

Bills Committee on the Medical Registration (Amendment) Bill 2016

**Government's response to the follow-up actions arising from the
discussion at the meeting on 9 May 2016**

**Consultation with major patient-related groups
on the Medical Registration (Amendment) Bill 2016**

This note provides the Government's response to the follow-up action concerning the consultation with major patient-related groups on the Medical Registration (Amendment) Bill 2016.

2. The Government has consulted major patient-related groups (including Hong Kong Alliance of Patients' Organizations Limited¹, Hong Kong Society for Rehabilitation, Society for Community Organization - Hong Kong Patients' Rights Association, Rehabilitation Alliance Hong Kong, Alliance for Renal Patients Mutual Help Association, The Brightening Association (HK) Ltd, Christian Oi Hip Fellowship Ltd, Hong Kong Stoma Association, Hong Kong Adult Blood Cancer Group Limited, Care For Your Heart - Cardiac Patients Mutual Support Association, Hong Kong Ankylosing Spondylitis Association, and Hong Kong Patients' Voices) on the detailed arrangement for nominating representatives to sit on the Medical Council of Hong Kong (MCHK). These organisations cover over 50 000 patient / patients' relatives members. Details of the meetings held with major patient-related groups are as follows –

¹ Hong Kong Alliance of Patients' Organizations Limited is the largest patient group which consists of over 40 organisation members with about 40 000 members. The membership of other patient groups ranges from 5 000 to less than 100.

Meeting Date	Major patient-related groups
1 February 2016	Hong Kong Alliance of Patients' Organizations Limited
	Alliance for Renal Patients Mutual Help Association
	Rehabilitation Alliance Hong Kong
	Hong Kong Stoma Association
	Hong Kong Adult Blood Cancer Group Limited
	Care For Your Heart - Cardiac Patients Mutual Support Association
	Hongkong Ankylosing Spondylitis Association
	Patients' Right Organization, Society for Community Organization
31 March 2016	Hong Kong Patients' Voices
8 April 2016	Hong Kong Alliance of Patients' Organizations Limited
18 April 2016	Hong Kong Alliance of Patients' Organizations Limited
	Patients' Right Organization, Society for Community Organization
	Alliance for Renal Patients Mutual Help Association
	Rehabilitation Alliance Hong Kong
	Hong Kong Stoma Association
	Care For Your Heart - Cardiac Patients Mutual Support Association
	Hongkong Ankylosing Spondylitis Association
	Christian Oi Hip Fellowship Ltd
Hong Kong Patients' Voices	
27 April 2016	Patients' Right Organization, Society for Community Organization
28 April 2016	Hong Kong Alliance of Patients' Organizations Limited
5 May 2016	Hong Kong Society for Rehabilitation
11 May 2016	Hong Kong Alliance of Patients' Organizations Limited
	The Hong Kong Society for Rehabilitation
	Patients' Right Organization, Society for Community Organization

3. The unanimous view of the patient-related groups we have met over the past months is that the legislation should not aim to formulate a precise definition of patient groups or patient support groups.

They considered it more desirable and practical for the legislation to allow sufficient flexibility to include as many relevant patient-related groups as possible. They suggest that the more detailed and concrete consideration as to what constitute patient or patient-related groups should not be prescribed in law, and should instead be spelt out in the Government's papers and the speech of the Secretary for Food and Health during the resumption of Second Reading Debate of the Medical Registration (Amendment) Bill 2016. The advantage of such approach is that this would be a more objective way to set out the criteria in greater details upon which an organisation will be classified as patient or patient-related groups, thus limiting the room for discretion by the Government but at the same time reserves sufficient latitude for flexibility and adaptability to cater for changing circumstances in the future and experience gained from the first election held among patient and patient-related groups. They also propose that the legislation should not specify the detailed election arrangement so that the patient-related groups could work out the best arrangement among themselves.

Proposed arrangement

4. Based on the outcome and the views made clear to us by the patient and patient-related groups, we propose that the Secretary for Food and Health should consider the following factors in recognising organisations which are eligible for electing persons representing patients' interests. Each eligible organisation will be entitled to three votes for electing three representatives in accordance with the guidelines agreed among the patient-related groups, for appointment to MCHK. The Government undertakes to work with the patient-related groups to come up with an election arrangement agreed among themselves.

Factors to be considered for recognising the relevant organisations

5. Taking into account patient-related groups' views that the Government should include as many relevant patient-related groups as possible and the fact that it is difficult to formulate a precise definition of patient groups or patient support groups, the Secretary for Food and Health

will take into account including but not limited to the following factors to recognise organisations which are eligible for electing persons representing patients' interests.

(a) The organisation should be a registered society or company

6. The organisation should be (i) a society established under the Societies Ordinance (Cap. 151) or (ii) a company incorporated under the Companies Ordinance (Cap. 32).

(b) The organisation should be recognised by credible patient-related platforms

7. The organisation should be recognised by credible patient-related platforms including but not limited to the Hospital Authority (HA)², Community Rehabilitation Network (CRN)³ and Social Welfare Department's "Financial Support Scheme for Self-help Organisations of Persons with Disabilities / Chronic Illnesses"⁴.

(c) The organisation should represent patients' interests

8. The mission of the organisation should be promoting and / or representing patients' interests. The organisation shall show the instrument or rules governing its mission and activities e.g. the Memorandum and Articles of Association in the case of a corporation or the Constitution in the case of a society.

² HA has been engaging over 200 patient-related groups on service developments and patient support services.

³ CRN is a community-based rehabilitation service under the Hong Kong Society for Rehabilitation to assist persons with visceral disability or chronic illness and their families. CRN has engaged over 160 self-help organisations.

⁴ Since 2001, the Social Welfare Department has been providing financial support to self-help organisations of persons with disabilities / chronic illness aiming at promoting the spirit of self-help and mutual help among persons with disabilities and their families. There are 78 self-help organisations receiving funding support under the "Financial Support Scheme for Self-help Organisations of Persons with Disabilities / Chronic Illnesses" for 2014-2016.

(d) The organisation should have an active operation

9. The organisation should be in operation for a specified period, say one year, and have been carrying out activities to promote and / or represent patients' interests and / or to advocate relevant policy proposals.

10. If there is any organisation considered itself a qualified patient-related group but fails to meet the four requirements as listed in paragraphs 6 - 9 above, the Secretary for Food and Health may consider the case on an individual merit basis.

11. The term of office for the three lay Council members concerned is three years. The Government will update the list of recognised organisations at least six months before the election to be held.

12. The Government will continue to engage the patient-related groups to work out the best arrangements among them and consider providing necessary resources to facilitate their participation in the work of MCHK.

**Food and Health Bureau
May 2016**