



Amendments of the Medical Registration Ordinance

To address public concerns, the Government introduced the Medical Registration (Amendment) Bill 2017 into the Legislative Council (“LegCo”) in June 2017 with a view to increasing lay participation in the Medical Council, improving its complaint investigation and disciplinary inquiry mechanism, and extending the validity period and renewal period of limited registration from not exceeding one year to not exceeding three years.

The Bill was passed by the LegCo on 28 March 2018 and the Amendment Ordinance was enacted on 6 April 2018 upon gazettal. The Medical Council would like to update members of the profession on the major changes effected under the new provisions of the Ordinance.

Change of composition of the Medical Council

To increase the transparency, accountability and credibility of the Medical Council, the composition of the Council has been changed as follows:

Before amendment (28 Members)	After amendment (32 Members)
2 Medical Members nominated by Director of Health and appointed by Chief Executive (“CE”)	Director of Health, or his or her representative, as ex officio Member
2 Medical Members nominated by the University of Hong Kong (“HKU”) and appointed by CE	2 Medical Members nominated by HKU and appointed by CE (<i>no change</i>)
2 Medical Members nominated by The Chinese University of Hong Kong (“CUHK”) and appointed by CE	2 Medical Members nominated by CUHK and appointed by CE (<i>no change</i>)
2 Medical Members nominated by the Hospital Authority (“HA”) and appointed by CE	Chief Executive of HA, or his or her representative, as ex officio Member
2 Medical Members nominated by the Hong Kong Academy of Medicine (“HKAM”) and appointed by CE	2 Medical Members nominated by HKAM and appointed by CE (<i>no change</i>)
	2 Medical Members nominated and elected by Fellows of HKAM
7 Medical Members elected by all doctors with full and limited registration	7 Medical Members elected by all doctors with full and limited registration (<i>no change</i>)
7 Medical Members nominated by the Hong Kong Medical Association (“HKMA”) and elected by its Council members	7 Medical Members nominated by HKMA and elected by its Council members (<i>no change</i>)
4 Lay Members appointed by CE	8 Lay Members which consist of - (i) 4 Lay Members appointed by CE (ii) 3 Lay Members elected by organizations safeguarding or representing patients’ interests; and (iii) 1 Lay Member nominated by the Consumer Council

Under the new arrangement, a new Lay Member nominated by the Consumer Council and 2 new Medical Members elected by HKAM joined the Council in June 2018 and September 2018 respectively.

The 1st election of Lay Members of the Medical Council was successfully held under the Medical Council (Election and Appointment of Lay Members) Regulation (Cap. 161F), and returned 3 other Lay Members to the Council in December 2018.

Complaint investigation and disciplinary inquiry mechanism

To improve the efficiency and enhance the flexibility of the complaint investigation and disciplinary inquiry mechanism of the Medical Council, a number of changes have been made to the Ordinance. The major ones include empowering the Medical Council to decide on the number of the Preliminary Investigation Committee (“PIC”) and Inquiry Panel (“IP”) to be set up and to appoint members to the PIC and the IP, to expand the pool of the lay assessors and medical assessors for sitting on both the PIC and the IP and to decide on their qualification and experience requirements, to appoint more than one legal adviser to the Council, and to appoint any solicitor or counsel in private practice (besides legal officers of the Department of Justice) to carry out the duties of the Secretary in respect of an inquiry, etc..

The Medical Council has already implemented a number of new arrangements, such as setting up more than one PIC and one IP, and appointing more lay assessors and medical assessors. The Medical Council will review the arrangements from time to time with a view to enhancing the mechanism.

Composition of the Health Committee

Under the amended Ordinance, two lay persons are appointed to the Health Committee. The Medical Council has appointed one lay assessor to the Committee, in addition to the Lay Member of the Council previously appointed.

Validity and renewal period of limited registration

The Medical Council has considered and approved a number of applications for limited registration with validity period and renewal period up to three years under the amended Ordinance. The Medical Council will continue to uphold the professional standards of non-locally trained doctors admitted under limited registration.

Code of Professional Conduct

Part I(D)

The Medical Council has decided to update the Declaration of Geneva as set out in Part I(D) of the Code of Professional Conduct (“the Code”) with the latest version promulgated by the World Medical Association General Assembly in October 2017 as follows:

D. Declaration of Geneva

Adopted by the 2nd General Assembly of the World Medical Association, Geneva, Switzerland, September 1948
 and amended by the 22nd World Medical Assembly, Sydney, Australia, August 1968
 and the 35th World Medical Assembly, Venice, Italy, October 1983
 and the 46th WMA General Assembly, Stockholm, Sweden, September 1994
 and editorially revised by the 170th WMA Council Session, Divonne-les-Bains, France, May 2005
 and the 173rd WMA Council Session, Divonne-les-Bains, France, May 2006
 and amended by the 68th WMA General Assembly, Chicago, United States, October 2017

The Physician’s Pledge

AS A MEMBER OF THE MEDICAL PROFESSION:

I SOLEMNLY PLEDGE to dedicate my life to the service of humanity;

THE HEALTH AND WELL-BEING OF MY PATIENT will be my first consideration;

I WILL RESPECT the autonomy and dignity of my patient;

I WILL MAINTAIN the utmost respect for human life;

