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By Fax

Tel.: 2973 8103

Fax: 2840 0467

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The Honourable CHENG Kar-foo, Andrew
The Chairman
Panel on Health Services, Legislative Council

Dear Mr CHENG,

At the meeting of the LegCo Panel on Health Services on 25 February 2005, Members requested the Administration to provide supplementary information on the following items:

- (1) the application requirements on practising experience and academic qualifications of listed Chinese medicine practitioners (CMPs) for registration;
- (2) criteria for assessing the accredited “Continuing Education in Chinese Medicine (CME) Programme Providers”; and
- (3) returning representatives of various Chinese medicine associations to the Chinese Medicine Council of Hong Kong (the Council).

Our reply to the above issues is as follows:

(1) The application requirements on practising experience and academic qualifications of listed CMPs for registration

According to the Chinese Medicine Ordinance (Cap 549), the Chinese Medicine Practitioners Board (the Practitioners Board) of the Council conducted alternative qualifying assessments for listed CMPs based on the period of their continuous practice of Chinese medicine in Hong Kong immediately before 3 January 2000 as well as their academic qualifications in Chinese medicine deemed acceptable to the Practitioners Board. The assessment criteria relating to the period of continuous practice of Chinese medicine, the acceptable academic qualifications and the requirements for documentary proofs are laid down in sections (6) to (10) of Chapter 2 of the Application Handbook for Registration as Chinese Medicine Practitioner (Please refer to Annex 1). We consider the submission of credible objective documentary proofs of the applicant's period of practice and academic qualification to be both reasonable and necessary and should not be regarded as an additional requirement of application for registration of listed CMPs.

For some cases where the claimed years of practice or academic qualifications of listed CMPs were not accepted, the main reason is that they failed to provide adequate and objective information as proofs. The Practitioners Board cannot accept proofs of practice or period of practice guaranteed by individual. When assessing the alternative qualifications for the registration of listed CMPs, the Practitioners Board considered the objective proofs of practice and academic qualifications together with relevant information submitted by the applicant, and processed all applications in a lenient manner within the confines of the law. For instance, for cases without adequate information, the applicants were asked to provide supplementary information or clarification.

(2) Criteria for assessing the accredited "Continuing Education in Chinese Medicine (CME) Programme Providers"

To formulate the CME system and requirements for registered CMPs, the Practitioners Board has conducted thorough discussions and consultations and also taken into account views of stakeholders and the situation of the trade, including the views provided by local CMPs associations, Chinese medicine training providers and CMPs, the actual circumstances of

practice and training of CMPs, statutory requirements as well as the requirements and system of CME for other medical professions (including those in the Mainland and Taiwan).

In formulating the CME system and requirements for registered CMPs, the Practitioners Board has consulted the trade through various channels. Seminars and briefing sessions were held to introduce the proposed mode, structure and requirements of the CME system and the criteria for assessing the accredited “CME Administrators” and “CME Programme Providers” to the representatives of local CMPs associations and training bodies, and seek their feedback. About 200 representatives from more than 80 local CMPs associations and training bodies attended the briefing sessions.

The Practitioners Board also expounded the proposed mode, structure and requirements for CME system in its periodical newsletters and its letter in March 2004 to all of the some 5 000 registered CMPs, and invited their views. The scope, requirements and arrangements of CME were subsequently revised according to the views of the trade. The Practitioners Board assessed the accredited “CME Administrators” and “CME Programme Providers” on the basis of the criteria set out in **Annex 2** and **Annex 3**.

At present, there are 11 accredited “CME Administrators” and 30 “CME Programme Providers” for CMPs to choose from. On top of accredited courses, CME may also take the form of self-study, attending academic conferences and seminars on Chinese medicine and publication of academic writings. Some of the CME activities are free of charge.

