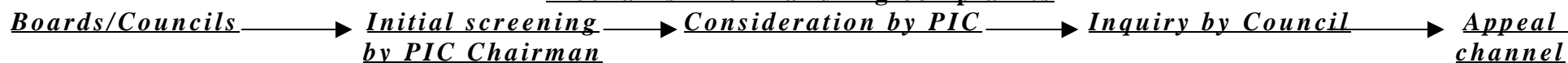


Mechanism for handling complaints



Midwives Council	PIC Chairman to clarify the complaint or information received	To examine the complaint or information received as well as the representations of the midwife being complained and decide if there is a prima facie case for a disciplinary inquiry.	To consider the evidence of the complaint as presented by the Secretary and the representations from the respondent midwife or her legal representative.	Court of Appeal
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Chairman of PIC

Appointed among the Council members

Composition of PIC

- (a) 2 registered midwives
- (b) 2 who are not midwives

(Out of the 4 PIC members, 2 must be Council members and 1 of the Council members would be appointed by the Council as the PIC Chairman)

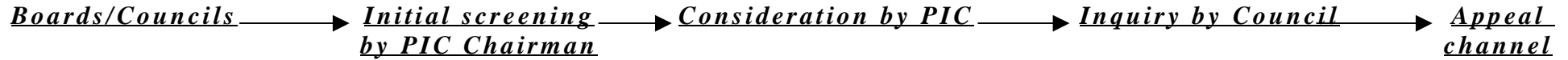
Composition of the Council

- (a) the Director
- (b) the Supervisor of Midwives, DH

The following persons appointed by the Chief Executive:

- (c) a registered midwife in the public service nominated by DH
- (d) a registered medical practitioner nominated by HKU
- (e) a registered medical practitioner nominated by CUHK
- (f) a registered midwife nominated by HA
- (g) a registered midwife nominated by each

Mechanism for handling complaints



- hospital declared to be a training school for midwives
- (h) 3 registered midwives nominated by the Hong Kong Midwives Association
- (i) 2 lay members
- (The quorum is 7 members)

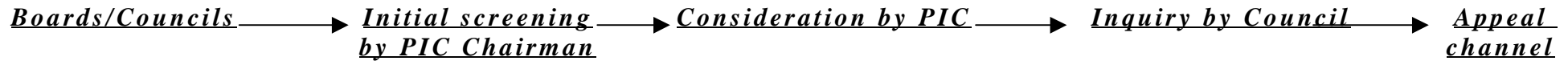
Meeting

In camera. The defendant may appear before the PIC if she prefers

Meeting

Usually in public;
In camera in very exceptional circumstances
The legal adviser shall be present at every inquiry.

Mechanism for handling complaints



Nursing Council

To consider if the complaint or information received is frivolous or groundless and should not proceed further

To examine the complaint or information received as well as the representations of the registered / enrolled nurse being complained and decide if there is a prima facie case for a disciplinary inquiry

To consider the evidence of the complaint as presented by the Secretary and the representations from the defendant nurse or his legal representative

Court of Appeal

Chairman of PIC

Elected among the Council Members. May or may not be a registered/enrolled nurse.

Composition of PIC

- (a) Chairman; and
- (b) - 2 registered nurses nominated by the Hong Kong Nurses Association for handling complaints against registered nurses; or
- 1 registered nurse and 1 enrolled nurse nominated by the Hong Kong Nurses Association for handling complaints against enrolled nurses.

Composition of the Council

- (a) The head of the nursing service in the Department of Health;
- (b) The following members appointed by the Chief Executive:
 - 1 registered nurse in the public service nominated by the Director of Health;
 - 6 registered nurses;
 - 1 registered nurse in the psychiatric field;
 - 2 representatives of local tertiary institutions with a nursing programme;
 - 1 representative of the Hospital Authority;

- 3 lay persons; and
- (c) 6 elected members who are registered / enrolled nurses.

