

**立法會**  
**Legislative Council**

LC Paper No. CB(2)3165/03-04  
(These minutes have been  
seen by the Administration)

Ref : CB2/PL/HS

**Panel on Health Services**

**Minutes of special meeting  
held on Wednesday, 30 June 2004 at 8:30 am  
in the Chamber of the Legislative Council Building**

- Members present** : Hon Michael MAK Kwok-fung (Chairman)  
Dr Hon David CHU Yu-lin, JP  
Hon Cyd HO Sau-lan  
Hon Jasper TSANG Yok-sing, GBS, JP  
Dr Hon YEUNG Sum  
Hon Andrew CHENG Kar-foo  
Dr Hon LAW Chi-kwong, JP  
Dr Hon TANG Siu-tong, JP  
Hon LI Fung-ying, JP
- Members absent** : Dr Hon LO Wing-lok, JP (Deputy Chairman)  
Hon CHAN Kwok-keung, JP  
Hon CHAN Yuen-han, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
- Public Officers attending** : Mr Thomas YIU, JP  
Deputy Secretary for Health, Welfare and Food (Health)
- Mr Jeff LEUNG  
Principal Assistant Secretary for Health, Welfare and Food  
(Health)

Mr Ivan CHAN  
Assistant Secretary for Health, Welfare and Food (Health)

Dr T H LEUNG  
Deputy Director of Health

Dr Gloria TAM  
Assistant Director of Health (Health Administration & Planning)

Dr Jacqueline CHOI  
Acting Principal Medical and Health Officer

**Deputations  
by invitation** : Hong Kong Psychological Society

Dr Albert CHAU

Ms Mary WONG

Hong Kong Association of Speech Therapists

Ms Karen CHAN  
Chairperson

Dr LEUNG Man-tak  
Vice-chairman

The Hong Kong Dietitians Association

Ms Flavia U  
Chairman

Ms Sandra LO  
Vice-Chairman

Ms Priscilla LAU  
Training & Development Officer

Hong Kong Practising Dietitians Union

Ms NG Wai-bik, Geraldine  
Chairman

Ms LI Heung-ming, Joy  
Secretary

Ms LAW Pui-yee  
Treasurer

Hong Kong Nutrition Association Ltd.

Ms CHEUNG Yuk-lin

Mr Kenneth LO

Hong Kong Society of Certified Prosthetist-Orthotists

Mr LEUNG Kam-lun  
Chairman

Mr WONG Man-sang  
Treasurer

The Hong Kong Society of Dental Technicians

Mr TSANG Kwok-ming  
Representative

Government Dental Technicians & Technologists  
Association

---

Mr LEUNG Chi-ping  
Chairman

Hong Kong Department of Health Dental Therapist  
Association

---

Mr LUK Kam-shing  
Chairman

Mr CHOW Tsz-kin  
Vice-Chairman

Patients' Right Association

Mr PANG Hung-cheong

Hong Kong Association of Dental Surgery

Mr CHIU Pak-hon  
Chairman

Ms CHAN Hau-hing  
Hon Secretary

**Clerk in attendance** : Miss Mary SO  
Chief Council Secretary (2) 4

**Staff in attendance** : Ms Amy LEE  
Senior Council Secretary (2) 8

---

**I. Meeting with deputations and the Administration**

(LC Paper Nos. CB(2)2365/03-04(04), CB(2)2418/03-04(01) and CB(2)2969/03-04(01) to (09))

Views of the deputations

The Chairman invited the deputations to give their views on the way forward on the regulation of health care personnel not currently subject to statutory registration, details of which were set out in their respective written submissions (LC Paper Nos. CB(2)2418/03-04(01) and CB(2)2969/03-04(01) to (07)).

The Administration's response

2. Deputy Secretary for Health, Welfare and Food (Health) (DSHWF) reiterated the Administration's position on the regulation of health care personnel not currently subject to statutory registration set in its paper submitted to the Panel on 17 May 2004 (LC Paper No. CB(2)2365/03-04(04)). Nevertheless, having regard to the views expressed by the deputations, the Administration would further consider the need to regulate by statute those health care professions not currently subject to statutory registration. The Administration would be happy to meet with practitioners in non-statutorily regulated health care professions to discuss on the way forward. The practitioners/professional bodies were invited to approach

the Administration.

Discussion

3. Dr LAW Chi-kwong said that if the regulation of health care professions was deemed necessary to safeguard public health, then a statutorily-based regulation was the only effective way. Dr LAW however was of the view that the professions concerned should bear the full cost for carrying out its regulatory work, including educating the public about their duties and services rendered. To save time and money, Dr LAW suggested that the Administration should examine the feasibility of introducing an omnibus bill to regulate the existing non-statutorily regulated health care professions.

4. Ms LI Fung-ying disagreed with the Administration's view that excessive regulation could discourage competition. In her view, only when a health care profession was regulated by statute could the healthy development of the profession be ensured. Ms LI urged the Administration to expeditiously respond to the unanimous call for statutory regulation of their professions by the deputations.

5. DSHWF responded that the Administration adopted an open mind on the regulation of health care personnel not currently so subject to. DSHWF reiterated that the Administration would further consider the need to regulate by statute those health care professions not currently subject to statutory registration. The Administration would be happy to meet with practitioners in all non-statutorily regulated health care professions to discuss on the way forward. As regards the suggestion of introducing an omnibus bill to regulate the existing non-statutorily regulated health care professions, DSHWF said that this was worth pursuing.

6. On the comments made by Dr LAW in paragraph 3 above that the profession should bear the full costs for educating the public on its profession, Miss Karen CHAN said that the Hong Kong Association of Speech Therapists (HKAST) was willing to do so. She however pointed out that it would be very difficult for the Association to do so without the assistance and support from the Government due to limited resources. A recent two-day exhibition promoting the duties and services of speech therapists had almost exhausted the operating funds of the Association.

7. Mr PANG Hung-cheong of the Patients' Right Association said that the Administration should accord priority to the statutory regulation of various health care professions currently not subject to according to the risk level of their practice.

8. Ms LI Fung-ying said that it was pointed out by the Administration at the meeting held on 17 May 2004 that in deciding whether a particular group of health care personnel should be subject to statutory regulation, higher priority was generally accorded to those health care personnel predominantly working in the private sector, amongst others. In the light of this, Ms LI asked the deputations to provide information on the size of their respective practitioners working in the private sector.

9. Responding to Ms LI's question in paragraph 8 above, Dr Albert CHAU of the Hong Kong Psychological Society (HKPS) said that 92 out of a total of 483 of their members were currently working in the private sector. The number of psychologists working in the private sector was expected to rise in the coming years, due to cost containment in the public sector. Ms Sandra LO of the Hong Kong Dietitians Association (HKDA) also said that 95 and 115 dietitians were working in the public and private sectors respectively.

10. The Chairman asked the deputations about the measures they had taken to deter unqualified persons from practising in their professions.

11. Representatives of HKAST, HKPS, HKDA and Hong Kong Society of Certified Prosthetist-Orthotists said that regardless of the measures taken to deter unqualified persons from practising in their professions, such as writing to the media and to the employers concerned, these efforts still fell short of being effective.

12. Dr YEUNG Sum expressed support for statutory regulation of health care professions currently not subject to. Dr YEUNG suggested that the deputations could take reference from the past experience of social workers on getting their profession statutorily regulated.

13. On closing, the Chairman urged the Administration to actively respond to the unanimous demand of the deputations for statutory regulation by promptly meeting with them to discuss on the way forward.

14. There being no other business, the meeting ended at 10:20 am.