



# Code of Professional Conduct

## Section 2.5

The Medical Council and its Ethics Committee have reviewed section 2.5 of the Code of Professional Conduct (“the Code”), and are concerned that the specific provision requiring consent in writing for “major surgical procedures involving general anaesthesia” under section 2.5(i) may give a misleading impression to the profession that consent in writing would not be required for other non-major surgical procedures involving general anaesthesia. On the recommendation of the Ethics Committee, the Medical Council has decided to revise section 2.5(i). The revised section 2.5(i), which supersedes the previous version as promulgated in the Newsletter Issue No. 19 of December 2012 with immediate effect, is appended below for information of and compliance by members of the profession:-

“2.5 Express and specific consent is required for major treatments, invasive procedures, and any treatment which may have significant risks. Specifically:-

- (i) Consent for ~~major~~ surgical procedures involving general / regional anaesthesia and parenteral sedation must be given in writing.
- (ii) For written consent, a reasonably clear and succinct record of the explanation given should be made in the consent form. The patient, the doctor and the witness (if any) should sign the consent form at the same time. Each signatory must specify his / her name and the date of signing next to his / her signature.”

“2.5 任何可能有顯著風險的治療，包括大型治療及有入侵性的大型程序，都必須得到明確和具體的同意，特別是：

- (i) 涉及全身／區域麻醉及注射性鎮定劑的大型外科程序，必須以書面形式作出同意。
- (ii) 就書面同意而言，醫生給予的解釋應合理地清晰和簡潔地記錄在同意表格上。病人、醫生和見證人(如有)應同時在同意表格上簽署作實。每名簽署人必須在他／她的簽署旁邊註明他／她的姓名和簽署日期。”



## Section 9.4

The Medical Council and its Ethics Committee have also reviewed and revised section 9.4 of the Code with a view to providing clearer guidelines to the profession on labelling of dispensed medicine. The revised section 9.4, which supersedes the previous version with immediate effect, is appended below for information of and compliance by members of the profession:-

“9.4 All medications dispensed to patients directly or indirectly by a doctor should be properly and separately labelled with all the following information:-

- (a) name of prescribing doctor or proper means of identifying him;
- (b) full name of the patient, except where the full name is unusually long (in which case the family name and such part of the given name or initials sufficient to identify the patient should be written);
- (c) date of dispensing;
- (d) name of medicine, which can be either:
  - (i) the name of the medicine as it is registered with the Pharmacy and Poisons Board of Hong Kong and shown in the Compendium of Pharmaceutical Products published by the Department of Health; or
  - (ii) the generic, chemical or pharmacological name of the medicine;
- (e) method of administration;
- (f) dosage to be administered; ~~and~~
- (g) strength and / or concentration of the medicine where applicable; and
- (h) precautions where applicable.”

“9.4 由醫生直接或間接配處給病人的藥物均須適當地加上獨立標籤，載明以下資料：

- (a) 開出處方的醫生的姓名或能識別該醫生的適當方法；
- (b) 病人全名，除非全名極長，則須寫上姓氏及足以識別病人的部分名字或縮寫；
- (c) 配處日期；
- (d) 藥物名稱，可以任擇其一：
  - (i) 向香港藥劑業及毒藥管理局註冊，並載於衛生署發出的《藥劑製品目錄》的藥物名稱；或
  - (ii) 藥名的非專利名稱、化學名稱或學名；
- (e) 服用方法；
- (f) 劑量；以及
- (g) 藥物的強度及／或濃度（如適用）；以及
- (h) 注意事項（如適用）。”

The Medical Council noted that while “dosage to be administered” as set out in section 9.4(f) of the Code may be sufficient for the instruction to a patient, it is important for other doctors subsequently taking care of the patient to also know about the strength and / or concentration of the medicine, so as to be sure the actual amount of medicine he / she has taken.



Under section 9.4(d)(i) of the Code, the medication dispensed to a patient should be labelled with the name of medicine, which can either be (i) the name of medicine as it is registered with the Pharmacy and Poisons Board of Hong Kong and shown in the Compendium of Pharmaceutical Products (“the Compendium”) published by the Department of Health (“the registered name”); or (ii) the generic, chemical or pharmacological name of the medicine. By labelling the medication with the registered name in the Compendium, the strength and / or concentration of the medicine would be traceable since some medicines have the strength and / or concentration attached to the product name, or such information would be available from the manufacturer. In such case, it may not be necessary for the doctor to separately indicate on the label the strength and / or concentration of the medicine.

However, the doctor should specify the strength and / or concentration of the medicine for reference by other doctors subsequently taking care of the patient under the following situations (which are not exhaustive):-

- (i) when the doctor chooses to use the generic, chemical or pharmacological name of the medicine (e.g. for reason that the product name may not be familiar to others);
- (ii) when the medicine (e.g. syrups) has been diluted even if the registered name is used; and
- (iii) when different medicines have been mixed (e.g. mixture of syrups, compounding cream, etc.).

### Section 22.3(d)

The Medical Council has endorsed the Ethics Committee’s recommendation to amend the Chinese translation of the term “invasive procedures” in section 22.3(d) of the Code from “有侵害性的程序” to “有入侵性的程序” as set out below:-

“22.3(d) 醫生已向病人清楚解釋有關手術程序、移植物、植入物或藥物的性質及其他現時可用的治療方法。進行有侵害性入侵性的程序前，必須詳細解釋並取得病人的同意。”

The Medical Council has also endorsed the Chinese translation of other revised sections of the Code which have been promulgated to the profession vide the Council’s newsletters and notices on the Council’s website previously, including:-

- (i) Part I A “Introduction”
- (ii) Section 2 “Consent to medical treatment”
- (iii) Appendix D “Guidelines on Doctors Directories”

Members of the profession should familiarize themselves with the Code and the subsequent amendments promulgated by the Council from time to time, which together with the corresponding Chinese translation are available at the Medical Council’s website at <http://www.mchk.org.hk/code.htm>.





# Advice / Information for all Registered Medical Practitioners

## Rules on Quotable Appointments

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

### Background

The Medical Council’s policy on quotable appointments promulgated in the Newsletter Issue No. 4 of May 2000 was:-

- “Doctors please note that only those appointments falling within the following criteria are quotable in the course of the professional practice:
- It should be a bona-fide, current, full-time and paid appointment offered by an approved public medical institution or private hospital in Hong Kong; and
  - Honorary appointment will not be quotable.”

