

I. Summary of the main issues raised by deputations at the meeting on 13 April 1999

Subject	Clauses in the Bill	Position
<p>1. Integrated use of Chinese medicine (CM) and Western medicine should be allowed in the treatment of patients. For example, some existing medical practitioners have resorted to acupuncture and proprietary Chinese medicines (such as 銀翹解毒片) in the treatment.</p>	<p>2 "practising Chinese medicine" under "Interpretation"</p>	<p>Discussed on 5.5.99. Adm to re-consider the proposal that only registered Chinese medicine practitioners can practise acupuncture.</p>
<p>2. The Hong Kong Medical Council (HKMC) is concerned about the scope of "practising Chinese Medicine" which is not clearly defined in the Bill and suggests that there should be a clear distinction in the law between the practice of CM and the practice of Western Medicine. They consider that only registered medical practitioners should be allowed to practise Western medicine and only registered Chinese medicine practitioners (and Chinese medicine practitioners during the transitional period) can practise CM.</p>	<p>2 "practising Chinese medicine" under "Interpretation"</p>	<p>Discussed on 5.5.99.</p>
<p>3. HKMC proposes an exemption clause be added to clause 108(3) of the Bill specifying that "subsection (2) shall not apply to any treatment by way of <u>modern scientific method</u> by a medical practitioner registered under the MRO".</p>	<p>108(3)</p>	<p>Discussed on 5.5.99. HKMC's suggestion was not supported.</p>
<p>4. There are no provisions in the Bill to govern the use of titles like “醫生”，“中醫生” and “專科醫師” by Chinese medicine practitioners.</p>	<p>74</p>	<p>Discussed on 5.5.99. Adm to prepare schedules explaining the use of titles.</p>

<p>5. The proposed requirement of having 15 years' practising experience for registration could not really guarantee the standards of the applicant. There must be a licensing examination held for <u>all</u> the applicants. Part-time Chinese medicine practitioners should also be allowed to take part in the examination.</p>	<p>93</p>	<p>Discussed on 5.5.99. Members had no disputes on the policy. "Part-time" cases will be dealt with by subsidiary legislation.</p>
<p>6. It should be shown on a Chinese medicine practitioner's practising certificate as to whether or not he/she has completed formal training on CM or has learnt CM by private studies.</p>	<p>76</p>	<p>Discussed on 5.5.99.</p>
<p>7. Adm to clarify whether the registration requirement also covers practitioners in "Qigong" and "Acupressure Massage".</p>	<p>-</p>	<p>Adm explained the policy on 30.3.99. (Please see para. 15 of the minutes of the meeting.)</p>
<p>8. The Bill proposes that applicants holding "acceptable academic qualification" will be subject to a registration assessment. Adm should clarify what is meant by "acceptable academic qualification".</p>	<p>94(b)(ii)</p>	
<p>9. The Bill should provide for those reputable Chinese medicine practitioners in the Mainland to come to Hong Kong to practise CM.</p>	<p>-</p>	
<p>10. Experience of practising CM in places outside Hong Kong should also be recognized for registration.</p>	<p>-</p>	
<p>11. Adm should draw up a list of Chinese medicine training institutions outside Hong Kong which are considered to have reached a standard recognized by the CM Council. The graduates from these institutions should be allowed to take part in the Licensing Examination.</p>	<p>-</p>	

12. There are concerns about the practical problems involved in verifying the number of years of practising experience of an applicant for registration. It is considered that commercial registration certificates produced by an applicant could not prove his/her number of years of practising experience.	-	
13. The Adm should take into account the fact that most of the traders of proprietary Chinese medicine could not afford to make large investments and should avoid imposing too harsh requirements on them by the Bill.	-	
14. The Hong Kong Medicine Dealers' Guild is concerned about the meaning of "public interest" in clause 125 on "De-registration of proprietary Chinese medicines".	125	

II. Members' concerns

1. Adm to consider whether it would need to define the scope of "practising CM" under the subsidiary legislation.
2. A member suggests re-naming the Bill as the "Traditional Chinese Medicine Bill".
3. A member is concerned about the definition of "modern scientific methods" mentioned by HKMC and queries whether acupuncture, which is being used by some registered medical practitioners, is one of these methods.
4. Members consider that the Bill should address the overlapping areas in the scopes of practising CM and practising Western Medicine, including Western medicine practitioners using Chinese medicine and Chinese medicine practitioners using Western medical equipment and methods.
5. A member is concerned if it is fair to the local Chinese medicine practitioners if some Chinese medicine practitioners outside Hong Kong are allowed to come to Hong Kong to practise. Moreover, the arrangement of limited registration proposed in the Bill has already provided for expertise in CM outside Hong Kong to come here to promote the development of CM.
6. The Administration to provide information on consultation with dealers and manufacturers of proprietary Chinese medicine and assessment of the Bill's effect on the trade. (<i>Post-meeting note</i> : information paper provided by the Administration was issued vide LC Paper No. CB(2) 1778/98-99(05) on 23.4.99.)