

Submissions of the Medical Council of Hong Kong on Chinese Medicine Bill

The Medical Council of Hong Kong would like to make the following submissions to the Bills Committee of the Chinese Medicine Bill:-

1. Definition of ‘Chinese Medicine’ and the scope of practice of Traditional Chinese Medicine

The Medical Council is concerned that the scope of “practising Chinese Medicine” has not been defined in the Bill.

Whilst it understands that the intention is to allow Chinese Medicine the opportunities for future development, the Medical Council considers it necessary to make a clear distinction in the law between the practice of Chinese Medicine, i.e. according to purely Chinese methods and the practice of Western Medicine, i.e. according to modern scientific methods. The Medical Council is of the opinion that since the setting up of the Chinese Medicine Council is a new endeavour for the Hong Kong Special Administrative Region, it is better to start with clear definition of roles and areas of practice.

In order to protect the public, the Medical Council would like to suggest to put in the law that Chinese Medicine practitioners will not be allowed to proceed with the delivery of care and certain procedures which are not based on the theory of Traditional Chinese Medicine

2. Exemption of Western Medicine practitioners from the Chinese Medicine Bill

The Medical Council suggests to add an exemption clause in section 108(3) of the Chinese Medicine Bill specifying that “subsection (2) shall not apply to any treatment by way of modern scientific method by a medical practitioner registered under the Medical Registration Ordinance”.

It is also desirable if an exemption clause like section 28(3) subsections (a) to (g) of the Medical Registration Ordinance can be added to section 108(3) of the Chinese Medicine Bill.

3. Use of titles by Chinese Medicine practitioners

The Medical Council notes that in section 74 of the Chinese Medicine Bill, a Chinese Medicine practitioner is entitled to be known as ‘registered Chinese Medicine practitioners of the Chinese Medicine Council of Hong Kong’ or ‘registered Chinese Medicine practitioner’ (and “註冊中醫” or “註冊中醫師” in Chinese). However, the Bill does not exclude the use of titles like “醫生” and “中醫生” and their use may lead to confusion for the public in the future.