(3) Returning representatives of various Chinese medicine associations to the Chinese Medicine Council of Hong Kong (the Council)

The composition of the Council and its Practitioners Board, Chinese Medicines Board and other boards and committees is stipulated in the Chinese Medicine Ordinance. According to the Ordinance, members should, among others, include CMPs, people from the Chinese medicine trade, people from educational or scientific research institutions and lay persons. At present, CMPs serving on the Council include those who have acquired their practice skills through family succession or apprenticeship, graduates of degree programme on Chinese medicine or have higher qualifications, members of local CMPs associations or trade

unions, CMPs in private practice or employed, CMPs in general practice or specialising in acupuncture and moxibustion or bone-setting, etc. They come from different backgrounds with different training and modes of practice, and are in a position to reflect the views of various sectors in the Chinese medicine trade. The Bureau and the Council are actively considering the appointment of listed CMPs to the boards under the Council. As the Registration Assessment and the Licensing Examination for CMPs were only first conducted in 2003, and the registration of CMPs is still in its early days, we consider it not an opportune time to introduce the election system for returning members to the Council. However, the Bureau will review the composition and membership of the Council from time to time to ensure that it can play an effective role in gauging different voices in the trade.

Yours sincerely,

(Jeff LEUNG)
for Secretary for Health, Welfare and Food

Application Handbook for Registration as Chinese Medicine Practitioner

(Extract)

(6) Alternative qualifying requirements

30. Under Section 92 to 95 of the Chinese Medicine Ordinance, the Practitioners Board will assess the practising experience, knowledge, qualifications and skills of the listed Chinese medicine practitioners based on the information submitted by them with the applications, so as to determine which of the following categories they fall into for the purpose of registration:

Category One

Applicants, who have been practising Chinese medicine in Hong Kong continuously for not less than 15 years immediately before 3 January 2000, shall be exempted from the Licensing Examination and Registration Assessment, and can apply to be registered Chinese medicine practitioners directly.

Category Two

Applicants, who have been practising Chinese medicine in Hong Kong continuously for less than 15 years but not less than 10 years immediately before 3 January 2000 and have obtained academic qualifications acceptable to the Practitioners Board, shall be exempted from the Licensing Examination and Registration Assessment and can apply to be registered Chinese medicine practitioners directly.

Category Three

Applicants, who have been practising Chinese medicine in Hong Kong continuously for less than 15 years but not less than 10 years immediately before 3 January 2000 and have not obtained academic qualifications acceptable to the Practitioners Board, shall pass the Registration Assessment conducted by the Practitioners Board before they are qualified to apply for registration. Applicants who fail the Registration Assessment have to undertake the Licensing Examination.

Category Four

Applicants, who have been practising Chinese medicine in Hong Kong continuously for less than 10 years immediately before 3 January 2000 but have obtained academic qualifications acceptable to the Practitioners Board, shall

pass the Registration Assessment conducted by the Practitioners Board before they are qualified to apply for registration. Applicants who fail the Registration Assessment have to undertake the Licensing Examination.

Category Five

Applicants, who have been practising Chinese medicine in Hong Kong continuously for less than 10 years immediately before 3 January 2000, and have not obtained academic qualifications acceptable to the Practitioners Board, shall pass the Licensing Examination before they are qualified to apply for registration.

31. The Practitioners Board will notify the listed Chinese medicine practitioners of the results of the assessment in writing.
32. The criteria of assessment of academic qualifications is stated in Section (7) of this Chapter, and the criteria of assessment of practising experience is stated in Section (9) of this Chapter.

(7) The criteria of assessment of academic qualifications under the transitional arrangements

Requirement of subjects taken and study hours

33. The academic qualifications acceptable to the Practitioners Board should include all the subjects in Schedule I and at least three of the subjects in Schedule II listed below, and the total study hours should not be less than 1 000 hours.

- (A) **Schedule I** includes the following five subjects:
 - (i) Fundamental Theories of Chinese Medicine
 - (ii) Chinese Materia Medica
 - (iii) Medical Prescriptions in Chinese Medicine
 - (iv) Diagnostics of Chinese Medicine
 - (v) Internal Medicine of Chinese Medicine
- (B) **Schedule II** includes the following five subjects :
 - (i) External Medicine of Chinese Medicine
 - (ii) Gynaecology of Chinese Medicine
 - (iii) Paediatrics of Chinese Medicine
 - (iv) Orthopaedics and Traumatology of Chinese Medicine

(v) Acupuncture

Local academic qualifications

34. The Practitioners Board will assess the local academic qualifications submitted by the applicants according to the following criteria. Only those academic qualifications which meet the following criteria will be accepted by the Practitioners Board:

- (i) the subjects taken and the study hours meet the standards stated in paragraph 33;
- (ii) the issuing institutions should be training institutions of Chinese Medicine registered in Hong Kong or training school run by Chinese medicine associations;
- (iii) the relevant courses should have examination systems under which students are required to pass the examinations before they can be awarded the certificates or diplomas, etc.;
- (iv) The Practitioners Board will not accept such courses if its contents are unrelated to the subjects stated in paragraph 33; and
- (v) Under general circumstances, the recognised academic qualifications should be obtained in the same course. If the academic qualifications of the applicants are not obtained in the same course, the Practitioners Board will consider whether to accept the academic qualifications based on circumstances of the study of the applicants.

Chinese Mainland academic qualifications

35. The courses in Chinese medicine recognised by the Ministry of Education or the State Administration of Traditional Chinese Medicine are accepted provided that the subjects taken and the study hours should meet the standards stated in paragraph 33.

Overseas academic qualifications

36. When assessing overseas academic qualifications in Chinese medicine, the Practitioners Board will consider the cases individually. The following items will be considered by the Practitioners Board in general:

- (i) the background of the issuing institutions;
- (ii) the contents of the courses and the criteria of examination;
- (iii) the academic results of the applicants;
- (iv) the recommendations of the professionals or institutions; and
- (v) whether the qualifications meet the standards stated in paragraph 33.

37. The Practitioners Board will assess whether the academic qualifications of the applicants satisfy the above requirements based on the objective evidences of academic qualifications submitted (please refer to Section 8 of this Chapter for the details).

The time limit of obtaining academic qualifications

38. When assessing academic qualifications, the Practitioners Board will only consider the academic qualifications obtained by the applicants at the time of application. The academic qualifications obtained after the submission of application will not be accepted.

(8) Documentary proofs of academic qualifications that should be submitted by the applicants

39. Applicants should submit copies of documentary proofs of academic qualifications when submitting the application forms for listed Chinese medicine practitioners, so as to support that the academic qualifications and the information stated in the application forms are true. The documentary proofs of academic qualifications include the relevant diplomas, certificates and transcripts of studies, etc. in Chinese medicine.

40. The Secretariat will arrange interviews with the applicants to require them to submit the originals of the relevant documentary proofs of academic qualifications for verification. Where necessary, the Practitioners Board may require the applicants to submit other documentary proofs of academic qualifications as required by the Practitioners Board, and may verify the information and proofs of academic qualifications submitted with the issuing institutions.

41. When conducting the alternative qualifying assessment, the Practitioners Board will assess whether the academic qualifications of the applicants meet the

requirements under the transitional arrangements based on the above-mentioned documentary proofs and information submitted.

(9) Criteria of assessment of practising experience of Chinese medicine practitioners under the transitional arrangements

The definition of practising Chinese medicine

42. According to the Chinese Medicine Ordinance, “practising Chinese medicine” means any of the following act or activities-

- (i) the diagnosis, treatment, prevention or alleviation of any disease or any symptom of a disease;
- (ii) the prescription of Chinese herbal medicines or proprietary Chinese medicines;
- (iii) the regulation of the functional states of the human body

on the basis of traditional Chinese medicine in general practice, acupuncture or bone-setting.

43. The above definition will serve as a criterion for the Practitioners Board to determine whether the applicants are practising Chinese medicine when assessing the practising experience of the applicants.

The definition of practising Chinese medicine continuously

44. The definition of practising Chinese medicine continuously set by the Practitioners Board is as follows:

“has been practising Chinese medicine as main occupation without any break or engaging in other occupations. (A break is the period of time in which the applicant has stopped practising Chinese medicine and engaged in other occupations.)”

Applicant should indicate his/her main occupation and other occupation(s) in the application form of listed Chinese medicine practitioner. If the applicant is engaged in more than one occupation at

the same period, the occupation with the longest working hour should be the main occupation.

45. When conducting the alternative qualifying assessment, the Practitioners Board will consider whether to accept the practising experience of the listed Chinese medicine practitioners based on the above definition and all the objective documentary proofs of practice submitted (please refer to Section (10) of this Chapter). Where necessary, the Practitioners Board may arrange interviews with the applicants so as to verify whether their practising experience meets the above criteria.

