

立法會
Legislative Council

Ref : CB2/BC/14/04

LC Paper No. CB(2)158/05-06
(These minutes have been seen by
the Administration)

**Bills Committee on
Certification for Employee Benefits (Chinese Medicine)
(Miscellaneous Amendments) Bill 2005**

**Minutes of meeting
held on Wednesday, 5 October 2005 at 2:30 pm
in the Chamber of the Legislative Council Building**

Members present : Hon LI Kwok-ying, MH (Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon LEE Cheuk-yan
Hon Jasper TSANG Yok-sing, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Dr Hon Joseph LEE Kok-long
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Dr Hon KWOK Ka-ki
Hon KWONG Chi-kin

Member absent : Hon Andrew CHENG Kar-foo

Public Officers attending : Mrs Jenny CHAN
Assistant Commissioner for Labour

Ms Melody LUK
Senior Labour Officer
Labour Department

Ms Queenie TANG
Senior Labour Officer
Labour Department
Ms Betty CHEUNG

Senior Government Counsel
Department of Justice

Mr MAN Kwai-chuen
Chinese Medicine Advisor
Labour Department

Attendance by : Hong Kong Acupuncturists Association
invitation

Mr WONG Fai-po

Hong Kong Fujian Association of Chinese Medicine

Mr SO Txhan-lam

Mr LAM Che-leung

Hong Kong Members Federation of Chinese Medical Association

Mr MAK Cheuk-ki

The World Institute of Chinese Medicine

Mr CHAN Tai-shun
President

Ms LAU Mei-chun
Director

Hong Kong Registered Chinese Medicine Practitioners
Association

Mr NG Cheuk-lam

Ms FENG Jiu

The Hong Kong Traditional Chinese Medicine Orthopedic and

Traumatic Association Ltd.

Mr WONG Kit
Vice President

Mr CHAN Tak-sang
Vice President

Chinese Medicine Practitioners Board of Chinese Medicine
Council of Hong Kong

Mr WONG Ngar-kok
Chairman

Mr LAM Kar-wing
Member

The Society of Hong Kong Professional Registered Chinese
Medicine Practitioners Limited

Mr LAM Ching
President

Mr SUM Yuk-biu
Vice Chairman

Hong Kong Sun Chung Medical Centre University

Mr HAU Ping
Director

Mr CHAN Kun-sun

The Hong Kong Federation of China of Traditional Chinese
Medicine

Mr CHEN Ue-hoa

Mr WAN Fuk-biu

School of Chinese Medicine, Hong Kong Baptist University

Prof LIU Liang
Dean of School of Chinese Medicine

Prof ZHAO Zhong-zhen
Course Director of Bachelor of Pharmacy in Chinese Medicine,
Teaching Division

Past Students' Association of Tradition Chinese Medicine
Practitioners, School of Professional and Continuing Education,
University of Hong Kong

Mr MOK Ying-fan
Deputy Chief Supervisor

Mr NG Kwok-chi
Deputy Executive Director

Hong Kong Chinese Medicine Practitioners' Rights General
Union

Mr YU Hung-chiu, Daniel
Chief Secretary

Ms TAO Min-fai
Vice Chief Secretary

Clerk in attendance : Mrs Sharon TONG
Chief Council Secretary (2)1

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mr Raymond LAM
Senior Council Secretary (2)5

Ms Alice CHEUNG
Legislative Assistant (2)1

I. Meeting with deputations and the Administration

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee received the views from the following organisations on the Bill –

- (a) Hong Kong Acupuncturists Association;
- (b) Hong Kong Fujian Association of Chinese Medicine;
- (c) Hong Kong Members Federation of Chinese Medical Association;
- (d) The World Institute of Chinese Medicine;
- (e) Hong Kong Registered Chinese Medicine Practitioners Association;
- (f) The Hong Kong Traditional Chinese Medicine Orthopedic and Traumatic Association Limited.;
- (g) Chinese Medicine Practitioners Board of Chinese Medicine Council of Hong Kong;
- (h) The Society of Hong Kong Professional Registered Chinese Medicine Practitioners Limited;
- (i) Hong Kong Sun Chung Medical Centre University;
- (j) The Hong Kong Federation of China of Traditional Chinese Medicine;
- (k) School of Chinese Medicine, Hong Kong Baptist University;
- (l) Past Students' Association of Traditional Chinese Medicine Practitioners, School of Professional and Continuing Education, University of Hong Kong; and
- (m) Hong Kong Chinese Medicine Practitioners' Rights General Union.

