

Follow-Up con't

Attorney General to make the necessary changes to legislation. The Attorney General recognized the importance of repealing certain aspects of the *Medical Act Cap 269*. The proposed *Medical Practitioners Act* would strengthen the regulations surrounding the Medical Board and medical practitioners in Antigua & Barbuda.

In 2008, the Chief Medical Officer reported that the two Cuban trained doctors have completed their internships, registered, and have been recommended for employment at the hospital.

CASE CLOSED



If you have any questions or comments,
please feel free to contact us

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THE RIGHT TO PRACTICE *Medicine*

An investigation into the Ministry of Health on
the deferral of issuing medical licenses to Cuban
trained Medical Graduates in Antigua & Barbuda

The Complaint

On 15th May 2007, the Ombudsman received a complaint from two medical school graduates. Both parties were recent graduates from the Charles J Finlay Higher Institute of Medical Sciences at Camaguey, Cuba in 2006. Upon their return to Antigua, they applied to the Medical Registration Board for a license to practice medicine. At the date of the complaint, they had not received a reply.



Both complainants had received scholarships from the Board of Education from 1999 to 2006. As part of the agreement, having completed their studies, the medical graduates were bonded to work in Antigua & Barbuda for a term not less than 3 years. Failure to comply would result in the repayment of tens of thousands of dollars.

Since the complainants felt they had no other recourse, they lodged a complaint with the Ombudsman. They hoped the matter could be quickly resolved. The Ombudsman listened to the case and, wrote the Chief Medical Officer, who was the designated officer in charge of all medical services in Antigua & Barbuda. On 15th June 2007, the Chief Medical Officer replied to the Ombudsman's query. However, it was the last paragraph that was unsettling: "Until the policy is completed and the posts at the Holberton Hospital created for adequate supervision and training, registration of these physicians shall be deferred" - Chief Medical Officer, 2007.

This was an odd reply considering the **Medical Act Cap 269** stated "*any person who shows to the satisfaction of the Medical Board that he is of good moral character and is registered or entitled to be registered as a medical practitioner*". If a policy was in the process of being created, why is it these 2 doctors had not been granted a provisional medical license until such a policy had been approved?

Follow-Up

In September 2007, the Ombudsman received some valuable information from the Minister of Health. The Ombudsman's report motivated the Ministry of Health to launch its own internal investigation into the practices and challenges met by Cuban trained Antiguan doctors. Although the report had similar recommendations, there were additions:

- It revealed the Cuban trained Antiguan doctors tended to have difficulty practicing medicine in English. In fact after the 1 year internship, some of the apprentices did not meet the criteria to be offered permanent employment. It found that the Medical Registration Board has acted in good faith by requiring the applicants to take the Caribbean Association of Medical Council (CAMC) Examinations. The 2 part examination tested the candidates' knowledge and ability to practice medicine on their own. It also enhanced their eligibility for registration.
- It encouraged the Government of Antigua & Barbuda make a request for all Cuban trained doctors to undertake an 18 month internship in Cuba in an advanced medical programme, similar to that of Latin American graduates. Discussions with the Minister of Health revealed that Cuban officials have agreed to this and have indicated that internships will start in November 2007.
- A formal internship was required for those graduates who wished to have supervised training in an English-speaking environment. Establishing internships at the Holberton Hospital posed some difficulties, because the facilities needed to be upgraded, the staff needed to be reclassified, and the necessary remunerations paid. The Chief Medical Officer added that the Ministry of Health in Guyana was willing to take these doctors, since they have a total of 15 - 20 spaces available. Interns would receive a provisional license and receive full registration once they passed the Certification Examination.
- Lastly, legislative changes would also be needed to accommodate provisional registration during internship in Antigua. The Ombudsman used this opportunity to hold discussions with the

The Recommendations

In August 2007, the Ombudsman compiled a report based on the findings of the investigation, along with the necessary recommendations to the Ministry of Health. The recommendations included:

1. The Government of Antigua & Barbuda should provide funds specifically for the establishment of a formal internship in which all Cuban Graduates must participate.



2. All new graduates should be made aware of the requirement to intern before they accept any training in Cuba. It was identified that there was a general lack of supervision by Consultants and Senior Doctors since they spend a small amount of time on the hospital compound. The practice should be reviewed and Senior Doctors must be given an opportunity to be a part of the planning of the internship programme.
3. The Cabinet of Antigua & Barbuda needs to take this matter seriously and make a definitive decision to support the 1988 guidelines, which the then Cabinet adopted, and to make the concrete financial provision for 1 year's further training in an internship programme for all Cuban trained Antigua & Barbuda nationals.
4. The Ministry of Health should require a formal schedule of the internship programme carried out between 2003 to 2006 and require that the Medical Superintendent in collaboration with the Medical Registration Board undertake an assessment of the programme and make the recommendations for any necessary improvements.