I WILL NOT PERMIT considerations of age, disease or disability, creed, ethnic origin, gender, nationality, political affiliation, race, sexual orientation, social standing or any other factor to intervene between my duty and my patient;

I WILL RESPECT the secrets that are confided in me, even after the patient has died;

I WILL PRACTISE my profession with conscience and dignity and in accordance with good medical practice;

I WILL FOSTER the honour and noble traditions of the medical profession;

I WILL GIVE to my teachers, colleagues, and students the respect and gratitude that is their due;

I WILL SHARE my medical knowledge for the benefit of the patient and the advancement of healthcare;

I WILL ATTEND TO my own health, well-being, and abilities in order to provide care of the highest standard;

I WILL NOT USE my medical knowledge to violate human rights and civil liberties, even under threat;

I MAKE THESE PROMISES solemnly, freely, and upon my honour.

Appendix F

Section 10 of the Code has provided guidelines on supply of dangerous or scheduled drugs. Appendix F of the Code has set out the specified form of dangerous drugs register at the First Schedule to the Dangerous Drugs Regulations (Cap. 134A), with additional notes provided by the Medical Council for the guidance of doctors.

The Medical Council and its Ethics Committee have reviewed the notes in Appendix F. Regarding Note 7 “*Each entry shall be made in ink or other indelible form. Therefore, a register stored electronically in a computer will not fulfill the requirement.*”, the Council and the Ethics Committee consider that the Dangerous Drugs Regulations do not exclude the use of an electronic dangerous drugs register provided that all statutory requirements can be met. The Medical Council, on the recommendation of the Ethics Committee, has decided to revise Note 7 to bring it more in line with the statutory provision. The revised Note 7, which supersedes the previous version with immediate effect, is appended below for information of and compliance by members of the profession:

APPENDIX F

Dangerous Drugs Register

(as specified in the First Schedule of the Dangerous Drugs Regulations, Cap. 134A)

Date of receipt/supply	Name and address of person* or firm from whom received/to whom supplied	Patient's identity card number ⁺	Amount		Invoice No.	Balance
			received	supplied		

* The name and address of a patient to whom dangerous drug is supplied may be replaced by the reference number of the patient's treatment record, provided that the patient's name and address are entered in the treatment record.

+ If a patient is not resident in Hong Kong and does not have an identity card, the reference number of other proof of identity specified in section 17B(1) of the Immigration Ordinance (Cap 115) (i.e. a valid travel document, an identity document of the Chinese People's Liberation Army, a Vietnamese refugee card, or a document issued by the Commissioner of Registration acknowledging his application for a new identity card or for registration) shall be inserted.

Note:

1. A separate register or a separate part of the register is required for each dangerous drug at each set of premises. A register cannot be used for recording any other matter.
2. A register shall at all times be kept at the premises to which it relates. The register, the stock and the documents related to any dealings in dangerous drug shall be available for inspection by authorized officers.
3. Only 1 register is allowed to be kept in respect of the same dangerous drug at the same premises, except with the approval of the Director of Health for different departments of the business.
4. The dangerous drug must be specified at the top of each page.
5. Each entry shall be made in chronological sequence, on the day of receipt by the doctor or supply to a patient of the dangerous drug (unless it is not reasonably practicable to do so, in which case the entry must be made on the following day at the latest).
6. All 6 columns in the register must be filled in for each entry.
7. ~~Each~~ Every entry and every correction of such an entry shall be made in ink or ~~other~~ otherwise so as to be indelible form. Therefore, a register stored electronically in a computer ~~will~~ may not fulfill the requirement.
8. No cancellation, obliteration or alteration is allowed. Any correction can only be made by a marginal note or footnote specifying the date of the correction.

The Medical Council would like to emphasize that it is the personal duty of a doctor to ensure compliance with the legal requirements of the Dangerous Drugs Regulations when using a computerized register of dangerous drugs.

CME Programme for Practising Doctors who are not taking CME Programme for Specialists

Under the voluntary CME Programme for Practising Doctors who are not taking CME Programme for Specialists of the Medical Council, there are different types of activities which can be recognised and approved as the continuing medical education (“CME”) activities as set out in the Guidelines on Credit Point System (“the Guidelines”).

On the recommendation of the Education and Accreditation Committee, the Council has decided to recognise the undergraduate teaching as proposed by the Department of Family Medicine and Primary Care of the University of Hong Kong and the Division of Family Medicine and Primary Healthcare of The Chinese University of Hong Kong as a CME activity under the CME Programme, and to add a new paragraph 3.1(d) to the Guidelines accordingly. The Council has also decided to refine paragraph 3.1(c) of the Guidelines as in reality a non-specialist participates in a hands-on clinical course in a hospital or clinic only as a trainee but not as a trainer. The revised paragraph 3 of the Guidelines, which takes immediate effect, is appended below:

3. Criteria for recognising (or approving) CME activities

3.1 Active and receptive CME

This includes activities in which a registered doctor participates and may include the following:

- (a) Active participation as speaker, chairman, panelist, presenter or passive participation as attendant in any accredited activity (two points per hour for active and one point per hour for passive CME).
- (b) Participation as teacher / trainer / trainee in formal, non-bedside didactic post-graduate course (two points per hour for teacher / trainer and one point per hour for trainee).
- (c) Participation in a hands-on clinical course as ~~trainer or~~ trainee in a hospital or clinic (one point per hour up to a maximum of ten points).
- (d) Participation in clinical attachment / teaching in family medicine or primary care provided to medical students as part of the undergraduate medical curriculum of The Chinese University of Hong Kong and the University of Hong Kong (five points per year upon proof of satisfactory completion of the teaching programme from the university).

