

Our ref.: HKDU/161/2010

3 August 2010

By fax & mail

Dr. Lam Ping Yan, Alfred  
Chairman  
Pharmacy & Poison Board  
c/o Department of Health  
17<sup>th</sup> Floor, Wu Chung House  
213 Queen's Road East  
Wanchai, Hong Kong

Dear Dr. Lam,

**Re: Recommendation to Amend the Code of Practice for Authorised Sellers of Poisons (ASP)**

In view of the current growing trends of pharmacies being engaged in the selling and unauthorized sharing of customer personal and health-related information to third parties, the Hong Kong Doctors Union, The Practising Pharmacists Association of Hong Kong, and Alliance for Patients Mutual Help Organizations, would like to recommend that the Code of Practice for Authorised Seller of Poisons be amended immediately to cease the continuation of the current inappropriate and unethical practices.

Due to the professional nature of the pharmacy service operation, patients may need to disclose their most private and confidential health-related information to obtain the necessary health care advice. Therefore, an ASP has the chance to take advantage of the patient's trust in the pharmacy profession to lure patients to provide their personal and health-related information for other non-pharmacy related business purposes. With the large volume of patient health data that an ASP may collect and possess because of being awarded a license to operate a pharmacy business, it is of our view that it is inappropriate and unethical for the pharmacy business to become engaged in the selling and/or unauthorized sharing of patient's information to third parties with or without the benefit of financial incentives.

For the best interests of patients, it is recommended to amend the Code of Practice for ASPs and the Pharmacy and Poisons Ordinance to include provisions, that have legal standing, to prevent the ASP to be engaged in any form of business that involves the selling and/or unauthorized sharing of patient's personal and/or health related information to third parties in any circumstances.

It is also recommended that the above-mentioned provisions are to be included in the Code of Practice for Listed Seller of Poisons ( LSP ) that is being developed for LSP businesses.

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For any further enquiry, please call Dr. Henry Yeung at

or Ms. Iris Chang at

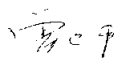
Yours faithfully,



Dr. Yeung Chiu Fat  
President  
Hong Kong Doctors Union



Ms. Iris Chang  
President  
The Practising Pharmacists Association of Hong Kong



Mr. Tsang Kin Ping  
Chairperson  
Alliance for Patients Mutual Help Organizations

cc: Legislative Council Members  
Ms. Connie Lau, Chief Executive, Consumer Council  
Dr. Chow Yat Ngok, York, Secretary for Food and Health, Food and Health Bureau