

Updating of the Professional Code AND CONDUCT

Since January 2005, the Medical Council has been updating the Professional Code and Conduct (the existing Code) issued in November 2000 to incorporate previously approved changes, to improve clarity and remove ambiguities, and to re-arrange the provisions in a more systematic manner. The Code will be renamed as the "Code of Professional Conduct" (the updated Code) upon promulgation.

Subject to finalizing a few more changes, the updated Code will be printed and promulgated in the near future. However, the Medical Council has decided to promulgate section 26 of the updated Code on "Untrue or misleading certificates and similar documents" ahead of the promulgation of the complete updated Code. With immediate effect, paragraph 3 of the existing Code on "Untrue or misleading certificates and other professional documents" is superseded by section 26 of the updated Code as follows:-

"26. Untrue or misleading certificates and similar documents

- 26.1 Doctors are required to issue reports and certificates for a variety of purposes (e.g. insurance claim forms, payment receipts, medical reports, vaccination certificates, sick leave certificates) on the basis that the truth of the contents can be accepted without question. Doctors are expected to exercise care in issuing certificates and similar documents, and should not include in them statements which they have not taken appropriate steps to verify.
- 26.2 A sick leave certificate can only be issued after proper medical consultation of the patient by the doctor. The date of consultation and the date of issue must be truly stated in the certificate, including a certificate recommending retrospective sick leave.
- 26.3 Any doctor who in his professional capacity gives any certificate or similar document containing statements which are untrue, misleading or otherwise improper renders himself liable to disciplinary proceedings. The signing of blank certificates is prohibited by the Council.
- 26.4 Doctors must not issue more than one original receipt in respect of the same payment. Copy receipts must be clearly stated to be copies or duplicates. If it is necessary to issue separate receipts for fractions of the payment for a single item of service, it should be clearly stated in each receipt the amount of the full payment and that the receipt is in respect of the part payment only."

Application for sitting the National Qualification Examination for Doctors (國家醫師資格考試) in the Mainland

Under the "Mainland and Hong Kong Closer Economic Partnership Arrangement" ("CEPA"), Hong Kong permanent residents who are eligible to practise western medicine in Hong Kong are allowed to sit the Mainland's National Qualification Examination for Doctors. Detailed information concerning the Examination can be obtained from the website of the National Medical Examination Centre at <http://www.nmec.org.cn>.

Applications for sitting the National Qualification Examination are usually called for in April each year. Announcement on application details will be published in the website of the Ministry of Health at <http://www.moh.gov.cn> in late March/early April. Registered medical practitioners who are Hong Kong permanent residents and wish to sit the Examination are required to submit their applications to the Secretariat of the Medical Council of Hong Kong within the stipulated application period for onward transmission to the National Medical Examination Centre for processing.

Upon notification from the Ministry of Health about the application details for the 2008 National Qualification Examination for Doctors, the Secretariat of the Medical Council of Hong Kong will arrange for advertisement to be placed in three local newspapers to invite applications for sitting the examination. Relevant information will also be uploaded onto the website of the Medical Council at <http://www.mchk.org.hk>. Those interested in sitting the examination are invited to note the above arrangement made for the 2008 National Qualification Examination for Doctors. Any enquiries relating to this matter can be directed to:-

The Medical Council Secretariat
4/F., Hong Kong Academy of Medicine Jockey Club Building,
99 Wong Chuk Hang Road, Aberdeen, Hong Kong.
(Tel. No.: 2873 4742)

Prohibition of attempts to "SETTLE" disciplinary complaints

Under the Medical Registration Ordinance, the Medical Council has the responsibility of maintaining professional ethics and standard of registered medical practitioners. Complaints involving professional misconduct are dealt with strictly in accordance with the procedures prescribed in the Ordinance and its subsidiary legislation, in order to determine whether the doctor involved is guilty of professional misconduct. If a doctor is found guilty of professional misconduct, the appropriate disciplinary order will be made.

The purpose of investigation and punishment of professional misconduct is not to remedy the loss or injury suffered by the patient or complainant, but to protect the public from substandard medical services and unethical conduct of the doctor involved.

Although a complainant is often called to give evidence as a witness in a disciplinary inquiry, the complainant cannot dictate whether an inquiry should be held or terminated. Unlike civil litigation for personal injury which can be settled by agreement between the plaintiff and the defendant, a case of professional misconduct cannot be settled between the complainant and the doctor involved. Matters of professional misconduct must be adjudicated upon by the Medical Council. Where necessary, the Medical Council may exercise its statutory power to summon a witness to give evidence at the inquiry.

Any person who induces, persuades or prevents the complainant to withdraw the complaint, to refuse to give evidence, or to refrain from giving truthful evidence at the inquiry may commit the criminal offence of perverting the course of public justice. If there is evidence of such unlawful act, the Medical Council will report the matter to the police for investigation and enforcement action including prosecution.

THE SPECIALIST REGISTER – Addition of New Specialty

The Education and Accreditation Committee, on the recommendation of the Hong Kong Academy of Medicine, has approved the inclusion of "Maternal and Fetal Medicine (母胎醫學科)" as a new specialty in the Specialist Register.

