

**Progress Report on the Motion on
“Legislating for regulating allied health staff to protect public health”**

**Moved by Dr Hon Joseph LEE Kok-long
As amended by Hon CHEUNG Man-kwong and Hon Alan LEONG Kah-kit
At the Legislative Council meeting of 12 January 2011**

Background

At the Legislative Council meeting of 12 January 2011, the following motion moved by Dr Hon Joseph LEE Kok-long as amended by Hon CHEUNG Man-kwong and Hon Alan LEONG Kah-kit was carried:

“That the number of allied health staff involved in caring for public health is on the increase, and although the Government has formulated a statutory registration system for 12 types of healthcare practitioners, many types of allied health staff are still not regulated by legislation; in recent years, the Government has striven to promote healthcare reform, advocated stepping up primary healthcare services, community rehabilitation services and the policy of ageing in place, etc., and emphasized the provision of appropriate primary healthcare services to members of the public, the elderly and chronic patients, etc. through multi-disciplinary healthcare services teams; however, under the Government’s policy over the years, no legislation has been enacted to regulate the registration and practice of allied health staff, such as dieticians, audiologists, psychologists, speech therapists, podiatrists, prosthetists and ancillary dental workers, etc., resulting in some people in the market falsely claiming themselves as and impersonating various types of allied health staff to provide non-professional primary healthcare services for members of the public, thus posing dangers to the health of members of the public; in this connection, this Council urges the authorities to immediately collect data for ascertaining the number, qualifications and practice of various types of allied health staff and the possible risks posed to the public in case of malpractices, to extensively consult the public and the trades concerned, and to study the feasibility and necessity of putting in place a statutory registration system for the relevant allied health staff and enacting legislation to regulate their practice, with a view to promoting primary healthcare services and protecting the health of members of the public; the relevant measures should include:

- (a) to establish related independent statutory bodies, with members drawn from the allied health staff concerned and representatives of

various sectors in society;

- (b) to regulate the registration and licensing examinations for practitioners of the various professions, in order to ensure and facilitate the attainment of recognized standards of practice by the respective professions;
- (c) to put in place a framework for monitoring professional conduct, so as to ensure practitioners' professional integrity; and
- (d) to increase the transparency of the respective professions and provide adequate information, with a view to educating and guiding members of the public on choosing the treatment appropriate to them.

Progress

2. At present, 13 types of healthcare professionals are required to have their professional qualifications registered under the law before they can practise in Hong Kong. These 13 types of healthcare professionals are: medical practitioners, dentists, Chinese medicine practitioners, midwives, nurses, pharmacists, medical laboratory technologists, occupational therapists, optometrists, radiographers, physiotherapists, chiropractors, and dental hygienists.

3. In considering whether to introduce statutory registration, the Administration will take into account the potential hazards caused to the public in case of any misconduct or substandard service by practitioners of the profession. Higher priority will be accorded to healthcare professions with a larger proportion of practitioners working mainly in the private sector and having more frequent contact with patients. In considering whether statutory regulation is necessary, the Administration will also have to take into account the payoffs and tradeoffs of putting in place a statutory registration system.

4. The Government conducts health manpower surveys on a regular basis. These surveys cover the number of practitioners in various types of healthcare professions and their practice, and would help the Administration assess the risk associated with the practice and whether such level of risk warrants the introduction of statutory registration for the practice.

5. The Administration will from time to time review the regulatory framework and mode of regulation over the supplementary medical professions, including

whether more healthcare professions should be put under statutory regulation. With a view to striking a balance, the Administration will listen to the views of various professions and sectors, balance the needs of stakeholders, and assess the impact of statutory regulation on public health and the pros and cons of statutory regulation.

6. Meanwhile, we also encourage these healthcare professions to keep up their efforts in developing a society-based registration so as to provide suitable information for the public to facilitate their choice of services.

Food and Health Bureau
March 2011