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2nd March 2017

By fax and mail

Mr. Patrick Nip Tak Kuen
Convenor
Tripartite Platform on Amendments
to the Medical Registration Ordinance
Food and Health Bureau
18/F., East Wing
Central Government Offices
2 Tim Mei Avenue
Tamar, Hong Kong

Dear Mr. Nip,

Re: Amendments to the Medical Registration Ordinance:-
Improvement proposals on the complaint investigation
and disciplinary inquiry mechanism of the Medical Council of Hong Kong

Generally speaking, we are in agreement with the improvement proposals tabled in the 3rd Meeting of the Tripartite Platform on Amendments to the Medical Registration Ordinance on 17th January 2017.

However, we have concern on the following suggestions in refining and simplifying the composition of Preliminary Investigation Committee (PIC) and Inquiry Committee of the Medical Council of Hong Kong:-

1. Lay member / or Lay assessor can be chairman of both PIC and Inquiry Committee;
2. Number of Lay member increase from 1 to 3 in a 7 member PIC;
3. Number of Lay member increase from 1 to 2 in a 5 member Inquiry Committee.

Our Union has conducted survey on the aforesaid important points and the results show that the majority of our members, over 90% of our members, are in favour of the Chairman of both PIC and Inquiry Committee should be a Doctor member;

The reasons are since PIC and Inquiry Committee are dealing with medical practice problems from the point of peer review; as leader of the investigation / inquiry team, the Chairman should be knowledgeable on medical matters to streamline the work of the committees.





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Chairman not from the Medical Profession would definitely cause delay in investigation and inquiry, and as such, this would definitely defeat the original aim of the Government and the community to speed up the whole process and to clear the backlog.

The survey among our members show further that the majority of our members are in favour of the number of Lay member in an Inquiry Committee should remain to be 1 out of 5 members; and in favour of the number of Lay member should be increased to 2 only in a 7 member PIC.

The reasons are firstly on the composition of the PIC. There is concern on the increase of Lay member from one to three out of the total of seven members. For a change, we believe in slight change of the composition is just good enough as the problems of delay in the complaint handling is not on the composition but on the number of PICs available to conduct investigations.

Secondly on the composition of the Inquiry Committee. Same for reasons stated above, an increase from 1 to 2 Lay members out of the total of 5 members cannot speed up the Inquiry process at all. We do think that 1 Lay member in a 5 member Inquiry Committee is good enough.

With such counter proposals, we hope the existing backlog and new complaint cases can be cleared up substantially.

Thank you for your attention.

Yours faithfully,

Dr. Chan Pui Kwong
Hon. Secretary
Hong Kong Doctors Union

Outgoing:5