By letters to all doctors and all private hospitals of 27 September 2012 and vide the Newsletter Issue No. 19 of December 2012, the Medical Council promulgated a set of QA Rules to replace the above policy on quotable appointments. The QA Rules were originally scheduled to be implemented 9 months after promulgation in June 2013.

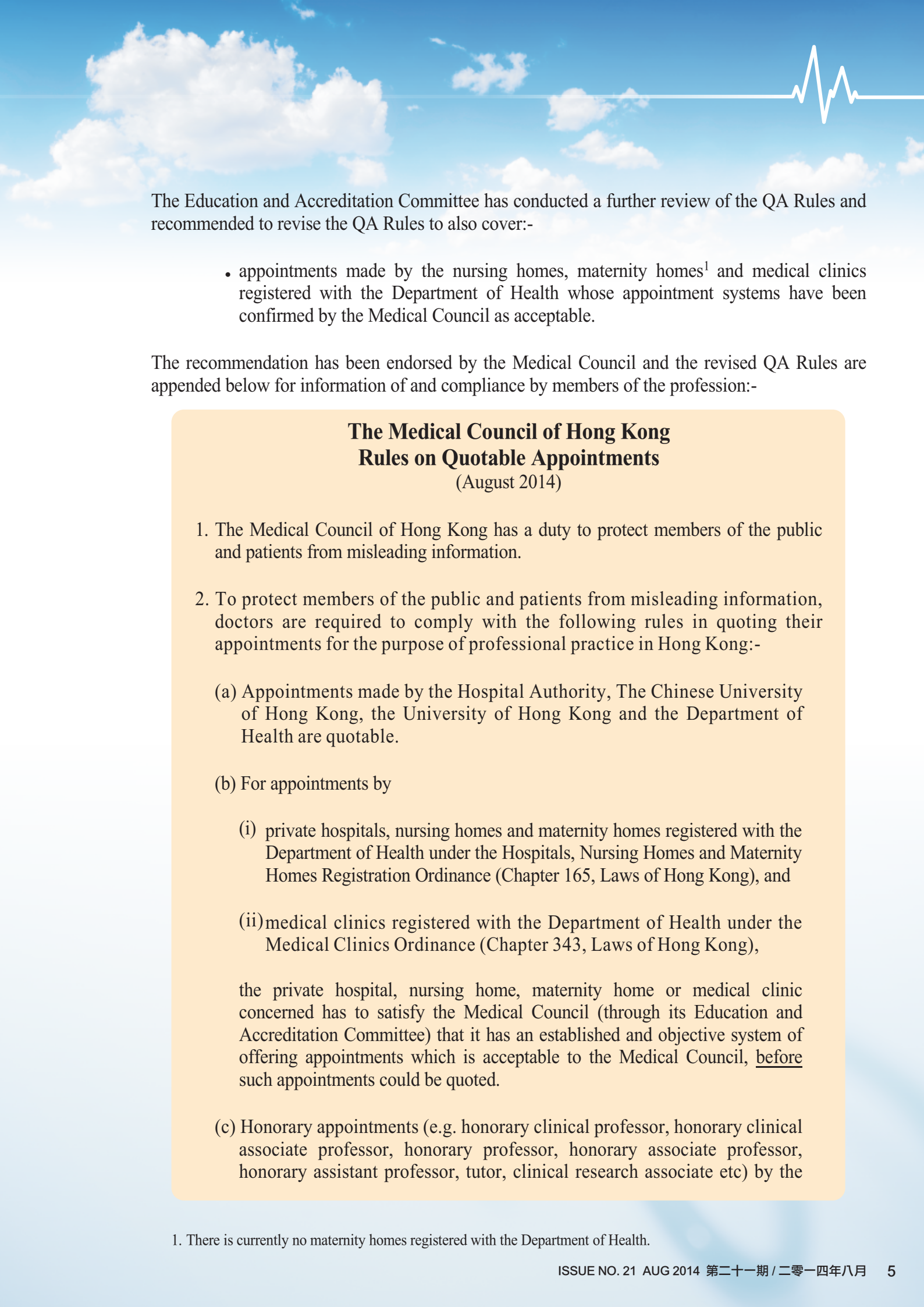
Paragraph 2(b) of the promulgated QA Rules provides that a private hospital has to satisfy the Medical Council that it has an established and objective system of offering appointments which is acceptable to the Council before its appointments can be quoted by doctors in their medical practice. As a number of issues had arisen during the vetting of the applications from the private hospitals by the Education and Accreditation Committee, the Medical Council by a letter to all doctors and private hospitals of 15 May 2013 announced the postponement of implementation of the QA Rules until further notice, and that the above prevailing policy on quotable appointments would continue. The postponement was further published in the Newsletter Issue No. 20 of December 2013.

### Revised QA Rules

Under the QA Rules promulgated on 27 September 2012, only the following appointments are quotable:-

- appointments made by the four specified public medical institutions (i.e. Hospital Authority, The Chinese University of Hong Kong, University of Hong Kong and Department of Health); and
- appointments made by the private hospitals registered with the Department of Health whose appointment systems have been confirmed by the Medical Council as acceptable (the list of accepted appointments of such hospitals will be published in the Medical Council’s website).





The Education and Accreditation Committee has conducted a further review of the QA Rules and recommended to revise the QA Rules to also cover:-