3.2 Publication

Publication includes papers on public health, clinical and / or academic interest published in professional journals, books and newsletters of professional bodies that have been accredited by the CME Programme Accreditors (two points per publication).

3.3 Self-study

This includes self-study programmes such as self-assessment programmes accredited by local medical organisations, colleges and overseas professional bodies that have been accredited by the CME Programme Accreditors. Credit points of each course will be assessed individually and a maximum of 20 points can be awarded for self-study per year.

3.4 Other criteria

- (a) Activities such as symposia, conferences, scientific meetings, panel discussions, workshops, etc. need to be organised by professional bodies, either local or overseas, and conducted by specialists or experts related to the field.
- (b) Regularly held activities of doctor-groups with attendance of a minimum of five doctors may be recognised as CME activities. These include journal meetings, case presentations, X-ray meetings, clinical pathological meetings, audio-visual viewing sessions and invited talks / presentations.
- (c) Network educational programmes which have received prior approval by accredited professional bodies, organized distance-learning programmes, diploma courses, etc. will be granted credit points upon individual application.

The full version of the revised Guidelines is published in the Medical Council's website at <http://www.mchk.org.hk/english/cme/index.html>.

Quotable Appointments

The Medical Council has implemented the Rules on Quotable Appointments (“QA Rules”) with effect from 1 December 2014.

Under the QA Rules and the Guidelines on Quotability of Appointments by Private Hospitals, Nursing Homes, Maternity Homes and Medical Clinics, a private hospital, nursing home, maternity home or medical clinic has to satisfy the Medical Council that it has an established and objective system of offering appointments which is acceptable to the Medical Council before its appointments can be quoted by doctors in their medical practice. The names of 14 institutions with their appointment systems accepted by the Medical Council and their approved quotable appointments are included in the List of Quotable Appointments by Private Hospitals, Nursing Homes, Maternity Homes and Medical Clinics accepted under the Rules on Quotable Appointments (“QA List”).

Members of the profession are required to comply with the QA Rules in quoting their appointments for the purpose of professional practice in Hong Kong. They are also advised to refer to the QA List for quotability of any appointments made by private hospitals, nursing homes, maternity homes and medical clinics before quoting them.

The QA Rules and the QA List are promulgated on the Medical Council's website at <http://www.mchk.org.hk/english/guideline/appointment.html>.

Quotable Qualifications

According to section 5 “Professional communication and information dissemination” of the Code of Professional Conduct, doctors may quote those quotable qualifications approved by the Medical Council in dissemination of service information to the public. The Guidelines on Quoting of Qualifications and the updated List of Quotable Qualifications (“the List”) are promulgated on the Medical Council’s website at <http://www.mchk.org.hk/english/guideline/qualification.html>.

Additions and changes to the List of Quotable Qualifications

Since January 2018, the Medical Council, on the recommendation of the Education and Accreditation Committee, has approved additions or changes to the List as set out in the ensuing paragraphs.

(i) Addition of quotable qualifications under the generally approved category

The Medical Council has approved the following qualifications for inclusion in the List under the generally approved category:

Title of Qualification	Abbreviation	Chinese Title	Date of Approval by the Medical Council
1. Master of Science in Medical Genetics, The Chinese University of Hong Kong	MSc in Medical Genetics (CUHK)	香港中文大學 醫學遺傳學理學碩士	12 March 2018
2. Master of Science in Medical Science, University of Keele	MMedSci, Keele University	基爾大學 醫療科學碩士	3 October 2018
3. Certificate of Subspecialist Accreditation in Gynaecological Oncology, Hong Kong College of Obstetricians and Gynaecologists	Cert HKCOG (Gynae Onc)	香港婦產科學院 婦科腫瘤分科 認可証書	5 December 2018

(ii) Addition of quotable qualifications under the specifically approved category

The Medical Council has also approved the following applications for inclusion of qualifications in the List under the specifically approved category:

Title of Qualification	Abbreviation	Chinese Title	Date of Approval by the Medical Council	Reference
1. Doctor of Philosophy, The University of Hong Kong	PhD (HK)	香港大學 哲學博士	2 May 2018	MC/QQ/01/18
2. Doctor of Philosophy, The University of Hong Kong	PhD (HK)	香港大學 哲學博士	4 July 2018	MC/QQ/02/18
3. Doctor of Philosophy, The University of Hong Kong	PhD (HK)	香港大學 哲學博士	5 December 2018	MC/QQ/07/18

The qualifications can only be quoted by the specific applicants to whom the approvals are given.