3. The Bills Committee requested the Administration to reconsider providing in the Bill that a second opinion should be given by a registered Chinese Medicine Practitioner (CMP) if the first opinion was given by a registered CMP, and a medical practitioner (MP) if the first opinion was given by a MP.

4. The Administration undertook to refer to the Chinese Medicine Practitioners Board of the Chinese Medicine Council of Hong Kong the suggestion of compiling a parallel list of diagnoses placing the terminology used in Western medicine beside that

of Chinese medicine in the “Reference Guide on Issuance of Sick Leave Certificates by Registered CMPs”.

II. Date of next meeting

5. Members agreed that the next meeting would be held on Monday, 31 October 2005 at 4:30 pm to continue discussion with the Administration.
6. The meeting ended at 5:15 pm.

Council Business Division 2
Legislative Council Secretariat
24 October 2005

**Proceedings of meeting of the
Bills Committee on
Certification for Employee Benefits (Chinese Medicine)
(Miscellaneous Amendments) Bill 2005
on Wednesday, 5 October 2005 at 2:30 pm
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000704	Chairman	Opening remarks	
000705 - 001009	Representative of the Hong Kong Acupuncturists Association	Presentation of views (LC Paper No. CB(2)2634/04-05(04))	
001010 - 001356	Representative of the Hong Kong Fujian Association of Chinese Medicine	Presentation of views (LC Paper No. CB(2)2634/04-05(05))	
001357 - 001604	Representative of the Hong Kong Members Federation of Chinese Medical Association	Presentation of views (LC Paper No. CB(2)2634/04-05(06))	
001605 - 002203	Representative of the World Institute of Chinese Medicine	Presentation of views (LC Paper No. CB(2)2634/04-05(07))	
002204 - 002334	Representative of the Hong Kong Registered Chinese Medicine Practitioners Association	Presentation of views (LC Paper Nos. CB(2)2246/04-05(04) and CB(2)2599/04-05(02))	
002335 - 002631	Representative of the Hong Kong Traditional Chinese Medicine Orthopedic and Traumatic Association Limited	Presentation of views (LC Paper No. CB(2)2634/04-05(08))	
002632 - 003349	Representative of the Chinese Medicine Practitioners Board of the Chinese Medicine Council of Hong Kong	Presentation of views (LC Paper No. CB(2)2624/04-05(02))	

Time marker	Speaker	Subject(s)	Action Required
003350 - 003643	Representative of the Society of Hong Kong Professional Registered Chinese Medicine Practitioners Limited	Presentation of views (LC Paper No. CB(2)2634/04-05(09))	
003644 - 003801	Representative of the Hong Kong Sun Chung Medical Centre University	Presentation of views (LC Paper No. CB(2)2599/04-05(03))	
003802 - 004235	Representative of the Hong Kong Federation of China of Traditional Chinese Medicine	Presentation of views (LC Paper No. CB(2)2599/04-05(04))	
004236 - 004823	Representatives of the School of Chinese Medicine, Hong Kong Baptist University	Presentation of views (LC Paper No. CB(2)2599/04-05(05))	
004824 - 005528	Representatives of Past Students' Association of Tradition Chinese Medicine Practitioners, School of Professional and Continuing Education, University of Hong Kong	Presentation of views (LC Paper No. CB(2)2634/04-05(10))	
005529 - 005810	Representative of the Hong Kong Chinese Medicine Practitioners' Rights General Union	Presentation of views	