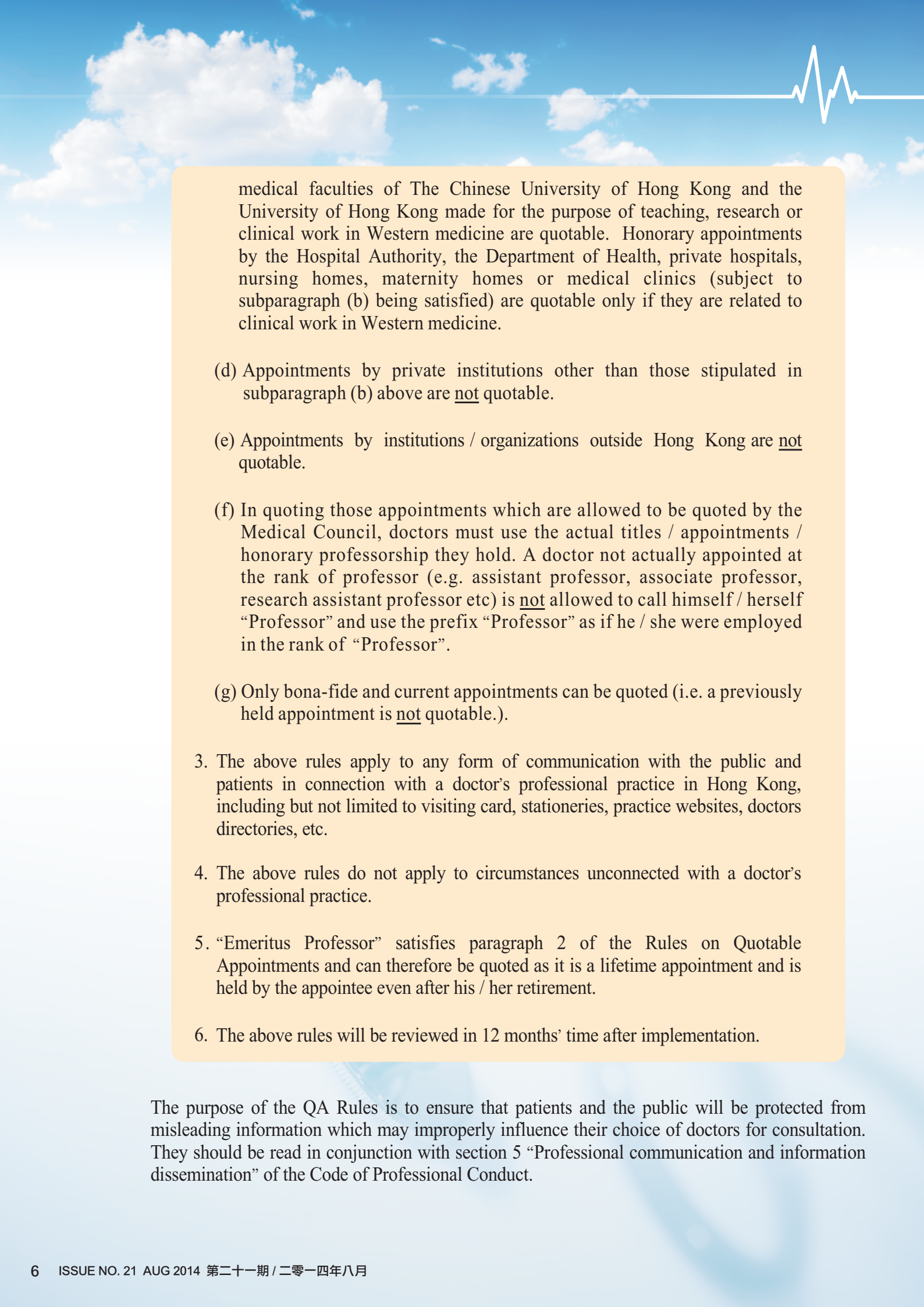
- appointments made by the nursing homes, maternity homes<sup>1</sup> and medical clinics registered with the Department of Health whose appointment systems have been confirmed by the Medical Council as acceptable.

The recommendation has been endorsed by the Medical Council and the revised QA Rules are appended below for information of and compliance by members of the profession:-

**The Medical Council of Hong Kong**  
**Rules on Quotable Appointments**  
(August 2014)

1. The Medical Council of Hong Kong has a duty to protect members of the public and patients from misleading information.
2. To protect members of the public and patients from misleading information, doctors are required to comply with the following rules in quoting their appointments for the purpose of professional practice in Hong Kong:-
  - (a) Appointments made by the Hospital Authority, The Chinese University of Hong Kong, the University of Hong Kong and the Department of Health are quotable.
  - (b) For appointments by
    - (i) private hospitals, nursing homes and maternity homes registered with the Department of Health under the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Chapter 165, Laws of Hong Kong), and
    - (ii) medical clinics registered with the Department of Health under the Medical Clinics Ordinance (Chapter 343, Laws of Hong Kong),the private hospital, nursing home, maternity home or medical clinic concerned has to satisfy the Medical Council (through its Education and Accreditation Committee) that it has an established and objective system of offering appointments which is acceptable to the Medical Council, before such appointments could be quoted.
  - (c) Honorary appointments (e.g. honorary clinical professor, honorary clinical associate professor, honorary professor, honorary associate professor, honorary assistant professor, tutor, clinical research associate etc) by the

1. There is currently no maternity homes registered with the Department of Health.



medical faculties of The Chinese University of Hong Kong and the University of Hong Kong made for the purpose of teaching, research or clinical work in Western medicine are quotable. Honorary appointments by the Hospital Authority, the Department of Health, private hospitals, nursing homes, maternity homes or medical clinics (subject to subparagraph (b) being satisfied) are quotable only if they are related to clinical work in Western medicine.

- (d) Appointments by private institutions other than those stipulated in subparagraph (b) above are not quotable.
  - (e) Appointments by institutions / organizations outside Hong Kong are not quotable.
  - (f) In quoting those appointments which are allowed to be quoted by the Medical Council, doctors must use the actual titles / appointments / honorary professorship they hold. A doctor not actually appointed at the rank of professor (e.g. assistant professor, associate professor, research assistant professor etc) is not allowed to call himself / herself “Professor” and use the prefix “Professor” as if he / she were employed in the rank of “Professor”.
  - (g) Only bona-fide and current appointments can be quoted (i.e. a previously held appointment is not quotable.).
3. The above rules apply to any form of communication with the public and patients in connection with a doctor’s professional practice in Hong Kong, including but not limited to visiting card, stationeries, practice websites, doctors directories, etc.
  4. The above rules do not apply to circumstances unconnected with a doctor’s professional practice.
  5. “Emeritus Professor” satisfies paragraph 2 of the Rules on Quotable Appointments and can therefore be quoted as it is a lifetime appointment and is held by the appointee even after his / her retirement.
  6. The above rules will be reviewed in 12 months’ time after implementation.

The purpose of the QA Rules is to ensure that patients and the public will be protected from misleading information which may improperly influence their choice of doctors for consultation. They should be read in conjunction with section 5 “Professional communication and information dissemination” of the Code of Professional Conduct.



