure safe self medication by the public.

All registered products have to be affixed with a Meditag hologram which is a security feature which will distinguish it from unregistered products. All pharmacies have been provided with a Meditag decoder for consumers to verify the authenticity of the product.

Customers can also check about the regulatory status of a product by conducting a search at the NPCB website at www.bpk.gov.my under QUEST search. Products can be checked according to name, product registration number, active ingredient, registration holder and manufacturer. In addition to that, labels of registered products are also currently being uploaded into the system.

Reading the product label is the most important part of taking care of yourself and your family when using over the counter (OTC) medicines (available without a prescription).
If you read the OTC medicine label and still have questions about the product, talk to your doctor or pharmacist. All non-prescription, over-the-counter (OTC) medicine labels have detailed usage and warning information so consumers can properly choose and use the products wisely.

If you think you may be experiencing an adverse event caused by your medication, seek advice from your doctor/pharmacist as soon as possible. Report all cases where there is a possible causal relationship between the reaction and the drug in question to the National Pharmaceutical Control Bureau at www.bpfk.gov.my or 03-78835400.
YB Datuk Seri,

a) T&CM Act Enforcement Issue
1. The Traditional & Complementary Medicine Division (T&CMD) of the Ministry of Health (MOH) Malaysia views with grave concern regarding the abovementioned articles that have been published in the New Straits Times on 3rd March 2015. We would like to reiterate that as the responsible Division in the MOH for Traditional & Complementary Medicine (T&CM) practices, we are continuously taking the necessary steps to educate and inform the public regarding T&CM practices with an emphasis that any practice available to the public should be safe, efficacious and evidence based.

2. During the Press Conference of the 8th INTRACOM Conference on 30th October 2014, in response to a question posed by a journalist, YB Datuk Seri had responded that the Traditional & Complementary Medicine Act 2013 which had been gazetted in February 2013 will be enforced in the middle of 2015. To that end, the T&CMD has been working closely with the MOH Legal Advisor to ensure preparations for the enforcement of the act are in progress. On 2nd September 2014, a briefing on the Draft T&CM Regulations (to support the Act) was made to YB Datuk Seri in the presence of the Honourable Director-General of Health Malaysia. After discussion, it was approved in principle and subsequently on the 4th of September 2014 the Draft Regulations was submitted to the MOH Legal Advisor for final review prior to submission to the Attorney General’s Chambers for their approval. At the same time the T&CMD is preparing the relevant Standard Operating Procedures to aid in enforcement activities.

3. During this period, the T&CM Division has worked closely with the 8 practitioner bodies representing the 6 main practice areas that have been identified, namely Traditional Malay Medicine, Traditional Chinese Medicine, Traditional Indian Medicine, Homeopathy, Complementary Medicine and Islamic medical practice; to encourage voluntary registration by practitioners in their respective practice areas as well as to educate their members regarding the upcoming enforcement of the Act especially with regards to compulsory registration with the soon to be established T&CM Council. The
T&CM Division has also conducted a series of public engagement activities such as roadshows, exhibitions, talks and continuous professional development activities at various governmental and non-governmental agencies to disseminate information to T&CM practitioners, modern medicine practitioners, members of the health care industry and the public.

b) Issues regarding T&CM Practices

YB Datuk Seri,

4. The T&CM Division is also aware of many dubious 'practices' that are in the public domain. One of the practices is 'Electronic Medicine' and the MOH has received no less than 4 applications from the leader of the association representing their interest to register as a practitioner body with the MOH. We have so far declined them thrice and the 4th response is in progress after being minuted recently by YB Datuk Seri’s office for the T&CMD Director to respond directly. Based on our investigations, electronic medicine is a dubious practice which is not based on sound scientific evidence, and the qualifications possessed by the main office bearers of the association are equally doubtful. (Refer to attached response by T&CM Director ‘Rayuan Permohonan Sebagai Badan Pengamal Sendiri Di Bawah Kementerian Kesihatan Malaysia’ dated 13th January 2015 — which has been duly acknowledged by the Honourable Director General of Health and Deputy Director General of Health, Medical)

5. The T&CMD would like to advise that the T&CM Council will be the highest decision body to decide on the recognized T&CM practice areas in Malaysia. However, to date we have identified 6 main practice areas. However Complementary Medicine which is one of the 6 main practice areas, has many modalities under its jurisdiction. It will be up to the wisdom of the Council to decide on whether these individual practices are to be eventually recognised.

c) Issues regarding T&CM Education

YB Datuk Seri,

6. The T&CM Division has also been working closely with the Ministry of Education and the Department of Skills Development of the Ministry of Human Resource to facilitate academic and skills level training programmes in T&CM. At present there are 8 institutions approved to conduct T&CM courses at diploma and degree level in Chinese Medicine, Homeopathy, Chiropractic Natural Medicine and Islamic Medical Practice. To address the issue of longstanding practitioners without institutional qualifications, the T&CMD has also been in consultation with the practitioner bodies and private higher
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<th>INSTITUSI PENGAJIAN TINGGI</th>
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<tr>
<td>1.</td>
<td>Southern College, Skudai</td>
<td>• Bachelor Degree of Traditional Chinese Medicine 3+2 in collaboration with Tianjin University, China</td>
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<td>2.</td>
<td>Tunku Abdul Rahman University (Sungai Long Campus)</td>
<td>• Bachelor of Traditional Chinese Medicine (Hons)</td>
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<td>3.</td>
<td>INTI International University College</td>
<td>• Bachelor of Traditional Chinese Medicine (Hons)</td>
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| 4.   | Cyberjaya University College of Medical Sciences (CUCMS) | • Bachelor of Homeopathy (Hons)  
• Diploma in Islamic Medicine |
| 5.   | Management and Science University (MSU) | • Bachelor in Traditional Chinese Medicine (Hons)  
• Diploma in Traditional Chinese Medicine |
| 6.   | International Medical University (IMU) | • Bachelor of Science (Hons) Chinese Medicine  
• Bachelor of Science (Hons) Chiropractic |
| 7.   | Melacca College of Science and Management (MCSM) | • Diploma in Natural Medicine |
Berikut adalah senarai standard program pengajian peringkat akademik bagi perubatan tradisional dan komplementari di Malaysia yang telah dibangunkan (terbitan MQA 2010):

