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**Paper for the House Committee meeting
on 27 April 2001**

**Report of the Panel on Health Services on a
proposal to form a subcommittee to
consider improvements to the medical complaints mechanism**

Purpose

This paper seeks Members' views on the setting up of a subcommittee under the House Committee to consider improvements to the medical complaints mechanism.

Background

2. The Panel on Health Services held a special meeting on 23 April 2001 for members to be briefed on the Medical Council of Hong Kong (the Medical Council)'s decision regarding a public doctor's use of mobile telephone during an operation. Both the Administration and the Medical Council had informed members that they were working on ways to improve the medical complaints mechanism. The Panel also discussed a proposal made by Hon Cyd HO that a subcommittee should be set up to work with the Administration and the Medical Council, and to consider public views, on what improvements should be made. The proposal was unanimously supported by members of the Panel. Both the Administration and the Medical Council welcomed the proposal and had undertaken that they would participate in the discussions of the subcommittee.

The proposed subcommittee

3. The main function of the subcommittee is to discuss with the Administration and the Medical Council improvements to the present mechanism for dealing with medical complaints and to consider the need for amendments to the Medical Registration Ordinance (Cap. 161) to give effect to the improvements.

4. The Panel hopes that through discussions in the subcommittee, there will be transparency of the proposed changes to the medical complaints mechanism. The Panel is also of the view that as the subcommittee will have considered any proposed legislative amendments before they are formally introduced into the Legislative Council, it would reduce the time required for scrutiny and passage of the legislative amendments. This would in turn expedite the implementation of the improvements required.

5. The Panel considers that as discussions on the medical complaints mechanism will inevitably involve deliberating the principle of professional self-regulation, other Members of the Council may wish to join the subcommittee. Panel members have therefore proposed that the subcommittee should be formed under the House Committee, instead of under the Panel. In this connection, Members may wish to note that previously in the 1998-99 legislative session, a subcommittee was set up under the House Committee to review the Human Organ Transplant Ordinance (Cap. 465) before the relevant amendment bill was introduced.

Recommendation

6. The Panel recommends that a subcommittee be set up under the House Committee to consider improvements to the medical complaints mechanism and the need for legislative changes to effect the improvements.

Advice sought

7. Members are invited to support the recommendation in paragraph 6 above.

Council Business Division 2
Legislative Council Secretariat
26 April 2001