



香港牙醫管理委員會
THE DENTAL COUNCIL
OF
HONG KONG

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Your Ref.
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By Fax (2840 0467) and By Post

16 March 2015

Dr KO Wing-man, BBS, JP
Secretary for Food and Health
17/F – 19/F, East Wing
Central Government Offices
2 Tim Mei Avenue
Tamar, Hong Kong

Dear Dr KO,

**Public Consultations on Voluntary Health Insurance Scheme and
Regulation of Private Healthcare Facilities**

Thank you for your letter dated 19 December 2014 to invite comments on the captioned subject.

I would like to respond in my capacity of a member of the Dental Sub-group of the Steering Committee of Strategic Review on Healthcare Manpower Planning and Professional Development whereof the Chairman of the Dental Council is the representative.

Present types of practices and services

Currently, there are different premises where a wide spectrum of dental procedures are provided. They are listed as follows -

1. Government dental clinics of the Department of Health (DH) for School dental services, dental services of civil servants and emergency dental services for the public;
2. Oral Maxillofacial Surgery & Dental Units of DH in hospitals under the Hospital Authority for Specialist oral maxillofacial surgery and dental treatment for the referred hospital in-patients, patients with special oral health care needs and dental emergency;
3. The Prince Philip Dental Hospital (PPDH) providing dental services for screened or referral patients of teaching purposes;

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4. Universities in-house dental services to their staff, students or their specific service-recipients;
5. Dental Department of private hospitals for different ranges of dental services;
6. Private dental clinics as solo or group practices , clinics of the NGOs or private health care centers/facilities for wide range of dental services.

It is worth noting that there are some high-risk dental procedures including maxillofacial surgical treatment involving general anaesthetic procedures currently practiced in some clinics.

Also there are outreach dental services by mobile dental team in elderly homes and community centers which are not specifically designed for the purpose of delivering clinical services.

Amongst the outreach services, some ad hoc groups of dentists are offering services to mentally and physically handicapped patients under IV sedation and/or General anesthesia.

DCHK Regulation

The Dental Council of Hong Kong (DCHK) on the other hand regulates dentists and the suitability of their working premises according to sections 16 and 17 of the Dentists Registration Ordinance. The relevant legal provisions are extracted as follows for your easy reference –

Section 16: Inspection of premises used for the practice of dentistry

(1) It shall be lawful for any public officer thereunto authorized by the Council to enter and inspect any premises used or proposed to be used for the practice of dentistry. Such officer shall produce, on demand, a written authority, signed by the Chairman or the Secretary authorizing such entry and inspection. (Amended 4 of 1988 s. 6; L.N. 126 of 1995)

(2) Any person willfully obstructing or resisting an officer duly authorized by the Council in the inspection of premises used or proposed to be used for the practice of dentistry commits an offence and is liable on summary conviction to a fine of \$500. (Amended 68 of 1986 s. 13)

Section 17: Premises unsuitable for the practice of dentistry

No registered dentist shall practise dentistry in premises or under conditions which are unsuitable for such practice.

You may wish to note that at the moment, the DCHK is setting an ad hoc group to review and/or to revise the protocol and guidelines for inspecting the suitability of premises practicing dentistry.

Comments

I understand that in this consultation the healthcare facilities to be regulated does not aim at the facilities under the control of the Government and the Hospital Authority. (Point 3.6)

On the above basis, we also notice that the proposed Authorized Public Officers will be tasked to investigate aspects such as premises management, physical conditions and infection control. Since the DCHK also plays a role of inspecting the suitability of the premises for practicing dentistry, we would like to see that the upcoming legislation can clearly define the power of the Authorized Public Officers and clarify more explicitly the types of premises with clinical / dental facilities to be regulated and the inspection guidelines so that there will be no overlapping or gaps under the two regulatory regimes.

Hope the information and comments are useful and relevant for your consideration.

Yours sincerely,

(Dr LEE Kin Man)
Chairman
The Dental Council of Hong Kong