(iii) Addition of renamed quotable qualifications

On the advice by the Cardiff University that the title of the quotable qualification “*Master of Science in Dermatology, Cardiff University*” was changed to “*Master of Science in Clinical Dermatology, Cardiff University*” with effect from 1 July 2006, and that the revised title is only for those awarded the qualification on or after the effective date of change, the Medical Council has decided to include the renamed qualification in the List as follows:

Title of Qualification	Abbreviation	Chinese Title	Date of Approval by the Medical Council
Master of Science in Clinical Dermatology, Cardiff University	MSc in Clinical Dermatology (Cardiff)	卡迪夫大學 臨床皮膚學碩士	4 July 2018

On the advice by the University of Sydney that the title of the quotable qualification “*Diploma in Child Health, University of Sydney*” was changed to “*Certificate of Completion of Sydney Child Health Program (SCHN, USyd)*” with effect from 31 August 2018, and that the revised title is only for those completing the programme on or after the effective date of change, the Medical Council has decided to include the renamed qualification in the List as follows:

Title of Qualification	Abbreviation	Chinese Title	Date of Approval by the Medical Council
Certificate of Completion of Sydney Child Health Program (SCHN, USyd)	SCHP (SCHN, USyd)	悉尼大學 兒科課程 結業證書	3 October 2018

(iv) Change of title of quotable qualification

On the advice by the Cardiff University that the title of the quotable qualification “*Diploma in Practical Dermatology, Cardiff University*” was changed to “*Postgraduate Diploma in Practical Dermatology, Cardiff University*” with effect from the academic year 2005-2006, and that all holders of the qualification should quote the revised title, the Medical Council decided at the Policy Meeting on 1 August 2018 to revise the relevant entry in the List as follows:

Title of Qualification	Abbreviation	Chinese Title	Date of Approval by the Medical Council
Postgraduate Diploma in Practical Dermatology, Cardiff University	PgDipPD (Cardiff)	卡迪夫大學 實用皮膚科深造文憑	5 October 2005
(Name changed from “ <i>Diploma in Practical Dermatology, University of Wales College of Medicine</i> ” after the merger of the University of Wales College of Medicine with Cardiff University with effect from August 2004.)	DPD (Wales)	英國威爾斯大學 醫學院 實用皮膚科文憑	

Remarks:

- (1) The qualification “*Diploma in Practical Dermatology, University of Wales College of Medicine*” obtained prior to the academic year 2002-2003 is not quotable.
- (2) The title of the qualification “*Diploma in Practical Dermatology, Cardiff University*” was changed to “*Postgraduate Diploma in Practical Dermatology, Cardiff University*” with effect from the academic year 2005-2006. Holders of the qualification “*Diploma in Practical Dermatology, Cardiff University*” with the abbreviation “*DPD (Cardiff)*” and the Chinese title “卡迪夫大學實用皮膚科文憑” should now quote it as “*Postgraduate Diploma in Practical Dermatology, Cardiff University*” with the abbreviation “*PgDipPD (Cardiff)*” and the Chinese title “卡迪夫大學實用皮膚科深造文憑”.

Statistics on Complaints / Inquiries Handled by the Medical Council in 2017

Table 1 - Complaints received by the Medical Council

Number of Complaints Received	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
	452	624	493	628	496
(A) Allegations by Category					
1. Conviction in Court	40	58	31	53	57
(a) Failure to keep proper record of dangerous drugs	(5)	(4)	(3)	(3)	(2)
(b) Others	(35)	(54)	(28)	(50)	(55)
2. Disregard of professional responsibility to patients	311	285	289	330	321*
3. Issuing misleading / false medical certificates	41	28	24	24	36
4. Practice promotion	12	6	10	7	13
5. Misleading, unapproved description & announcement	8	12	9	150	9
6. Improper / indecent behaviour to patients	7	6	5	8	7
7. Abuse of professional position to further improper association with patients	2	2	2	2	-
8. Fitness to practise	-	2	-	3	-
9. Abuse of professional confidence	-	-	-	-	2
10. Depreciation of other medical practitioners	3	1	1	2	-
11. Sharing fee and improper financial transaction	-	-	-	-	2
12. Medical records	-	-	-	-	11
13. Handling of patient's personal data	-	-	-	-	3
14. Other minor issues unrelated to professional responsibility	28	224	122	49	35
(B) Progress of Complaints as at 31 December 2017					
1. Dismissed by the Chairman and the Deputy Chairman of the Preliminary Investigation Committee ("PIC") in consultation with Lay Member as being frivolous or groundless	296	439	317	172	53
2. Could not be pursued further because the complainants failed to provide further information or statutory declaration or the complaints were anonymous or withdrawn, etc.	29	23	29	17	12
3. Under consideration by the Chairman and the Deputy Chairman of the PIC in consultation with Lay Member	2	2	21	115	278
4. Held in abeyance	4	-	1	1	-
5. Being considered at the PIC meetings	11	17	30	104	149
6. Dismissed by the PIC	51	55	59	178	-
7. Referred to the Medical Council for no inquiry	23	40	21	37	3
8. Referred to the Medical Council for no pre-registration inquiry	-	-	-	1	-
9. Referred to the Medical Council for disciplinary inquiry	33	40	12	2	-
10. Referred to the Medical Council for restoration inquiry	2	6	1	-	-
11. Referred to the Medical Council for pre-registration inquiry	-	-	1	1	-
12. Referred to the Health Committee for hearing	1	2	1	-	1

Remarks:

* The breakdown of cases on "Disregard of professional responsibility to patients" in 2017 is as follows:

- (a) Conducting unnecessary or inappropriate treatment / surgery – 120 cases
- (b) Inappropriate prescription of drugs – 75 cases
- (c) Failure / unsatisfactory result of treatment / surgery, failure to properly / timely diagnose illness and disagreement with doctor's medical opinion – 64 cases
- (d) Doctor's unprofessional attitude / Doctor-patient communication – 28 cases
- (e) Fees and others – 23 cases
- (f) Failure to give proper medical advice / explanation – 7 cases
- (g) Treatment (others) – 4 cases

Table 2 - Breakdown on the complaints received in 2017 which were dismissed by the Chairman and the Deputy Chairman of the PIC of the Medical Council as being frivolous or groundless

<u>Nature of Complaints</u>	<u>No. of Cases</u>
1. Conducting unnecessary or inappropriate treatment / surgery	8
2. Sick leave and related matters	7
3. Misdiagnosis	6
4. Fees dispute	5
5. Unsatisfactory results of treatment / surgery	5
6. Doctor's attitude / Doctor-patient communication	5
7. Undesirable reactions to drugs prescribed	4
8. Disagreement with doctor's medical opinion	3
9. Misleading, unapproved description & announcement	1
10. Other issues unrelated to professional misconduct	9
Total:	53

Table 3 - Work of the PIC of the Medical Council

<u>Nature</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
1. Total number of cases referred to the PIC meetings	89	95	129	154	368*
2. Total number of cases referred to the Medical Council for no inquiry / pre-registration inquiry after the PIC meetings	26	20	35	38	53 [#]
3. Total number of cases referred to the Medical Council for inquiry / pre-registration inquiry / restoration inquiry after the PIC meetings	32	48	57	57	38 [#]
4. Total number of cases referred to the Health Committee for hearing after the PIC meetings	-	-	1	-	1

Remarks:

* This figure included those cases received before 2017. They were considered by the PIC in 2017 under the following categories:

	<u>No. of Cases</u>
(a) Disregard of professional responsibility to patients	141
• <i>failure to properly / timely diagnose illness</i>	34
• <i>failure / unsatisfactory results of treatment / surgery</i>	31
• <i>conducting unnecessary or inappropriate treatment / surgery</i>	31
• <i>inappropriate prescription of drugs</i>	25
• <i>failure to give proper medical advice / explanation</i>	6
• <i>doctor's unprofessional attitude / doctor-patient communication</i>	4
• <i>fees and others</i>	10
(b) Misleading, unapproved description and announcement	146
(c) Conviction in court	57
(d) Practice promotion	6
(e) Issuing misleading / false medical certificates	3
(f) Medical records	3
(g) Improper / indecent behaviour to patients	1
(h) Depreciation of other medical practitioners	1
(i) Fitness to practise	1
(j) Miscellaneous	9
Total:	368

The cases referred by the PIC to the Medical Council in 2017 are classified as follows:

	No. of Cases
(A) Recommended for no inquiry	
Conviction in court	51
• <i>careless driving</i>	47
• <i>failing to comply with Buildings Ordinance order</i>	1
• <i>failing to display valid vehicle licence</i>	1
• <i>allowing object to fall from height</i>	1
• <i>failing to comply with a prescribed traffic sign within the Tsing Ma Control Area</i>	1
(B) Recommended for no pre-registration inquiry	
Conviction in court	2
• <i>careless driving</i>	1
• <i>driving under influence with blood alcohol content of 0.08% or higher, contrary to section 23152(b) of the California Vehicle Code of the United States</i>	1
(C) Recommended for inquiry	
(a) Conviction in court	5
• <i>dangerous drugs related conviction</i>	3
• <i>driving while disqualified and using a vehicle without third party insurance</i>	1
• <i>crossing continuous double white lines</i>	1
(b) Disregard of professional responsibility to patients	23
• <i>inappropriate prescription of drugs</i>	8
• <i>failure / unsatisfactory results of treatment / surgery</i>	6
• <i>failure to properly / timely diagnose illness</i>	5
• <i>conducting unnecessary or inappropriate treatment / surgery</i>	2
• <i>fees and others</i>	2
(c) Practice promotion	2
(d) Misleading description and announcement	3
(e) Medical certificates	2
(D) Recommended for pre-registration inquiry	
Found guilty by overseas professional regulatory bodies	1
(E) Recommended for restoration inquiry	
Found guilty by overseas professional regulatory bodies	2
Total:	91

Table 4 - Work statistics of the PIC of the Medical Council in 2017

	Quarter				Total
	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec	
No. of PIC meetings	3	3	3	3	12
No. of cases considered	37	59	206	66	368
No. of cases dismissed (%)	22 (59.5%)	30 (50.8%)	170 (82.5%)	54 (81.8%)	276 (75.0%)
No. of cases referred to the Medical Council (%)	15 (40.5%)	29 (49.2%)	36 (17.5%)	11 (16.7%)	91* (24.7%)
No. of cases referred to the Health Committee (%)	-- (0%)	-- (0%)	-- (0%)	1 (1.5%)	1 (0.3%)

* Of them, 53 cases were of minor nature and the Medical Council accepted the PIC's recommendation that no inquiry / no pre-registration inquiry was to be held (Please see details at Table 3).