To allow sufficient time for doctors to make necessary arrangements to comply with the revised QA Rules, **the revised QA Rules will be implemented on 1 December 2014**, at which time the prevailing policy will cease to have effect.

### **Confirmation of Acceptability of Appointment Systems of Private Hospitals, Nursing Homes and Medical Clinics**

The Education and Accreditation Committee has thoroughly considered the applications of all the 11 registered private hospitals and is satisfied on evidence of the information submitted that each of them has an established and objective system of offering appointments. The Medical Council, on the recommendation of the Education and Accreditation Committee, has confirmed their appointment systems as acceptable under the revised QA Rules.

Same as the arrangement for the private hospitals, a nursing home or a medical clinic has to satisfy the Council that its appointment system is acceptable before its appointments can be quoted by doctors in their medical practice under paragraph 2(b) of the revised QA Rules. Application for such confirmation by the Council should be made in accordance with the “Guidelines on Quotability of Appointments by Private Hospitals, Nursing Homes, Maternity Homes and Medical Clinics” using the designated application form, which are available at the website of the Medical Council (<http://www.mchk.org.hk/qa.htm>).

All nursing homes and medical clinics have been informed of the revised QA Rules and advised to submit the applications as early as possible (preferably by the end of September 2014) to ensure that processing of the applications can be completed before implementation of the revised QA Rules.

### **List of Quotable Appointments by Private Hospitals, Nursing Homes and Medical Clinics accepted under the QA Rules**

For the private hospitals, nursing homes and medical clinics whose appointment systems are accepted by the Medical Council under the revised QA Rules, the Medical Council will include their appointments which are accepted as quotable 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”) published in the Council’s website. Individual doctors can quote the appointments included in the QA List for the purpose of professional practice in Hong Kong upon implementation of the revised QA Rules on 1 December 2014.

If there are any subsequent additions of appointments, or changes of titles of or criteria for the quotable appointments, the hospital, nursing home or medical clinic concerned has to apply to the Council for quotability of such appointments before they could be quoted by individual doctors with such appointments.

The QA List will be updated from time to time. Members of the profession are advised to check the quotability of any appointments made by the private hospitals, nursing homes and medical clinics before quoting them for the purpose of professional practice in Hong Kong.





## Guidelines on Quoting of Qualifications

The Medical Council has recently reviewed the “Advice in regard to the qualifications that are acceptable to the Council for use on signboards, letter-heads, visiting cards, etc.” published in the website (<http://www.mchk.org.hk/quotable.htm>), and decided to replace it with a new set of Guidelines on Quoting of Qualifications (“the Guidelines”). The new Guidelines, which take immediate effect, are appended below for information of and compliance by members of the profession:-

### **The Medical Council of Hong Kong Guidelines on Quoting of Qualifications** (August 2014)

1. According to section 5 “Professional communication and information dissemination” of the Code of Professional Conduct (“the Code”) issued by the Medical Council of Hong Kong (“the Medical Council”), doctors may quote those quotable qualifications approved by the Medical Council in dissemination of service information to the public. Such quotable qualifications include: -
  - (a) qualifications entitling a doctor to registration (i.e. primary registrable qualifications) (e.g. MB BS (HK), MB ChB (CUHK), LMCHK, MB BS (Lond)<sup>1</sup>, MRCS (Eng)<sup>1</sup>);
  - (b) specialist qualifications registered on the Specialist Register (e.g. FHKAM (Medicine)); and
  - (c) additional registrable qualifications<sup>2</sup> as well as other additional quotable qualifications approved by the Medical Council as included in the List of Quotable Qualifications.
2. Doctors are advised to quote the qualification entitling him / her to registration whenever he / she quotes any of his / her qualifications, and to quote it as the first qualification before all other quotable qualifications. Repeated failure to comply with this advice may constitute professional misconduct.
3. For doctors registered with the Medical Council by virtue of being Licentiate of the Medical Council of Hong Kong (“LMCHK”), he / she is given a choice to quote “Licentiate of the Medical Council of Hong Kong” / “LMCHK” with or without any specification of his / her primary medical qualifications. If the primary medical qualification is quoted, the exact wordings shown on the graduation certificate should be quoted in brackets and placed after “Licentiate of the Medical Council of Hong Kong” / “LMCHK” as illustrated below<sup>3</sup>:-

Title in full:       Licentiate of the Medical Council of Hong Kong (Primary medical qualification as described in the graduation certificate, XYZ Medical School, ABC Country of Origin)



Abbreviation: LMCHK (Primary medical qualification as described in the graduation certificate, XYZ Medical School, ABC Country of Origin)

Title in Chinese: 香港醫務委員會執照 (ABC國家 XYZ醫科學校 畢業証書所寫的醫科資格)

4. Doctors should observe the following in quoting their qualifications:-

- (a) carefully word the English / Chinese titles and abbreviations of the qualification by referring to (i) the official ones provided by the conferring authority, (ii) the statutory names provided under Schedules 3 and 4 of the Medical Registration Ordinance, and (iii) the List of Quotable Qualifications of the Medical Council, the Avicenna Directory for Medicine<sup>4</sup> or the International Medical Education Directory<sup>5</sup>, as appropriate; and
- (b) specify the conferring authority or medical school of the qualification in both the full titles and the abbreviation.

5. Doctors may apply for inclusion of additional qualifications in the List of Quotable Qualifications. Application form and relevant guidelines are available at the website of the Medical Council at [www.mchk.org.hk](http://www.mchk.org.hk).

6. Doctors should read these Guidelines in conjunction with section 5 of the Code, and comply with all the relevant provisions in dissemination of service information.

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- 1. While previously certain overseas diplomas entitled the holders to registration as doctors in Hong Kong, currently only MB BS (HK), MB ChB (CUHK) and LMCHK entitle the holders to registration.
  - 2. The Medical Council previously accepted doctors' applications for registration of additional degrees or other qualifications recognized by the General Medical Council ("GMC") to be recorded against their entries on the General Register. The Medical Council reviewed such policy and decided that such additional degrees or other qualifications recognized by GMC would no longer be added to the General Register after the cut-off date on 28 February 2001. Nevertheless, such additional degrees or other qualifications continue to be accepted for use as quotable qualifications on signboards, letterheads and visiting cards, etc.. Fellowships awarded by the Hong Kong Academy of Medicine are not affected by the revised policy.
  - 3. The above policy on how the Licentiates of the Medical Council should quote their primary medical qualifications was promulgated vide the Council's Newsletter Issue No. 4 in May 2000.
  - 4. The Avicenna Directory for Medicine is maintained by the University of Copenhagen in collaboration with the World Health Organization and the World Federation for Medical Education, which is available at <http://avicenna.ku.dk/database/medicine>.
  - 5. International Medical Education Directory is maintained by the Foundation of Advancement of International Medical Education and Research of USA, which is available at <https://imed.faimer.org/>.