(The quorum is 5 members)

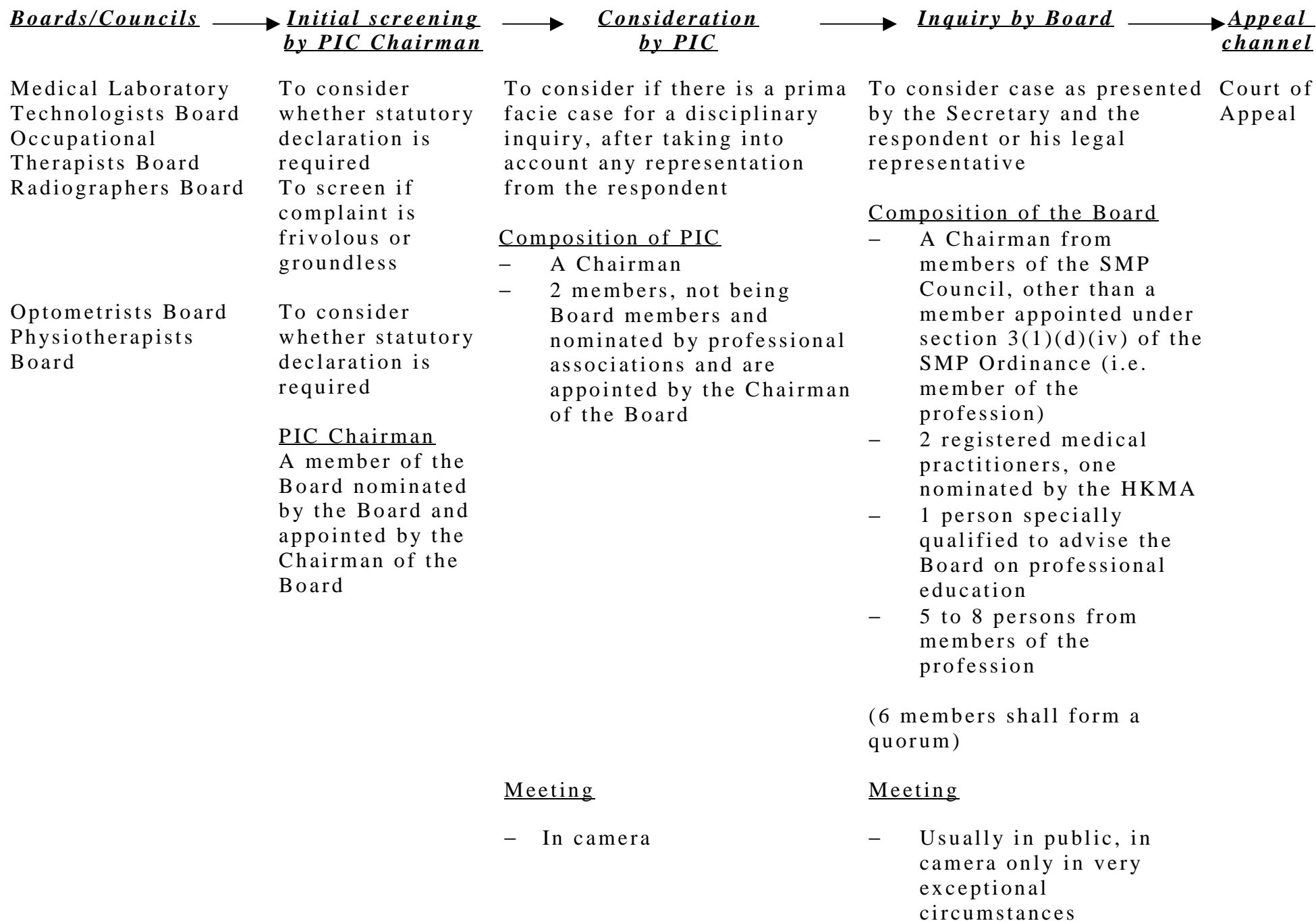
Meeting

In camera. The complainee may appear before the PIC if he prefers.