Table 5 - Disciplinary inquiries conducted by the Medical Council in 2017

Nature	No. of cases involved	Decision of the Council
(A) Conviction in court		
(a) Failure to keep a register of dangerous drugs in the specified form	(5)	Removed for 2 months (suspended for 12 months) Removed for 1 month (suspended for 18 months) Removed for 1 month (suspended for 6 months) Removed for 2 months (suspended for 12 months) Removed for 1 month (suspended for 6 months)
(b) Theft	(1)	Removed for 2 months (suspended for 24 months)
(c) Driving a motor vehicle with alcohol concentration in breath above the prescribed limit and careless driving	(1)	Warning letter (gazetted)
(d) Fraud and obtaining access to a computer with dishonest intent	(1)	Removed for 3 months (suspended for 12 months)
(e) Failure to provide specimen of breath for a screening breath test by a person who is driving a motor vehicle on a road	(1)	Removed for 1 month (suspended for 12 months)
Sub-total	9	
(B) Disregard of professional responsibility to patients		
	(1)	Removed for 3 months
	(1)	Removed for 1 month (suspended for 12 months)
	(1)	Removed for 1 month (suspended for 36 months)
	(1)	Removed for 1 month (suspended for 6 months)
	(1)	Removed for 6 months
	(1)	Removed for 1 month (suspended for 24 months)
	(1)	Removed for 3 months
	(5)	Not guilty
	(3)	To be continued
Sub-total	15	
(C) Practice promotion / Quotable qualification		
	(1)	Removed for 1 month (suspended for 12 months)
	(1)	Removed for 1 month (suspended for 12 months)
Sub-total	2	
Total	26	

[Summary : 18 cases : guilty
5 cases : not guilty
3 cases : to be continued

No of inquiry days : 38 days

All cases were referred to the Medical Council for inquiry by the PIC meetings held in / before 2017.]

Table 6 - Figures on appeal cases

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
No. of appeals lodged during the year	4	2	1	0	2
No. of appeal cases carried forward from previous years	3	5	4	0	0
Total no. of appeal cases in progress in the year:	7	7	5	0	2

Results of appeal cases concluded in 2017:

	<u>No. of Cases</u>
(a) Dismissed by Court of Appeal	0
(b) Allowed by Court of Appeal	2
(c) Appeal withdrawn	0
Total:	2

Results of Elections of the Medical Council

Medical Members

The Medical Council held its 22nd election of Medical Council Members to fill three vacancies with vote counting conducted on 11 December 2017. Dr LAM Tzit-yuen, David, Dr CHENG Chi-man, and Dr WAI Yuk-chun, Veronica were re-elected / elected by obtaining 2,169, 1,862, and 1,376 votes respectively. Their term of office as Members of the Medical Council commenced from 24 January 2018 for a period of three years.

The Medical Council held its 23rd election of Medical Council Members to fill two vacancies with vote counting conducted on 18 December 2018. Dr Hon Pierre CHAN and Dr LUNG David Christopher were re-elected / elected by obtaining 2,258 and 1,568 votes respectively. Their term of office as Members of the Medical Council commenced from 24 January 2019 for a period of three years.

Lay Members

The Medical Council held its 1st election of Lay Council Members to fill three vacancies with vote counting conducted on 13 December 2018. Mr CHAN Wing-kai, Mr MUI Cheuk-nang, Kenny and Mr LAM Chi-yau were elected by obtaining 32, 28, and 22 votes respectively. Their term of office as Lay Members of the Medical Council commenced from 21 December 2018 for a period of three years.

Reminders

Reporting of offence punishable with imprisonment

A doctor convicted of any offence punishable with imprisonment is liable to disciplinary proceedings of the Medical Council, regardless of whether he / she is sentenced to imprisonment. Some offences, though appear to be trivial, e.g. careless driving, riding as passengers in rear seat not securely fastened with seat belt, riding bicycle in country park without consent of the Authority, riding / driving on a footpath, failing to comply with a prescribed traffic sign within the Tsing Ma Control Area, failing to display valid vehicle licence, etc. are in fact offences punishable with imprisonment.

Members of the profession are reminded that upon conviction of an offence punishable with imprisonment, they should report to the Medical Council within 28 days as required under section 29 of the Code of Professional Conduct as follows:

“A doctor who has been convicted in or outside Hong Kong of an offence punishable with imprisonment or has been the subject of adverse findings in disciplinary proceedings by other professional regulatory bodies is required to report the matter to the Council within 28 days from the conviction or the adverse disciplinary finding, even if the matter is under appeal. Failure to report within the specified time will in itself be ground for disciplinary action. In case of doubt the matter should be reported.”

In reporting conviction cases to the Medical Council, the doctor should provide all relevant document(s) such as certificate of trial as far as possible. Provision of sufficient information saves time in making clarification with the doctor and liaising with the adjudicating court for retrieval of the related court document(s), materials of which facilitate the deliberation of the Medical Council in deciding whether a disciplinary inquiry on the conviction by the doctor should be held in the first instance.

Timely renewal of practising / retention certificate

A notification letter was issued to individual doctors on 28 September 2018 inviting them to apply for renewal of the annual practising / retention certificates. The Medical Council would like to remind doctors to make timely application for renewal of the certificates, and draw doctors' attention to the following:

- (a) According to section 20A of the Medical Registration Ordinance (“the Ordinance”), a doctor who has not renewed the practising certificate by 31 December cannot lawfully practise medicine from 1 January of the following year onwards, until and unless he / she has obtained a valid practising certificate.
- (b) Section 19(1)(b) of the Ordinance provides that the Medical Council may order the removal from the General Register of the name of any person who has not, before 30 June of a year, obtained his / her practising / retention certificate for that year. If a doctor's name is removed from the General Register, he / she will cease to be a registered doctor and cannot continue to practise. It is a criminal offence under section 28(2) of the Ordinance for a person whose name is not on the General Register to practise medicine or surgery.