Time marker	Speaker	Subject(s)	Action Required
005811 - 012905	<p>Hon Audrey EU Admin Chairman Representative of Past Students' Association of Tradition Chinese Medicine Practitioners, School of Professional and Continuing Education, University of Hong Kong Representative of the School of Chinese Medicine, Hong Kong Baptist University</p>	<p>Differences between the functions of a registered Chinese Medicine Practitioner (CMP) and a medical practitioner (MP) after passage of the Bill; mechanism for dealing with non-compliance of the guidelines issued by the Chinese Medicine Practitioners Board on sick leave duration; determination by the Commissioner for Labour in cases where there is disagreement between two medical opinions on the fitness of an employee for work</p>	
012906 - 014245	<p>Hon LI Fung-ying Admin Chairman Representative of the School of Chinese Medicine, Hong Kong Baptist University</p>	<p>Providing in the Bill that a second opinion should be given by a registered CMP if the first opinion was given by a registered CMP, and a MP if the first opinion was given by a MP; role of registered CMPs in employees' compensation claims and diagnosis of occupational diseases</p>	<p>Admin to reconsider providing in the Bill that a second opinion should be given by a registered CMP if the first opinion was given by a registered CMP, and a MP if the first opinion was given by a MP</p>
014246 - 015136	<p>Hon KWONG Chi-kin Admin Representative of Past Students' Association of Tradition Chinese Medicine Practitioners, School of Professional and Continuing Education, University of Hong Kong Representative of the Hong Kong Chinese Medicine Practitioners' Rights General Union</p>	<p>Whether the Bill could be amended to the effect that while registered CMPs would not be allowed to perform certain functions referred to in Annex B to LC Paper No. CB(2) 2634/04-05(01), they would be allowed to perform such functions, if they acquired the relevant professional qualifications; extension of the scope of the Bill to cover listed CMPs</p>	

Time marker	Speaker	Subject(s)	Action Required
015137 - 015631	Hon James TIEN Representative of the Hong Kong Chinese Medicine Practitioners' Rights General Union	Whether it should be provided in the Bill that a second opinion should be given by a registered CMP if the first opinion was given by a registered CMP, and a MP if the first opinion was given by a MP; timing for passage of the Bill	
015632 - 022537	Dr Hon Joseph LEE Admin Chairman Representatives of the School of Chinese Medicine, Hong Kong Baptist University Representatives of the Chinese Medicine Practitioners Board of the Chinese Medicine Council of Hong Kong Representative of the Society of Hong Kong Professional Registered Chinese Medicine Practitioners Limited Representative of the Hong Kong Registered Chinese Medicine Practitioners Association Representative of the World Institute of Chinese Medicine	Compilation of a parallel list of diagnoses; criteria for the issuance of sick leave certificates by registered CMPs; guidelines on sick leave duration; mechanism for the prevention of abuse in the issuance of sick leave certificates, timing for passage of the Bill	Admin to refer to the Chinese Medicine Practitioners Board of the Chinese Medicine Council of Hong Kong the suggestion of compiling a parallel list of diagnoses placing the terminology used in Western medicine beside that of Chinese medicine in the “Reference Guide on Issuance of Sick Leave Certificates by Registered CMPs”

Time marker	Speaker	Subject(s)	Action Required
022538 - 024014	Hon Vincent FANG Admin Representative of the Hong Kong Registered Chinese Medicine Practitioners Association Representative of the School of Chinese Medicine, Hong Kong Baptist University Representative of the Chinese Medicine Practitioners Board of the Chinese Medicine Council of Hong Kong Representatives of Past Students' Association of Tradition Chinese Medicine Practitioners, School of Professional and Continuing Education, University of Hong Kong	Timing for passage of the Bill; guidelines on sick leave duration; prevention of abuse in the issuance of sick leave certificates; timing for a review after implementation of the proposals in the Bill	
024015 - 024247	Chairman	Date of next meeting	