

香港醫務委員會
The Medical Council of Hong Kong

DISCIPLINARY INQUIRY
MEDICAL REGISTRATION ORDINANCE, CAP. 161

Defendant: Dr FU Yuen Lung (傅元龍醫生) (Reg. No.: M06445)

Date of hearing: 21 July 2025 (Monday)

Present at the hearing

Council Members/Assessors: Dr CHOI Kin, Gabriel
(Chairperson of the Inquiry Panel)
Dr CHOW Yu-fat
Dr WUN Yiu-chung
Mr CHAN Wing-kai
Ms CHAN Man-yee, Grace

Legal Adviser: Mr Stanley NG

Legal Officer representing the Secretary: Mr Eric KO, Senior Government Counsel

The Defendant is absent and he is not legally represented.

The Charges

1. *The charges against the Defendant, Dr FU Yuen Lung, are:*

“That in or about September 2022, he, being a registered medical practitioner, sanctioned, acquiesced in or failed to take adequate steps to prevent the use of title(s) of:

(a) “英國內外婦產科學士” in the signboard of his clinic, which was not a quotable qualification approved by the Medical Council of Hong Kong and/or was not in the format approved by the Medical Council of Hong Kong; and/or

(b) “皇家外科院士耳鼻喉” in the signboard of his clinic, which was misleading to the public that he was a specialist in otorhinolaryngology, when in fact he has not been approved by the Medical Council of Hong Kong to have his name included in the Specialist Register under the specialty of “Otorhinolaryngology”.

In relation to the facts alleged, either singularly or cumulatively, he has been guilty of misconduct in a professional respect.”

Preliminary Issues

2. The inquiry was originally scheduled for 24 January 2025, but due to health reasons of the Defendant, it was re-fixed to today’s date.
3. Before the inquiry began, the Legal Officer told us and we were satisfied upon reading the affirmation of Mr CHOW Chung Fai (“CHOW”), Deputy Secretary to the Council, that Notice of Inquiry had been served on the Defendant, and the Defendant had noticed that the inquiry had been re-fixed to today’s date at 9:30 a.m.
4. Over the past weekend, the Hong Kong Observatory issued a tropical cyclone warning. The latest arrangement for the inquiry was that the hearing time was re-scheduled from 9:30 a.m. to 2:45 p.m. The Legal Officer told us that CHOW had on 19 July 2025 telephoned the Defendant and informed the Defendant of the latest arrangement. The Defendant confirmed with CHOW that he would not attend at today’s inquiry at 2:45 p.m.
5. We are satisfied that the Defendant had been notified of today’s inquiry and the latest arrangement. It was the Defendant’s own volition not to be present either by himself or by his legal representative.
6. For these reasons, we decided to proceed with this inquiry in the absence of the Defendant.

Facts of the case

7. The name of the Defendant was at all material times and still is included in the General Register. His name has never been included in the Specialist Register.

8. Briefly stated, by a letter dated 26 November 2022, the Hong Kong College of Otorhinolaryngologists (“HKCO”) informed the Medical Council (the “Council”), amongst other matter, that the Defendant was quoted as a specialist in Otorhinolaryngology on the signboard of his clinic (“the Signboard”), when in fact the Defendant was not such a specialist. By an email of 5 December 2022, HKCO sent to the Council additional information, including photographs showing the shop front of the Defendant’s clinic (“the Photographs”), which were published in the website of HK01, a news media.

Burden and Standard of Proof

9. We bear in mind that the burden of proof is always on the Secretary and the Defendant does not have to prove his innocence. We also bear in mind that the standard of proof for disciplinary proceedings is the preponderance of probability. However, the more serious the act or omission alleged, the more inherently improbable must it be regarded. Therefore, the more inherently improbable it is regarded, the more compelling the evidence is required to prove it on the balance of probabilities.
10. There is no doubt that the allegations against the Defendant here are serious ones. Indeed, it is always a serious matter to accuse a registered medical practitioner of misconduct in a professional respect. Therefore, we need to look at all the evidence and to consider and determine each of the disciplinary charges against him separately and carefully.

Findings of the Inquiry Panel

11. For charge (a), there are two parts. The Legal Officer informed us that the Secretary would not proceed with the part alleging that the title “英國內外婦產科學士” appeared in the Signboard was not in the format approved by the Council. The Secretary would only focus on the part alleging that the title “英國內外婦產科學士” was not a quotable qualification as approved by the Council.
12. The Photographs showed the shop front of a clinic at street level, with the Signboard on the top. The Signboard was written in two rows with these words “英國內外婦產科學士” and “皇家外科院士耳鼻喉”. On one side of the Signboard was written the street address “荔枝角道132號B舖”. This

address is the same as the practising address of the Defendant, as shown on the Notice of Inquiry.

13. It is stipulated in the Code of Professional Conduct (2016 Edition) (“Code”) that:-

“5.2.3. Dissemination of service information to the public

A doctor, whether in private or public service, may provide information about his professional services to the public ... only in the ways set out below ...

5.2.3.1 Signboards

...

... Both individual and shared signboards must comply with the requirements set out in Appendix A.

...

A signboard may carry only the following information:-

...

(c) Quotable qualifications approved by the Council.”

14. We have gone through the List of Quotable Qualifications issued by the Council (version applicable in July 2022). The title “英國內外婦產科學士” was not a quotable qualification approved by the Council and not the same as the qualification he was registered with the Council.
15. The Defendant was clearly in breach of section 5.2.3.1 (c) of the Code.
16. We are satisfied on the evidence before us that the Defendant has by his conduct in the present case fallen below the standards expected amongst registered medical practitioners in Hong Kong and we find him guilty of professional misconduct under charge (a).
17. The Defendant had obtained a Diploma in Laryngology and Otology awarded by the Royal College of Surgeons of England. The Defendant was admitted to the Fellowship of the Royal College of Surgeons of Edinburgh in Otolaryngology.
18. The Defendant never quoted himself as a specialist in ENT on the Signboard.

In our view, the use of the title “皇家外科院士耳鼻喉” on the Signboard did not mislead the public into thinking that the Defendant was a specialist in Otorhinolaryngology. On the other hand, the title “皇家外科院士耳鼻喉” was not a quotable qualification approved by the Council.

19. We will therefore acquit the Defendant of charge (b).

Sentencing

20. The Defendant has a clear disciplinary record.
21. We bear in mind that the primary purpose of a disciplinary order is not to punish the Defendant but to protect the public from persons who are unfit to practise medicine and to maintain public confidence in the medical profession by upholding its high standards and good reputation.
22. We have considered the contents of the letters written by the Defendant to the Council. There is nothing therein which amounted to mitigating circumstances related to charge (a).
23. Taking into consideration the nature and gravity of the disciplinary charge for which the Defendant is convicted, in respect of charge (a), we shall order that a warning letter be issued to the Defendant, and our order shall be published in the Gazette.

Dr CHOI Kin, Gabriel
Chairperson of the Inquiry Panel
The Medical Council of Hong Kong