## Quotable Qualifications

The List of Quotable Qualifications (“the List”) approved by the Medical Council is promulgated in the Medical Council’s website (<http://www.mchk.org.hk/quotable.htm>). Since January 2014, the Medical Council, on the recommendation of the Education and Accreditation Committee, has approved additions and changes to the List as set out in the ensuing paragraphs.

### Quotable qualifications under the generally approved category

The Medical Council has approved the following two qualifications for inclusion in the List:-

Title of Qualification	Abbreviation	Chinese Title
Master of Science in Practical Dermatology, Cardiff University	MScPD (Cardiff)	卡的夫大學 實用皮膚學碩士
Master of Science in Clinical Neuroscience, University College London	MSc (UCL)	倫敦大學學院 臨床神經科學碩士

### Quotable qualifications under the specifically approved category

The Medical Council has also approved the following three applications for inclusion in the List under the specifically approved category. The qualifications can only be quoted by the specific applicants to whom the approval is given.

Title of Qualification	Abbreviation	Chinese Title	Date of approval by the Medical Council	Reference
Doctor of Philosophy, University College London	PhD (UCL)	倫敦大學學院 哲學博士	2 April 2014	MC/QQ/10/13
Doctor of Philosophy, The University of Hong Kong	PhD (HK)	香港大學 哲學博士	2 April 2014	MC/QQ/02/14
Doctor of Philosophy, The University of Hong Kong	PhD (HK)	香港大學 哲學博士	13 May 2014	MC/QQ/05/14





## Change of details of quotable qualifications

The Medical Council decided at the Policy Meeting on 5 February 2014 (i) to rectify the title and / or abbreviation of the following qualifications based on the advice of the Royal College of Surgeons of Edinburgh; and (ii) to allow a 3-year grace period for doctors concerned to revise the title and abbreviations on their signboards, letter-heads and visiting cards, etc.:-

	Title of Qualification	Abbreviation	Chinese Title
1.	Fellow, Royal College of Surgeons of Edinburgh	FRCSEd	英國愛丁堡皇家外科醫學院院士
	(Remarks: The Medical Council decided at the meeting on 5 February 2014 to adopt the official abbreviation of the qualification as advised by the Royal College of Surgeons of Edinburgh i.e. “FRCSEd”, instead of “FRCS (Edin)”. There would be a 3-year transitional period during which the use of either “FRCS (Edin)” or “FRCSEd” by a medical practitioner would be acceptable by the Council.)		
2.	Fellow in Urology, Royal College of Surgeons of Edinburgh	FRCSEd (Urol)	英國愛丁堡皇家外科醫學院泌尿科院士
	(Remarks: The Medical Council decided at the meeting on 5 February 2014 to adopt the official abbreviation of the qualification as advised by the Royal College of Surgeons of Edinburgh i.e. “FRCSEd (Urol)”, instead of “FRCS (Urology) (Edin)”. There would be a 3-year transitional period during which the use of either “FRCS (Urology) (Edin)” or “FRCSEd (Urol)” by a medical practitioner would be acceptable by the Council.)		
3.	Fellow in Surgical Neurology, Royal College of Surgeons of Edinburgh	FRCSEd (SN)	英國愛丁堡皇家外科醫學院院士 (腦外科)
	(Remarks: The Medical Council decided at the meeting on 5 February 2014 to adopt the official title and abbreviation of the qualification as advised by the Royal College of Surgeons of Edinburgh i.e. “Fellow in Surgical Neurology, Royal College of Surgeons of Edinburgh” and “FRCSEd (SN)”, instead of “Fellow of Royal College of Surgeons of Edinburgh (Surgical Neurology)” and “FRCS (SN) (Edin)” as approved on 7 July 1999. There would be a 3-year transitional period during which the use of either “Fellow of Royal College of Surgeons of Edinburgh (Surgical Neurology)” and “FRCS (SN) (Edin)” or “Fellow in Surgical Neurology, Royal College of Surgeons of Edinburgh” and “FRCSEd (SN)” by a medical practitioner would be acceptable by the Council.)		
4.	Fellow in Immediate Medical Care, Royal College of Surgeons of Edinburgh	FIMC RCSEd	英國愛丁堡皇家外科醫學院院士 (緊急醫療)
	(Remarks: The Medical Council decided at the meeting on 5 February 2014 to adopt the official abbreviation of the qualification as advised by the Royal College of Surgeons of Edinburgh i.e. “FIMC RCSEd”, instead of “FRCS (Immediate Medical Care) (Edin)” as approved on 6 March 2002. There would be a 3-year transitional period during which the use of either “FRCS (Immediate Medical Care) (Edin)” or “FIMC RCSEd” by a medical practitioner would be acceptable by the Council.)		



	Title of Qualification	Abbreviation	Chinese Title
5.	Member, Royal College of Surgeons of Edinburgh	MRCSEd	英國愛丁堡皇家外科醫學院院員
(Remarks: The Medical Council decided at the meeting on 5 February 2014 to adopt the official abbreviation of the qualification as advised by the Royal College of Surgeons of Edinburgh i.e. “MRCSEd”, instead of “MRCS(Ed)” as approved on 6 November 2002. There would be a 3-year transitional period during which the use of either “MRCS(Ed)” or “MRCSEd” by a medical practitioner would be acceptable by the Council.)			
6.	Diploma in Medical Informatics, Royal College of Surgeons of Edinburgh	DMI RCSEd	英國愛丁堡皇家外科醫學院醫療資訊管理文憑
(Remarks: The Medical Council decided at the meeting on 5 February 2014 to adopt the official abbreviation of the qualification as advised by the Royal College of Surgeons of Edinburgh i.e. “DMI RCSEd”, instead of “DMI (RCSEd)” as approved on 7 April 2004. There would be a 3-year transitional period during which the use of either “DMI (RCSEd)” or “DMI RCSEd” by a medical practitioner would be acceptable by the Council.)			