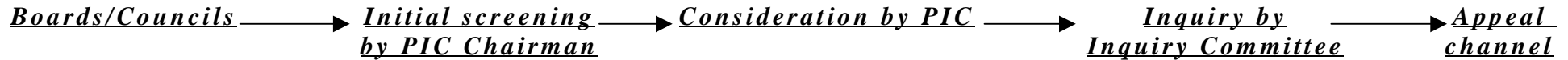
Meeting

Usually in public. In camera only in very exceptional circumstances. The legal adviser shall be present at every inquiry.

Mechanism for handling complaints



Mechanism for handling complaints



Chiropractors Council

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Preliminary Investigation Committee (PIC)

Inquiry Committee

Court of Appeal

- To consider whether statutory declaration is required
- To screen if complaint is frivolous or groundless and should not proceed further or if there is a prima facie case, make a recommendation to the Council to refer the complaint to an Inquiry Committee

- To consider case as presented by the Secretary and the respondent or his legal representative

Composition of the Inquiry Committee

- Council Chairman be a member and as the Chairman of the Inquiry Committee
- Not less than 3 Council members including a member appointed under section 3(2)(b) of the CRO, i.e. non-chiropractor

Composition of PIC

- 2 members of the Council, 1 shall be Council member appointed under section 3(2)(b) of the Chiropractors Registration Ordinance (CRO), i.e. non-chiropractor

(Composition of Council: a public officer, 5 chiropractors and 4 non-chiropractors)

