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**CIVIL SERVICE BUREAU
GOVERNMENT SECRETARIAT**
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By fax and by mail

31 January 2012

Secretary General
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong
(Attn: Miss Lilian Mok)

Dear Miss Mok,

**Panel on Public Service
Referral from the Public Complaints Office**

Further to our interim reply of 30 December 2011, we would like to provide for your reference information relating to the concern expressed by a member of the public about the Drainage Services Department's (DSD's) rejection of the medical certificate issued by a registered Chinese medicine practitioner for applying for sick leave; and the exclusion of Chinese medicine service from the scope of civil service medical benefits.

Civil Service Regulation (CSR) 1273(2)(d) states that, for the purposes of CSRs on the grant of sick leave, "medical practitioner" means a registered medical practitioner, a registered dentist or a **registered Chinese medicine practitioner**. In general, subject to relevant rules, civil servants may apply for sick leave by providing valid medical certificates. CSB has announced to bureaux/departments via a Circular Memorandum that sick leave certificates issued by a registered Chinese medicine practitioner will be recognised with effect from 1 December 2006 for the purposes of granting non-duty related sick leave and maternity leave to civil servants.

Nonetheless, there are circumstances where sick leave may be granted to an officer only on his production of medical certificates issued by certain designated medical officer(s) or clinic(s) as specified by the Department, irrespective of the duration of the sick leave. If a Head of Department considers that an officer is abusing the privilege of obtaining sick leave, he may, under CSR 1291, require the officer to attend before a Government or Hospital Authority (HA) medical officer, or a particular Government or HA medical officer, or to attend a particular Government or HA clinic, on each occasion the officer wishes to take sick leave. In those cases, sick leave certificates issued by either a Chinese medicine practitioner or a doctor outside the designated list will not be accepted.

Regarding the case mentioned on not recognising the medical certificate issued by a registered Chinese medicine practitioner in DSD, we are unable to comment on it on the basis of the limited information available. If the member of the public concerned has any query, he may contact DSD direct.

As regards civil service medical benefits, civil service eligible persons are entitled to free medical and dental services (except for hospitalisation and specified chargeable items) at hospitals/clinics of Department of Health (DH) or HA under existing policy. At present, DH does not provide Chinese medicine service. With regard to the Chinese medicine clinics (CMCs) in HA hospitals, they operate under a tripartite model: HA collaborates with a non-governmental organisation (NGO) and a local university for each clinic. These clinics are research-oriented and operate on a self-financing basis, which is different from that of other general out-patient clinics under HA. As such, the operation of HA's CMCs falls outside the scope of civil service medical benefits.

We will keep in view the development of Chinese medicine service in the healthcare system of Hong Kong, and will review the scope of civil service medical benefits if there are significant changes in future in the nature and mode of service delivery of CMCs under HA.

Yours sincerely,



(Miss Rita Ng)

for Secretary for the Civil Service

c.c. PEO(M)