The Medical Council decided at the Policy Meeting on 2 April 2014 to rectify the title of the following quotable qualifications based on the advice of Monash University, with a 3-year grace period being allowed:-

Title of Qualification	Abbreviation	Chinese Title
Master of Family Medicine (Clinical), Monash University or Master of Family Medicine, Monash University (A medical practitioner can quote <u>only one</u> of the qualifications)	MFM (Clin) (Monash) or MFM (Monash)	澳洲蒙納殊大學 家庭醫學碩士
(Remarks: The Medical Council decided at the meeting on 2 April 2014 to rectify the title of the qualifications “ <i>Master in Family Medicine (Clinical), Monash University</i> ” and “ <i>Master in Family Medicine, Monash University</i> ” as “ <i>Master of Family Medicine (Clinical), Monash University</i> ” and “ <i>Master of Family Medicine, Monash University</i> ” respectively. There would be a 3-year transitional period during which the use of either the old titles or the rectified titles by a medical practitioner would be acceptable by the Council.)		



The Medical Council decided at the Policy Meeting on 2 April 2014 to rectify the titles and abbreviation of the following quotable qualification based on the advice of the University of London, with a 3-year grace period being allowed:-

Title of Qualification	Abbreviation	Chinese Title
Master of Science in Infectious Diseases, London School of Hygiene & Tropical Medicine, University of London	MSc in Infectious Diseases, LSHTM (Lond)	英國倫敦大學感染 及傳染病學碩士 (倫敦衛生 及熱帶病學學院)

(Remarks: The Medical Council decided at the meeting on 2 April 2014 to rectify the titles and abbreviation of the qualification as follows:-

- (i) Title of qualification: from “*Master of Science in Infectious Diseases, (Distance Learning) London School of Hygiene & Tropical Medicine, University of London External Programme*” to “*Master of Science in Infectious Diseases, London School of Hygiene & Tropical Medicine, University of London*”
- (ii) Abbreviation: from “*MSc in Infectious Diseases (LSHTM, London External Programme)*” to “*MSc in Infectious Diseases, LSHTM (Lond)*”
- (iii) Chinese title: from “英國倫敦大學感染及傳染病學碩士(倫敦衛生及熱帶病學學院校外課程)” to “英國倫敦大學感染及傳染病學碩士(倫敦衛生及熱帶病學學院)”.

There would be a 3-year transitional period during which the use of either the old titles and abbreviation or the rectified titles and abbreviation by a medical practitioner would be acceptable by the Council.)

## Application for quoting research master and doctoral degrees

Doctors are advised that individual approval would be required for quoting the specifically approved qualifications (i.e. research master and doctoral degrees other than “Master of Surgery” and “Doctor of Medicine”) included in the List. Applications for quoting the specifically approved qualifications should be made to the Education and Accreditation Committee of the Medical Council.



## Result of the 2013 Election of the Medical Council of Hong Kong

The Medical Council held its 18<sup>th</sup> election of Medical Council Members on 18 December 2013 to fill two vacancies. Dr CHOI Kin, Gabriel and Dr HO Pak-leung were re-elected by obtaining 1,204 and 1,062 votes respectively. Their term of office as Members of the Medical Council commenced from 24 January 2014 for a period of three years.





# Statistics on Disciplinary Cases Handled by the Medical Council

**Table 1 - Complaints received by the Medical Council**

<u>Allegations by Category</u>	<u>No. of Cases</u>				
	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
1. Conviction in Court	27	34	61	63	40
(a) Failure to keep proper record of dangerous drugs	(2)	(1)	(-)	(2)	(5)
(b) Others	(25)	(33)	(61)	(61)	(35)
2. Disregard of professional responsibility to patients	348	349	294	318	311*
3. Issuing misleading/false medical certificates	43	29	29	20	41
4. Practice promotion	15	13	19	8	12
5. Misleading, unapproved description & announcement	12	14	12	8	8
6. Improper/indecent behaviour to patients	5	14	2	10	7
7. Abuse of professional position to further improper association with patients	1	-	2	-	2
8. Fitness to practise	4	-	2	2	-
9. Abuse of professional confidence	5	-	1	1	-
10. Depreciation of other medical practitioners	1	-	1	1	3
11. Improper delegation of medical duties to unregistered persons	3	1	-	1	-
12. Sharing fee and improper financial transaction	2	3	-	5	-
13. Other minor issues unrelated to professional responsibility	25	14	38	43	28
<b>Total:</b>	<b>493</b>	<b>476</b>	<b>461</b>	<b>480</b>	<b>452</b>

**Remarks:**

(i) Of the 452 complaints received in 2013:

- 263 cases (58%) are being processed or pending additional information
- 146 cases (32%) were dismissed by the Chairman and the Deputy Chairman of the Preliminary Investigation Committee (PIC) in consultation with the Lay Member as being frivolous or groundless
- 34 cases (8%) were referred to the PIC meeting, out of which 3 cases (0.7%) was referred to inquiry
- 9 cases (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.

\* (ii) The breakdown of cases on "Disregard of professional responsibility to patients" in 2013 is as follows:

- (a) Failure/unsatisfactory result of treatment/surgery, failure to properly/timely diagnose illness and disagreement with doctor's medical opinion - 143 cases
- (b) Failure to give proper medical advice/explanation - 17 cases
- (c) Inappropriate prescription of drugs - 61 cases
- (d) Doctor's unprofessional attitude/doctor-patient communication - 26 cases
- (e) Conducting unnecessary or inappropriate treatment/surgery - 8 cases
- (f) Fees and others - 56 cases



**Table 2 - Breakdown on the complaints received in 2013 which were dismissed by the Chairman and the Deputy Chairman of the Preliminary Investigation Committee of the Medical Council as being frivolous or groundless**

<u>Nature of Complaints</u>	<u>No. of Cases</u>
1. Sick leave and related matters	24
2. Doctor's attitude/Doctor-patient communication	18
3. Unsatisfactory results of treatment/surgery	17
4. Fees dispute	14
5. Disagreement with doctor's medical opinion	14
6. Misdiagnosis	12
7. Undesirable reactions to drugs prescribed	11
8. Practice promotion/misleading, unapproved descriptions & announcements	5
9. Alleged improper/indecent behaviour to patients	2
10. Other issues unrelated to professional misconduct	29
<b>Total:</b>	<b><u>146</u></b>