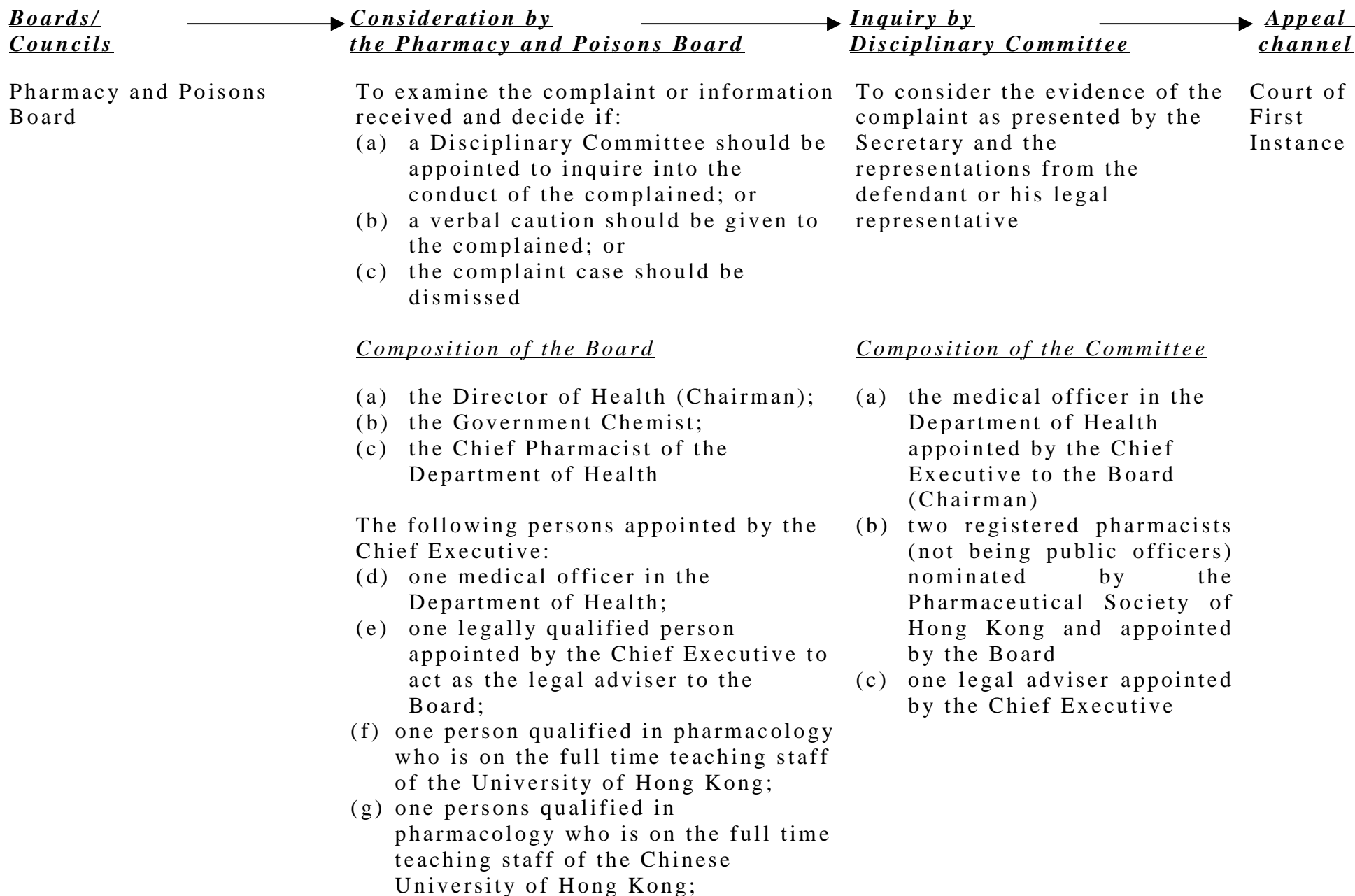
Meeting

- In camera

Meeting

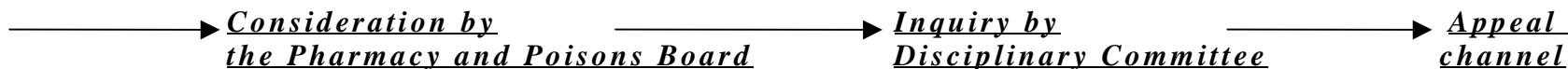
- In public or in camera

Mechanism for handling complaints



Mechanism for handling complaints

Boards/
Councils



- (h) three registered pharmacists (not being public officers) nominated by the Pharmaceutical Society of Hong Kong; and
- (i) one registered medical practitioner (not being a public officer) nominated by the Hong Kong Medical Association.

(The quorum is five)

Meeting

Close-door meeting;
the medical officer in the Department of Health, who shall be the Chairman of the Disciplinary Committee if so appointed by the Board, will leave the meeting when the Board discusses the relevant case.