(10) Documentary proofs of practice that should be submitted by the applicants

46. Applicants should submit objective evidence or documentary proofs in respect of every entry of practising experience or information as well as each period of practice stated in the application forms for listed Chinese medicine practitioners. The evidence should show that they were practising Chinese medicine in such period of time (please refer to paragraph 42). The documents submitted by the applicants may include:

(a)(i) If the applicant is a self-employed practitioner, he/she should submit copies of the Business Registration Certificate or a copy of the certified extract of information on the business register (obtainable from the Inland Revenue Department) showing the applicant's name, the date of practice, the practice of Chinese medicine as well as the scope of practice;

(a)(ii) If the applicant is an employed practitioner, he/she should submit a copy of proof of practising period issued by the employer or his/her working organisation showing his/her working hours, work place and work nature. (copies of the Business Registration Certificate of the employer or copies of the registration proof of the applicant's working organisation should also be submitted);

(b) records of tax return (obtainable from the Inland Revenue Department);

(c) medical records of patients;

(d) prescriptions issued;

(e) income proofs;

(f) other proofs.

47. The Practitioners Board will not accept any proofs of practice or period of practice made by individual.

48. If the practising experience is not continuous, the applicants should state the duration and reason of the break in the application form. The Secretariat will arrange interviews with the applicants to require them to submit the originals of the relevant documentary proofs of practice for verification. Where necessary, the Practitioners Board may require the applicants to submit other documentary proofs of practice as required by the Practitioners Board, and may verify the information and proofs of practice submitted with the issuing institutions.

49. The Practitioners Board will assess whether the practising experience of the applicants meets the requirements under the transitional arrangements based on the above-mentioned documentary proofs and information of practice submitted.

Criteria for Assessing the Accredited “CME Administrators”

1. The Practitioners Board adopts the following criteria for assessing the accredited “CME Administrators”:

The accredited “CME Administrator” shall –

- (i) be a Chinese medicine practitioners association registered with the HKSAR government or an organisation established under the law;
- (ii) have the objective of promoting and raising the professional standards of Chinese medicine;
- (iii) have a substantial number of members who are registered Chinese medicine practitioners;
- (iv) have a good reputation and formation history;
- (v) set up a dedicated department to coordinate CME;
- (vi) have good administrative and financial management arrangements for the effective and accurate handling, recording and verification of the CME information on individual registered Chinese medicine practitioners;
- (vii) produce sufficient objective proofs to the satisfaction of the Practitioners Board that its organisation, establishment, reputation, formation history, management, facilities, resources and operations have met the requirements of the Practitioners Board and that it can effectively perform the duties and functions of a “CME Administrator”.

Criteria for Assessing the Accredited “CME Programme Providers”

1. The Practitioners Board adopts the following criteria for assessing the accredited “CME Programme Providers”:

The accredited “CME Programme Provider” shall –

- (i) be an organisation registered with the HKSAR government or established under the law;
- (ii) have the objective of raising the professional standards of Chinese medicine and providing professional training and CME to registered Chinese medicine practitioners;
- (iii) have a good reputation and formation history;
- (iv) have adequate teaching facilities and resources, as well as good curriculum, administration and financial management;
- (v) set up a dedicated department to coordinate CME, develop CME programmes and teaching plans, assess the CME points to be credited to a CME programme, monitor teaching and training progress and ensure the quality of CME programmes. Such responsibilities should be taken up by registered Chinese medicine practitioners with relevant training experience as well as appropriate academic qualifications and other necessary qualifications;
- (vi) attain professional teaching standards with experience in organising training and CME programmes. Assessment will focus on:
 - (a) types and modes of courses or CME programmes organised or to be organised;
 - (b) teaching or training plans, progress monitoring and mode of assessment;

- (c) number of teaching and training staff and their qualifications. They should possess the required professional qualifications and experience;
- (d) feedback from students on courses, teaching and training;
- (vii) set up a mechanism to monitor the progress and quality of teaching and training, including measures to monitor attendance and the issue of certificates upon completion of CME; and
- (viii) produce sufficient objective proofs to the satisfaction of the Practitioners Board that its organisation, establishment, reputation, formation history, management, facilities, resources and operations have met the requirements of the Practitioners Board and that it can effectively perform the duties and functions of a “CME Programme Provider”.