Enquiries relating to the application for inclusion of names under the Specialist Register or change of specialty should be directed to the following address:-

Medical Council Secretariat
4/F, Hong Kong Academy of Medicine Jockey Club Building
99 Wong Chuk Hang Road
Aberdeen
Hong Kong
Tel. No. : 2873 4829
Fax No. : 2554 0577

QUOTABLE QUALIFICATIONS

The Medical Council has approved the following qualifications for inclusion in the List of Quotable Qualifications:-

	Title of Qualifications	Abbreviation	Chinese Title
1.	Postgraduate Diploma in Women's Health Studies, The Chinese University of Hong Kong	PDipWHS (CUHK)	香港中文大學婦女健康學士後文憑
2.	Master of Science in Women's Health Studies, The Chinese University of Hong Kong	MScWHS (CUHK)	香港中文大學婦女健康理學碩士
3.	Master of Occupational Medicine, The Chinese University of Hong Kong	MOM (CUHK)	香港中文大學職業醫學碩士
4.	Fellowship of the Royal College of Surgeons of Edinburgh in Ophthalmology	FRCSEd (Ophth)	愛丁堡皇家外科醫學院院士(眼科)
5.	Diplomate of the American Board of Histocompatibility and Immunogenetics	D (ABHI)	美國組織相容性及免疫遺傳學醫學委員會文憑

ISSUING of CME CERTIFICATES

In the 11th Issue of the Council's Newsletter published in August 2005, the Council advised that CME Programme Administrators would be required to report all CME points of their registrant doctors within 3 months after the end of a CME cycle.

Upon receipt of the reports of CME points from CME Programme Administrators, the Council would require another 4 to 5 months' time to verify and approve such reports of CME points earned by registrant doctors, and then arrange to print and deliver the CME certificates to the relevant CME

Programme Administrators for onward transmission to the eligible doctors. Doctors are therefore advised to take note of the estimated timeframe required by the Council for issuing of their CME certificates and approach their CME Programme Administrator for progress if they do not receive their CME certificates after a period of time (say 8 months after the end of a CME cycle).

REMINDERS

Renewal of annual practising/retention certificates

Under the Medical Registration Ordinance, it is necessary for all registered medical practitioners, irrespective of whether they are in private practice or public service, to apply for renewal of their annual practising/retention certificates on 1st January each year. The practising/retention certificate is now due for renewal. Please send in your application together with the prescribed payment to the Registrar of Medical Practitioners at 17/F, Wu Chung House, 213 Queen's Road East, Wan Chai, Hong Kong (Tel. No.: 2961 8648/2961 8655).

The current prescribed fees are \$350 for a practising certificate and \$320 for a retention certificate, but the fees are subject to adjustment from time to time. All cheques should be crossed and made payable to "The Government of the Hong Kong Special Administrative Region".

Please note that the Medical Council may order the name of any registered medical practitioner to be removed from the General Register if the medical practitioner concerned has failed to apply for his/her annual practising/retention certificate before 30 June of a year. His/her name will simultaneously be removed from the Specialist Register if he/she has been registered as a "specialist".

Change of registered address

Under the Medical Registration Ordinance, all registered medical practitioners are required to provide the Registrar of Medical Practitioners with an address at which notices from the Medical Council may be served on him/her. For this purpose, please notify the Registrar of Medical Practitioners either in writing or by completing a form, which can be obtained from the Central Registration Office at the following address as soon as there is any change in your registered address:-

17/F, Wu Chung House
213 Queen's Road East
Wan Chai, Hong Kong

Tel. No.: 2961 8648/2961 8655
Fax No.: 2891 7946/2573 1000

The address provided will be used for the purposes associated with registration under the Medical Registration Ordinance. The registered addresses as well as the names, qualifications and dates of qualifications of all persons whose names appear on the General Register are required to be published annually in the Gazette.

Although the registered address may be a practising address, a residential address or a Post Office Box number, the Medical Council advises the applicant to provide the practising address as the registered address. The practising address will be of more meaningful reference for the public in ascertaining who is entitled to practise medicine in Hong Kong, and will also afford privacy to the practitioner's residential address.

While publication of the registered medical practitioner's registered address in the Gazette is a mandatory requirement under the Medical Registration Ordinance, the Medical Council has decided that a registered medical practitioner may choose whether to have his/her registered address published in the Council's website. Given the size of the updating exercise which involves over 11,000 entries, the list of registered doctors on the website will be updated in April and October each year. Requests for change of information in individual entries on the website will be processed only during the updating exercises.

Government of Hong Kong Special Administrative Region Department of Health



2007 Health Manpower Survey on Doctors

The Department of Health is conducting a new round of Health Manpower Survey (HMS) on registered doctors with an aim to collect information on the size, characteristics and employment status of registered doctors working in Hong Kong. The survey results will facilitate the development and planning of health workforce in Hong Kong.

Same as the 2006 HMS, questionnaires together with the letters for renewal of practising certificate had been sent to all registered doctors in Hong Kong in late October 2007. The information collected will be handled in strict confidence and presented in aggregate form to protect your privacy. Upon completion of the survey, the results with the personal data anonymized will be released through the homepage of the Department of Health.

Your active participation is extremely important to make the Survey a success. **Please kindly continue your support to the Survey by returning your completed questionnaire to the Central Registration Office of Boards and Councils Office at 17/F, Wu Chung House, 213 Queen's Road East, Wan Chai, Hong Kong by 31 December 2007 (Monday).**

If you wish to have more information on the Survey, please visit the homepage of the Department of Health at http://www.dh.gov.hk/english/statistics/statistics_hms/statistics_hms.html. For further enquiries, please contact the Health Manpower Unit, Department of Health at 2961 8566.

November 2007

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*serve on rotation basis in the sequence of alphabetical order of their surnames for a period of 3 months.