Change of registered address

Under the Ordinance, any registered medical practitioner is 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 is available from the Medical Council's website and 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, Wanchai, 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 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 that the practising address be provided 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 Ordinance, the Medical Council has decided that a registered medical practitioner may choose whether to have his / her registered address published on the Council's website. Any subsequent change in your choice must be notified in writing to the Registrar of Medical Practitioners. Given the size of the updating exercise which involves over 14,000 entries, the list of registered medical practitioners on the website will be updated on a monthly basis. Any request for changing the publication of registered address and / or any other information in individual entries on the Medical Council's website will be processed only during the updating exercises.

Membership Lists (as at 31 December 2018)

The Medical Council of Hong Kong

Prof. LAU Wan-ye, Joseph SBS (劉允怡教授) (Chairman)

Dr CHAN Hon-ye, Constance JP (陳漢儀醫生)

Mr KWONG Cho-shing, Antonio MH (鄺祖盛先生)

Mrs BIRCH LEE Suk-ye, Sandra GBS JP (李淑儀女士)

Mr LAM Chi-yau (林志焄先生)

Dr Hon Pierre CHAN (陳沛然議員)

Dr LAM Tzit-yuen, David (林哲玄醫生)

Mr CHAN Wing-kai (陳永佳先生)

Dr LAU Chor-chiu GSM MH JP (劉楚釗醫生)

Dr CHENG Chi-man (鄭志文醫生)

Dr LEE Wai-hung, Danny (李偉雄醫生)

Dr CHEUNG Chin-pang (張展鵬醫生)

Dr LEUNG Chi-chiu (梁子超醫生)

Dr CHEUNG Hon-ming (張漢明醫生)

Prof. Felice LIEH-MAK GBS CBE JP (麥列菲菲教授)

Dr CHEUNG Tak-hong JP (張德康醫生)

Dr LO Chi-yuen, Albert (盧志遠醫生)

Dr CHOI Kin, Gabriel (蔡堅醫生)

Mr MUI Cheuk-nang, Kenny (梅卓能先生)

Dr CHOW Pak-chin BBS JP (周伯展醫生)

Dr PONG Chiu-fai, Jeffrey (龐朝輝醫生)

Dr CHOW Yu-fat (周雨發醫生)

Dr SHEA Tat-ming, Paul (佘達明醫生)

Prof. FOK Tai-fai SBS JP (霍泰輝教授)

Prof. TANG Wai-king, Grace SBS JP (鄧惠瓊教授)

Dr HO Hung-kwong, Duncan (何鴻光醫生)

Dr WAI Yuk-chun, Veronica (韋玉珍醫生)

Dr HO Pak-leung JP (何栢良醫生)

Prof. WONG Yung-hou MH (王殷厚教授)

Ms HUI Mei-sheung, Tennessy MH JP (許美嫦女士)

Secretary : Ms Lisa LAI (賴玉雲女士)

Mr HUNG Hin-ching, Joseph (孔憲正先生)

Legal Adviser : Mr Edward SHUM (岑炳生先生)

Dr IP Wing-yuk (葉永玉醫生)

Education and Accreditation Committee

Prof. TANG Wai-king, Grace SBS JP (鄧惠瓊教授) (Chairman)	
Prof. CHAN Anthony Tak-cheung (陳德章教授)	Dr LUK Hung-to, Danny (陸洪滔醫生)
Dr CHOW Yu-fat (周雨發醫生)	Dr PONG Chiu-fai, Jeffrey (龐朝輝醫生)
Prof. HUNG Chi-tim JP (熊志添教授)	Dr TONG Kai-sing (唐繼昇醫生)
Prof. HUNG Ivan Fan-ngai (孔繁毅教授)	Prof. WING Yun-kwok (榮潤國教授)
Dr IP Wing-yuk (葉永玉醫生)	Dr WONG Tin-chun, Gordon (黃田鎮醫生)
Dr LAU Chor-chiu GMSM MH JP (劉楚釗醫生)	Secretary : Ms Fionne TSE (謝淑儀女士)
Prof. LEUNG Ka-kit, Gilberto (梁嘉傑教授)	Legal Adviser : Mr Edward SHUM (岑炳生先生)
Dr LI Kai-ming (李啟明醫生)	

Ethics Committee

Dr LEUNG Chi-chiu (梁子超醫生) (Chairman)	
Dr AU Kit-sing, Derrick (區結成醫生)	Prof. TAO LAI Po-wah, Julia (陶黎寶華教授)
Dr CHAN Hau-ngai, Kingsley (陳厚毅醫生)	Dr WAI Yuk-chun, Veronica (韋玉珍醫生)
Dr Hon Pierre CHAN (陳沛然議員)	Dr WONG Grace Josephine Wing-san (王穎珊醫生)
Dr HO Pak-leung JP (何栢良醫生)	Prof. WONG Yung-hou MH (王殷厚教授)
Mr KWONG Cho-shing, Antonio MH (鄺祖盛先生)	Secretary : Ms Fionne TSE (謝淑儀女士)
Dr LAI Cham-fai (黎湛暉醫生)	Legal Adviser : Mr Edward SHUM (岑炳生先生)
Dr LAM Tzit-yuen, David (林哲玄醫生)	