The Research

'These two were not the first two Antiguan to have undergone training in medicine in Cuba' - Ombudsman of Antigua & Barbuda, 2007

Research had revealed that the Medical Registration Board had its challenges integrating Cuban trained medical doctors into the medical field.

In 1988, there was a similar case concerning two Antiguan medical graduates. Both doctors had pursued studies in Cuba. They graduated with excellent grades, and returned home. However, when they applied for registration, they were denied. This led to a series of public outcries and protest. Usually a person is registered as a doctor based on their qualifications; the university accreditations; the length of training required at the university; the courses studied; the qualifications of the teachers; and the grades achieved. According to the then Chief Establishment Officer, who was in charge of job placement in the Public Service, there was no active policy surrounding the issuing of medical licenses to Cuban trained doctors.



Why were these two doctors denied their medical licenses? The reason fell on practical training. Cuban trained doctors did not receive any residency training upon completing their studies, compared to other medical graduates from other regions. All doctors should have the opportunity to practice medicine. However, practical training is needed to promote the health and safety of the citizens of Antigua and Barbuda. To remedy the problem, the Government then adopted similar agreements taken by other Caribbean territories, like St. Lucia and Dominica. Graduates had to undergo a 1 year internship at the Holberton Hospital as a prerequisite for their medical licenses. Clinical rotations were expected every 3 three months in Internal Medicine, Pediatrics, Surgery, Obstetrics and Gynecology. In fact, 3 other Antiguan doctors have then been trained under the same pattern and registered between 1990 to 1994 without any hindrance.

The Investigation

An investigation was initiated on deferral of medical licenses of Cuban trained Antiguan doctors. A number of Cabinet Decisions, reports, and statements were gathered and analyzed. It concluded that there was no policy, legislation or agreement on issuing Cuban trained doctors with medical licenses. However, the investigation led to the reasonable argument; why were these complainants been deprived of registration and their medical licenses?

The 1988 case highlighted the need for 2 medical graduates to undergo internships as a prerequisite for their medical licenses. A survey was then conducted with other OECS territories. It questioned how the Ministries of Health handled issuing medical licenses to Cuban trained doctors, considering they did not undergo a residency programme at Cuba. There responses are as follows:-



- No response from Montserrat.
- No response from St. Kitts.
- Grenada advised that there is a mandatory internship prior to registration, but the period of time was not specified.
- Dominica replied that all graduates must pursue a 1 year internship prior registration. They also indicated that they have a policy in place, entitled **'Policy for Registration of Dominica Medical Graduates Trained in Cuba'**.
- St. Vincent and the Grenadines indicated that medical practitioners must undergo a 2 year internship and disregards any period of internship undergone in Cuba.
- St. Lucia advised that the internship had been reduced to 6 months instead of 1 year. However, if the graduate had received a medical license or registered in another CARICOM country, the internship is waived.

Ombudsman's Notes

'According to the 2007 Antigua & Barbuda Estimates, provision has been made for 16 house officers at the Holberton Hospital. All the posts were filled. Of these, 9 were filled by Antiguan Doctors. Of these, 7 were Cuban trained doctors.' - Ombudsman of Antigua & Barbuda, 2007

"The Antigua & Barbuda situation suggests a lack of objectivity in how the matter was being handled. Comments by the Honourable Minister of Health to the media did not provide a solution, but rather placed Cuban trained doctors in a less than satisfactory light particularly since the guest doctors (from Cuba) and the recently appointed House Officers are Cuban trained and made up the largest number of doctors in the system.

While there appears to be no formal internship programme at the Holberton Hospital, the young doctors who returned to Antigua after training up to 2005 have been absorbed into the Holberton Hospital Operations and in some instances appear to be carrying out their duties with very little supervision. What appears to be the problem is the lack of planning to facilitate the internship programme. In the absence of available House Officers positions, the problem will escalate.

Some 12 new physicians have graduated from Cuban Universities in 2007 and have, like other Cuban graduates, signed an undertaking with the Board of Education to return home and work.



The Government of Antigua & Barbuda continues to accept medical scholarships to Cuba and must therefore take a proactive stance in dealing with the problem."