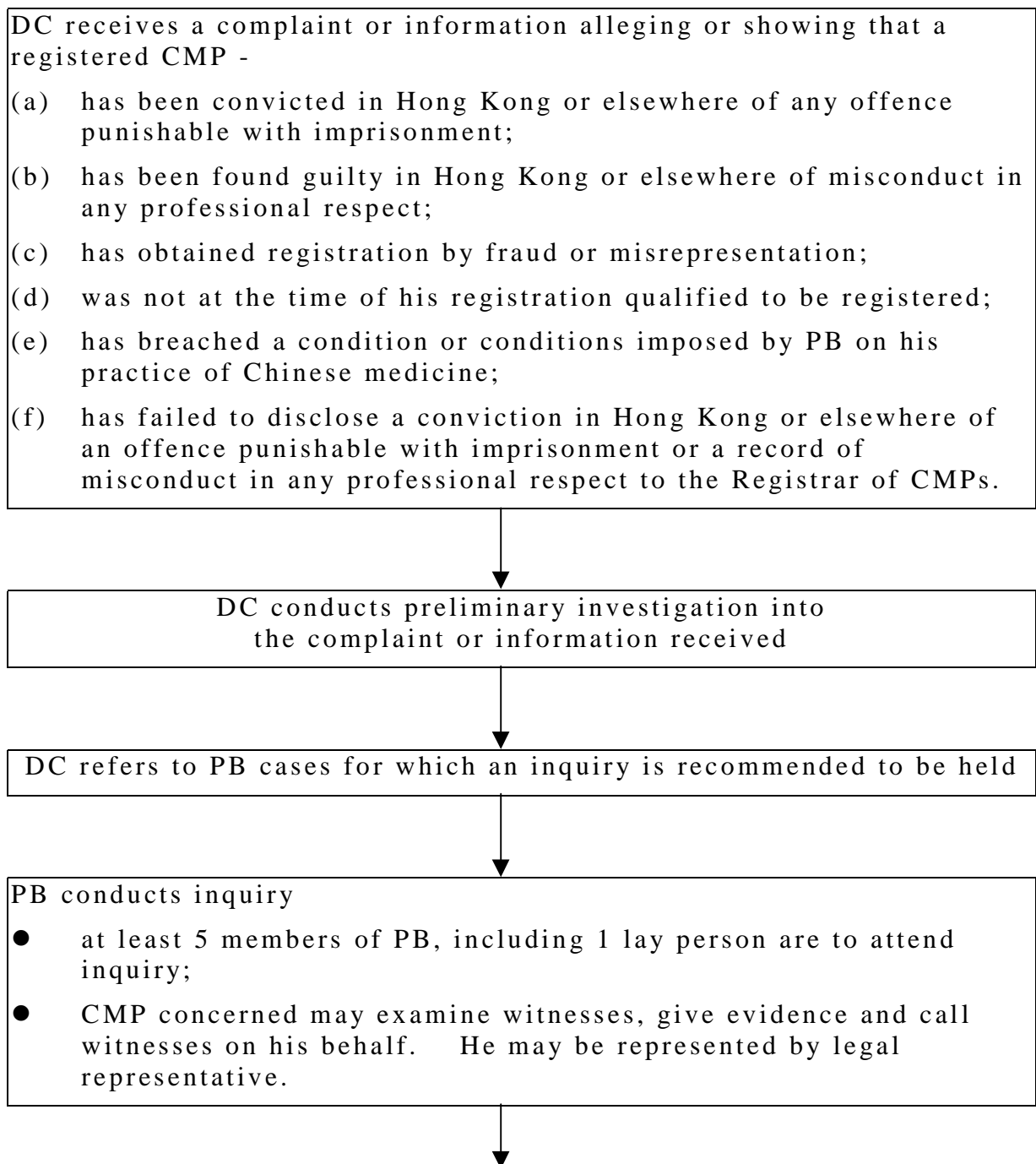
Meeting

Usually in public.

INTRODUCTION

Established under the Chinese Medicine Ordinance (CAp.549), the Chinese Medicine Practitioners Board (PB) of the Chinese Medicine Council is responsible for conducting inquiry proceedings in respect of the conduct and discipline of registered Chinese medicine practitioners (CMP) in accordance with Cap.549 and CMPs (Discipline) Regulation. The Disciplinary Committee of CMPs (DC) under PB assists the board in exercising this function.

Procedures for handling complaints against registered CMPs



PB makes decision and where appropriate, may make a disciplinary order against the CMP concerned which may include -

- (a) order that the name of the registered CMP concerned be removed from the Register of CMPs;
- (b) order that the name of the registered CMP concerned be removed from the Register of CMPs for such period as PB may think fit and that the name be subsequently restored to the Register upon the expiry of such period;
- (c) make any such order as in para.(a) and (b) but suspend its application, subject to such conditions as PB thinks fit, for a period, or periods in aggregate, not exceeding 3 years;
- (d) order that the registered CMP concerned be reprimanded;
- (e) make any such order as in para.(a) and (b) and further order that such order takes effect upon its publication in the Gazette if PB is satisfied that it is necessary for the protection of the public to do so; or
- (f) order that a warning letter be served on the registered CMP concerned.



If the CMP concerned is aggrieved by PB's decision, he may appeal to the Court of Appeal within 1 month from the date of service of PB's order.

Note:

The Disciplinary Committee of Chinese Medicine Practitioners (DC) shall consist of the following members, each of whom shall be nominated by the Practitioners Board and appointed by the Chinese Medicine Council of Hong Kong -

- (a) a Chairman who shall be a member of the Practitioners Board;
- (b) a Deputy Chairman who shall be a member of the Practitioners Board;
- (c) 4 Chinese medicine practitioners; and
- (d) 2 persons who shall be lay members of the Practitioners Board.