Health Committee

Dr CHOW Pak-chin BBS JP (周伯展醫生) (Chairman)	
Dr CHAN Siu-kim (陳小劍醫生)	Mr HUNG Hin-ching, Joseph (孔憲正先生)
Dr CHENG Lai-ling (鄭麗玲博士)	Dr LO Chi-yuen, Albert (盧志遠醫生)
Dr CHOW Chun-kwan, John (周振軍醫生)	Dr LO See-kit, Raymond (勞思傑醫生)
Dr FAN Yuen-man, Cecilia (范婉雯醫生)	Dr WONG Ho-shan, Steven (黃河山醫生)
Dr HO Chung-ping MH JP (何仲平醫生)	Secretary : Mr Joseph W H SIU (蕭永豪先生)
Dr HO Hung-kwong, Duncan (何鴻光醫生)	Legal Adviser : Mr Edward SHUM (岑炳生先生)
Dr HUNG Bing-kei, Gabriel (洪秉基醫生)	

Licentiate Committee

Dr CHEUNG Hon-ming (張漢明醫生) (Chairman)	
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Dr KO Pat-sing, Tony (高拔陸醫生)	Prof. NG Kwok-wai, Enders (吳國偉教授)
Dr KONG Wing-ming, Henry (江永明醫生)	Prof. SZETO Cheuk-chun (司徒卓俊教授)
Dr LAM Man-kin, Ronald JP (林文健醫生)	Secretary : Ms Phyllis KO (高依麗女士)
Dr LAM Wing-wo (林永和醫生)	Legal Adviser : Mr Edward SHUM (岑炳生先生)
Prof. LAU Yu-lung (劉宇隆教授)	

Deemed Preliminary Investigation Committee

Dr CHEUNG Tak-hong JP (張德康醫生) (Chairman)	
Prof. FOK Tai-fai SBS JP (霍泰輝教授) (Deputy Chairman)	
Dr CHONG Yee-hung (莊義雄醫生)	Mr KWONG Cho-shing, Antonio MH (鄺祖盛先生) *
Dr FOO Kam-so, Stephen (傅鑑蘇醫生)	Dr LEE Siu-yin, Ruby JP (李兆妍醫生)
Ms HUI Mei-sheung, Tennessy MH JP (許美嫦女士) *	Dr SO Yui-chi (蘇睿智醫生)
Mr HUNG Hin-ching, Joseph (孔憲正先生) *	Secretary : Mr Joseph W H SIU (蕭永豪先生)

* serve on a rotation basis each for a period of 3 months

Preliminary Investigation Committee

Dr CHENG Chi-man (鄭志文醫生) (Chairman)

Dr CHAN Nim-tak, Douglas (陳念德醫生) (Deputy Chairman)

Dr CHIU Shing-ping, James (趙承平醫生)

Mr WONG Hin-wing (黃顯榮先生)

Dr LEE Wai-hung, Danny (李偉雄醫生)

Prof. WONG Yung-hou MH (王殷厚教授)

Ms NG Ka-man, Rendy (吳嘉汶女士)

Secretary : Mr Ambrose WONG (黃兆雄先生)

Assessors

Lay Assessors

Mr CHAN Hiu-fung, Nicholas MH (陳曉峰先生)

Ms NG Ka-man, Rendy (吳嘉汶女士)

Dr CHENG Lai-ling (鄭麗玲博士)

Mr NG Ting-shan (伍庭山先生)

Ms CHUI Hoi-yeet, Heidi (徐凱怡女士)

Mr POON Yiu-kin, Samuel (潘耀堅先生)

Mr HUI Cheuk-lun, Lawrence (許卓倫先生)

Mr WONG Hin-wing (黃顯榮先生)

Mr KAN Pak-him, Christopher (簡柏謙先生)

Mr WOO King-hang (胡勁恒先生)

Mr LAI Yat-hin, Adrian (黎逸軒先生)

Medical Assessors

Dr AU-YEUNG Kam-chuen, Sidney (歐陽錦全醫生)

Dr LI Mun-pik, Teresa (李敏碧醫生)

Dr CHAN Nim-tak, Douglas (陳念德醫生)

Dr MOK Pik-tim, Francis (莫碧添醫生)

Prof. CHAN Anthony Tak-cheung (陳德章教授)

Prof. TAN Choon-beng, Kathryn (陳俊明教授)

Dr CHIU Shing-ping, James (趙承平醫生)

Prof. WONG Wing-kin, Gary (黃永堅教授)

Prof. CHU Kent-man (朱建民教授)

Dr WONG Yee-him, John (黃以謙醫生)

Dr FUNG Ho-wang (馮浩泓醫生)

Dr YAM Kwong-yui (任廣銳醫生)

Dr KONG Wing-ming, Henry (江永明醫生)

Dr YEUNG Chiu-fat, Henry (楊超發醫生)

Prof. KWONG Yok-lam (鄺沃林教授)