1. IJAZAH :
   a. Ijazah Sarjana Muda Perubatan Cina Tradisional (Akupuntur)
   b. Ijazah Sarjana Muda Perubatan Cina Tradisional
   c. Ijazah Sarjana Muda Homeopati
   d. Ijazah Sarjana Muda Perubatan Melayu
   e. Ijazah Sarjana Muda Perubatan Ayurveda
   f. Ijazah Sarjana Muda Perubatan Kiropraktik
   g. Ijazah Sarjana Muda Perubatan Komplementari (Perubatan Natural)

2. DIPLOMA
   a. Diploma PengurutanMelayu
   b. Diploma Aromatherapi
   c. Diploma PerubatanCinaTradisional (Akupuntur)
   d. Diploma Pengubatan Islam
   e. Diploma Perubatan Natural

Berikut adalah Standard Kemahiran Pekerjaan Kebangsaan (SKPK) yang terdapat di Malaysia pada ketika ini:
   a. TerapiUrut
   b. BekamAngin
   c. Aromaterapi
   d. Refleksologi
   e. Reiki
   f. Qi Gong
YBhg. Datuk Dr. Noor Hisham Bin Abdullah
Ketua Pengarah Kesihatan
Kementerian Kesihatan Malaysia

Melalui,

YBhg. Datuk Dr. Jeyaindran Tan Sri Sinnadurai
Timbalan Ketua Pengarah Kesihatan (Perubatan)

YBhg. Datuk,

RAYUAN PERMOHONAN SEBAGAI BADAN PENGAMAL SENDIRI DI BAWAH
KEMENTERIAN KESIHATAN MALAYSIA

Dengan segala hormatnya saya merujuk kepada perkara di atas dan surat daripada Majlis Perubatan Elektronik Malaysia (MPEM) yang bertarikh 16 Disember 2014 adalah berkaitan.

2. Untuk makluman YBhg. Datuk, Bahagian Perubatan Tradisional dan Komplementari (BPTK) telah beberapa kali menerima permohonan daripada Majlis Perubatan Elektronik Malaysia (MPEM) untuk dilantik sebagai badan pengamal perubatan tradisional dan komplementari (PT&K).

3. Penerangan telah diberi kepada MPEM bahawa pada ketika ini Kementerian Kesihatan telah melantik lapan badan pengamal untuk mewakili bidang amalan yang dikenalpasti berdasarkan definisi PT&K menurut Akta PT&K 2013. MPEM telah dinasihat untuk menyertai badan pengamal yang sedia ada.

4. Pihak BPTK juga memaklumkan kepada MPEM bahawa tiada lagi badan pengamal baru yang akan dilantik oleh pihak Kementerian memandangkan Kementerian sedang berusaha ke arah penguatkuasaan Akta PT&K 2013 yang akan menyebabkan aktiviti swakawal (self-regulatory) oleh badan pengamal pada ketika ini tidak lagi terpakai.

5. Selain daripada itu, berikut adalah maklumat berkenaan MPEM yang tidak mematuhi syarat untuk dilantik sebagai badan pengamal:

a. MPEM merupakan badan bersekutu kepada Open International University for Complementary Medicine (OIUCM), Colombo. Berdasarkan semakan yang dijalankan oleh pihak BPTK, didapati bahawa institusi ini tidak diiktiraf oleh Pihak
b. Kelulusan ijazah sarjana muda, ijazah sarjana dan ijazah kedoktoran Presiden MPEM adalah daripada OIUCM. Beliau menggunakan gelaran Emeritus Prof. Sir Dr. dan mempromosikan amalan air ECPI yang dapat mengubati sebarang penyakit tanpa sebarang bukti saintifik.

c. Pihak BPTK pernah memohon kepada pihak MPEM untuk mengemukakan kajian yang telah dijalankan di bawah perubatan elektronik dan didapati kajian-kajian ini telah dihantar ke OIUCM. Indikasi dan keberkesanan perubatan elektronik tidak mempunyai bukti saintifik yang kukuh.

6. Bersama-sama ini, dilampirkan:
   i) surat yang diterima daripada Kementerian Pengajian Tinggi Sri Lanka untuk rujukan YBhg. Datuk;
   ii) surat maklum balas kepada MPEM yang telah ditandatangani oleh YBhg. Datuk Dr. Jeyaindran Tan Sri Sinnadurai bagi pihak Ketua Pengarah Kesihatan (atas arahan YB Menteri Kesihatan); dan
   iii) surat maklum balas kepada MPEM berhubung dengan rayuan permohonan sebagai badan pengamal sendiri di bawah Kementerian Kesihatan Malaysia untuk ditandatangani oleh YBhg. Datuk.

7. Pertimbangan dan sokongan daripada YBhg. Datuk amat dihargai dan didahului dengan ucapan ribuan terima kasih.

Sekian.

“BERKHIDMAT UNTUK NEGARA”

Saya yang menurut perintah,

(DR. GOH CHENG SOON)
Pengarah
Bahagian Perubatan Tradisional dan Komplementari
Kementerian Kesihatan Malaysia