**Table 3 - Work of the Preliminary Investigation Committee (PIC) of the Medical Council**

<u>Nature</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
1. Total number of cases referred to the PIC meetings	103	108	99	95	89*
2. Total number of cases referred to the Medical Council for inquiries or no inquiry after the PIC meetings	41	49	59	69	58 <sup>#</sup>
3. Total number of cases referred to the Health Committee for hearing after the PIC meetings	2	-	-	-	-

**Remarks:**

\*This figure included those cases received before 2013. They were considered by the PIC in 2013 under the following categories:

	<u>No. of Cases</u>
(a) Disregard of professional responsibility to patients	46
- failure/unsatisfactory results of treatment/surgery	13
- inappropriate prescription of drugs	13
- failure to give proper medical advice/explanation	7
- conducting unnecessary or inappropriate treatment/surgery	7
- failure to properly/timely diagnose illness	4
- fees and others	<u>2</u>
(b) Conviction in court	34
(c) Practice promotion/misleading, unapproved description & announcements	4
(d) Issuing misleading/false medical certificates	2
(e) Improper/indecent behaviour to patients	1
(f) Improper association with patients	1
(g) Miscellaneous	1
<b>Total:</b>	<b><u>89</u></b>



#The cases referred by the PIC to the Medical Council in 2013 are classified as follows:

	<b>No. of Cases</b>
<b>(A) Recommended for no inquiry</b>	
Conviction in court	26
- <i>careless driving</i>	23
- <i>careless driving and installing a visual display unit other than a visual display unit that may be installed under the Traffic Ordinance</i>	1
- <i>failure to comply with Buildings Ordinance order</i>	1
- <i>riding/driving on a footpath</i>	1
<b>(B) Recommended for inquiry</b>	
(a) Conviction in court	7
- <i>indecent assault</i>	3
- <i>indecent assault and committing an act outraging public decency</i>	1
- <i>behaving disorderly in a public place</i>	1
- <i>failure to keep a proper record of dangerous drugs</i>	1
- <i>misconduct in public office</i>	1
(b) Disregard of professional responsibility to patients	20
- <i>inappropriate prescription of drugs</i>	9
- <i>conducting unnecessary or inappropriate treatment/surgery</i>	6
- <i>failure/unsatisfactory results of treatment/surgery</i>	2
- <i>failure to properly/timely diagnose illness</i>	2
- <i>failure to give proper medical advice/explanation</i>	1
(c) Practice promotion/misleading, unapproved description & announcement	2
(d) Improper/indecent behaviour to patients	1
(e) Improper association with patients	1
(f) Miscellaneous	1
<b>Total:</b>	<b>58</b>

**Table 4 - Work statistics of the Preliminary Investigation Committee (PIC) of the Medical Council in 2013**

	<b>Jan-Mar</b>	<b>Apr-Jun</b>	<b>Jul-Sept</b>	<b>Oct-Dec</b>	<b>Total</b>
No. of PIC Meetings	3	3	3	3	12
No. of cases considered	23	20	19	27	89
No. of cases dismissed (%)	7 (30.4 %)	10 (50.0 %)	7 (36.8%)	7 (25.9 %)	31 (34.8 %)
No. of cases referred to the Medical Council (%)	16 (69.6 %)	10 (50.0 %)	12 (63.2 %)	20 (74.1 %)	58* (65.2 %)
No. of cases referred to the Health Committee (%)	-- (0%)	-- (0%)	-- (0%)	-- (0%)	-- (0%)

\* Of them, 26 cases were of minor offences and the Medical Council accepted the PIC's recommendation that no inquiry be held for these cases (please see details at Table 3).





**Table 5 - Disciplinary inquiries conducted by the Medical Council in 2013**

Nature	No. of Cases Involved	Decision of the Council
(A) Conviction in court		
(a) Offence of indecent assault	(1)	Removed for 18 months
	(1)	Removed for 6 months
(b) Offence of behaving in a disorderly manner in a public place	(1)	Removed for 4 months (suspended for 1 year)
(c) Offence of failure to keep a register of dangerous drugs	(1)	Removed for 1 month (suspended for 1 year)
<b>Sub-total</b>	<b>4</b>	
(B) Disregard of professional responsibility to patients	(1)	Removed for 10 months
	(1)	Removed for 9 months
	(1)	Removed for 4 months (suspended for 1 year)
	(1)	Removed for 3 months
	(1)	3 charges: Removed for 1 month 1 charge: Warning letter (gazetted)
	(1)	Removed for 2 months (suspended for 1 year)
	(1)	Removed for 1 month (suspended for 1 year)
	(1)	Removed for 1 month (suspended for 6 months)
	(1)	Reprimanded
	(1)	Not guilty
	(2)	To be continued
<b>Sub-total</b>	<b>12</b>	
(C) Issuing misleading / false medical certificates	(1)	1 doctor: Warning letter (gazetted) 1 doctor: Removed for 4 months
<b>Sub-total</b>	<b>1</b>	
(D) Practice Promotion	(1) (for 4 consolidated complaint cases)	Removed for 8 months
	(1) (for 3 consolidated complaint cases)	1 charge: Removed for 1 month (suspended for 1 year) 1 charge: Removed for 1 month (suspended for 1 year) 1 charge: Removed for 3 months (suspended for 2 year) [removal orders run concurrently]
	(1) (for 2 consolidated complaint cases)	1 charge: Removed for 2 months (suspended for 2 years) 5 charges: Removed for 2 months (suspended for 1 year) [removal orders run concurrently]
	(2)	Removed for 1 month (suspended for 1 year)
<b>Sub-total</b>	<b>5</b>	



Nature	No. of Cases Involved	Decision of the Council
(E) Misleading description and announcement	(1)	1 doctor: Removed for 1 month (suspended for 6 months) 1 doctor: 1 charge: Warning letter (not gazetted) 1 charge: Removed for 1 month (suspended for 6 months)
	(1)	Removed for 1 month (suspended for 6 months)
	(1) (for 2 consolidated complaint cases)	Reprimanded
	(1)	Not guilty
<b>Sub-total</b>		<b>4</b>
(F) Improper/indecent behaviour to patients	(1)	Removed for 1 year (suspended for 3 years)
	(1) (for 2 consolidated complaint cases)	1 charge: Removed indefinitely 1 charge: Removed for 4 months 1 charge: Reprimanded [removal orders run consecutively]
<b>Sub-total</b>		<b>2</b>
(G) Abuse of professional confidence	(1)	Removed for 1 month
<b>Sub-total</b>		<b>1</b>
(H) Others	(1)	Removed for 3 months (suspended for 2 years)
<b>Sub-total</b>		<b>1</b>
<b>Total :</b>		<b>30</b>

[Summary: 26 cases: guilty  
2 cases: not guilty  
2 cases: to be continued]

All cases were referred to the Medical Council for inquiry by the PIC meetings held in/before 2013.]

