

## Press Releases

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LCQ17: Unlawful use of title of medical practitioner

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Following is a question by the Dr Hon Kwok Ka-ki and a written reply by the Secretary for Health, Welfare and Food, Dr York Chow, in the Legislative Council today (May 10):

Question:

An organisation placed an advertisement in the newspaper earlier on and claimed that some of its members possess the qualification of "homeopathy practitioner recognised in the United Kingdom". Another organisation also placed advertisements in local publications targeted at Filipinos, claiming that its medical professionals can provide treatment of skin diseases and beauty services. However, I have learnt that the persons mentioned in the above advertisements are not medical practitioners registered in Hong Kong. In this connection, will the Government inform this Council:

(a) of the number of investigations conducted by the authorities in each of the past five years regarding suspected contravention of section 28 of the Medical Registration Ordinance in relation to "Unlawful use of title etc. and practice without registration" and, among the prosecutions instituted, the number of convictions and the penalties imposed;

(b) whether it plans to amend the legislation to tighten control on the use of the title of "medical practitioner" by any persons to indicate or imply their possession of the relevant medical professional qualifications; and

(c) whether it will launch publicity targeted at the general public or ethnic minorities, in order to prevent them from being misled by the information in advertisements involving improper use of the title of "medical practitioner" and seeking treatment from the persons concerned, thereby suffering from bodily injury?

Reply:

Madam President,

(a) Upon receipt of cases concerning "unlawful use of title and practice without registration" which are suspected to be in contravention of section 28 of the Medical Registration Ordinance (MRO), the Department of Health (DH) would refer such cases to the Hong Kong Police Force for investigation and follow-up actions.

According to the records of the Medical Council of Hong Kong (MCHK) and DH, a total of 110 cases of suspected illegal medical practice have been referred to the Police in the past five years.

Out of these cases, as DH's data reveal, one person has been convicted of an offence under section 28 of the MRO and sentenced to two months' imprisonment, suspended for three years, and fined \$5,000. Another person has been convicted of an offence under section 28 of the MRO and illegal possession of Part I poisons and antibiotics and sentenced to four months' imprisonment, suspended for three years, and fined \$10,000. Prosecutions under other legislation such as the Medical Clinics Ordinance and the Dangerous Drugs Ordinance have also been instituted by the Police in other cases in light of the individual circumstances.

(b) At present, it is stipulated in the MRO that only medical practitioners registered with MCHK may use the title of "registered medical practitioner". Under the MRO, a person commits an offence if he/she wilfully or falsely pretends to be registered as a

medical practitioner in Hong Kong, or wilfully or falsely takes or uses any name, title, addition or description implying that he/she is a registered medical practitioner in Hong Kong.

We consider the relevant legal provisions adequate in protecting the public and therefore have no plan to amend the legislation at this stage.

(c) At present, DH, through various means including publicity on enforcement actions, advises the general public to use legal medical services. For the ethnic minorities in Hong Kong, DH has produced information sheets in different languages on various public health topics which are of concern to them and distributed the information sheets to them through various channels. DH also plans to make use of these channels to promote the message of using legal medical services among the minority communities. The address of a website known as the Hong Kong Doctors Homepage, developed and maintained by Hong Kong Medical Association, is published in a guidebook entitled "Your Guide to Services in Hong Kong" produced by the Race Relations Unit of the Home Affairs Bureau (HAB). The website contains information of registered doctors practising in Hong Kong for the reference of those who need such information.

This guidebook is available in eight languages (including Tagalog). Members of the public may obtain free copies at the HAB, District Offices, Labour Department, relevant consulates and community organisations. The guidebook is also enclosed in the information kits distributed to non-Chinese new arrivals at the Hong Kong International Airport. In addition, DH will consider raising the minority communities' awareness of Hong Kong's health care system and providing them with more information about general health through the publications currently produced by the HAB specifically for them.

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