

16 March 2015

Healthcare Planning and Development office,
19/F, East Wing,
Central Government Offices,
2 Tim Mei Avenue, Tamar,
Hong Kong

Re: Regulation of Private Healthcare Facilities Consultation Document

To whom it may concern,

In order to meet the public demand and better safeguard the public health in Hong Kong, _____, a pioneer in providing world-class medical aesthetic solution in the industry, is dedicated to support the Government in the development of clinical and managerial standards, also to enhance the long term sustainability and healthy development of the healthcare system.

To safeguard the interest and safety of the consumers, based on the “Regulation of Private Health Facilities (PHF) Consultation Document”, we have the below suggestions:

1. Suggestion of corporate governance

(A1) Appointment of Person-in-charge 5.6-5.8 on P.39-40

5.6 Having a PIC to oversee the management, day-to-day operation and service delivery is essential to a PHF's good corporate governance as there would be clear accountability for all matters happened within a PHF. As the sole representative of a PHF, the PIC would become the point of contact between the PHF and the regulatory authority/the public. The current requirements of the two Codes of Practices on the appointment of PIC are framed in broad

terms. We consider that more detailed requirements about the appointment and functions of a PIC would be desirable to enhance organizational accountability.

5.7 We propose mandatorily requiring the appointment of a person-in-charge for each regulated PHF.

5.8 The new regulatory regime would provide for the detailed requirements in respect of the appointment of the PIC of a regulated PHF. For example, the PIC should possess the qualifications, skills and experience necessary to manage the establishment, and his/her responsibilities should include overseeing the facilities management and service delivery of the PHFs concerned, etc. Under the new regime, it is also proposed that the PIC will be held accountable (and liable to penalty if the offence is substantiated) for breaches or non-compliance of the PHF concerned that would seriously affect the safety or integrity of healthcare services which he should be in reasonable control when appropriately discharging his responsibilities.

Some local PHFs in beauty industry are operated by business groups that the owners may not be qualified healthcare professional. To achieve the clinical and managerial standards, we would agree to mandatorily appoint a person-in-charge (PIC) for each regulated PHF. The PIC can be a registered healthcare professional either as registered practitioner or registered nurse with PHF management experiences, but he or she may not be the business owner in the Business Registration. The business owner will delegate the power to the PIC in overseeing the management, day-to-day operation and service delivery in the PHF. The PIC will take the ownership and responsibility on the standard of facilities and clinical quality with proper documentation, as well as reporting to the corporate PIC on a regular basis. The corporate PIC will be the point of contact between the PHF and the regulatory authority and the public.

2. Clarification of high risk procedures

Annex B(1) on P.103

3(e) Insertion of any prosthesis (including tissue filler) [except prosthesis in ENT cavity, dental prosthesis and implants, extra-ocular prosthesis and implants, intrauterine or vaginal prosthesis, bulking agents of urethra, prostatic urethral stent, urethral slings, testicular prosthesis].

Please kindly clarify the definition of the tissue filler listed in Annex B(1): (1) whether hyaluronic acid (HA) filler is included as registered medical device? (2) HA filler has a certain level of risk of complications such as ophthalmic artery occlusion and retinal blindness. If HA filler is classified as high risk procedure, please kindly specify this procedure into the high risk procedure list.

The above suggestions are aimed to support the development of clinical and managerial standards to create a brighter future of the local beauty industry.

would like to remain anonymous if views are being published.

Yours sincerely,