## Table 6 - Figures on appeal cases

	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
No. of appeals lodged during the year	4	6	5	1	4
No. of appeal cases carried forward from previous years	10	12	13	6	3
<b>Total no. of appeal cases in progress in the year:</b>	<b>14</b>	<b>18</b>	<b>18</b>	<b>7</b>	<b>7</b>

### Results of appeal cases concluded in 2013:

	<u>No. of Cases</u>
(a) Dismissed by Court of Appeal	0
(b) Allowed by Court of Appeal	1
(c) Appeal withdrawn	1
<b>Total:</b>	<b>2</b>



# Reminders

## Reporting of offence punishable by imprisonment

A doctor convicted of any offence punishable by 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, failing to comply with Buildings Ordinance order, riding as passengers in rear seat not securely fastened with seat belt, driving bicycle in country park without consent of the Authority, etc. are in fact offences punishable by imprisonment.

Members of the profession are reminded that upon conviction of an offence punishable by 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 by 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.”*

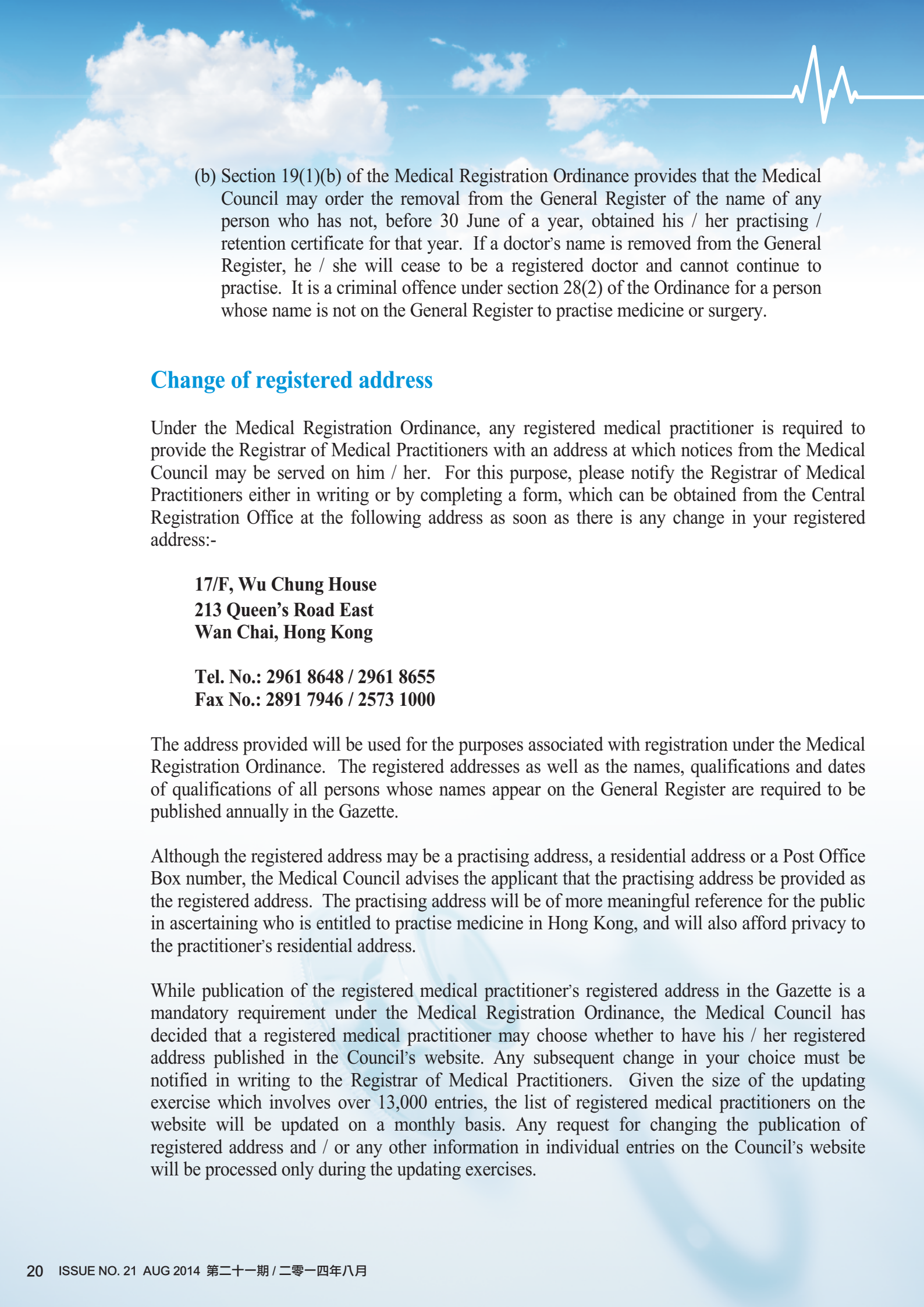
In reporting conviction cases to the Medical Council, the doctor should provide all relevant document(s) such as certificate of trial as far as possible. Provision of sufficient information saves time in making clarification with the doctor and liaising with the adjudicating court for retrieval of the 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 certificates

A notification letter will soon be issued to individual doctors 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, 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 Medical Registration 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 Medical Registration 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 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 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 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. 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 13,000 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 Council's website will be processed only during the updating exercises.



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Ms CHOY Hok-man, Constance \*

Ms LAU Wai-yee, Monita \*

Secretary : Mr Joseph W H SIU  
(秘書：蕭永豪先生)

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

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