

# 病人互助組織聯盟

Alliance for Patients' Mutual Help Organizations

12 September 2011

By Fax and E-mail

Dr. Chow Yat Ngok York  
Secretary for Food and Health  
Food and Health Bureau  
19th Floor, Murray Building  
Garden Road, Hong Kong

Dear Dr Chow,

## Re: Complaint on the Regulations of the Private Hospital Ordinance

On behalf of the Alliance for Patients' Mutual Help Organizations, we would like to lodge a formal complaint regarding the inadequacies of the current regulations of the Private Hospital Ordinance to protect the interests of patients purchasing their services.

As the Private Hospital Ordinance of Hong Kong requires private hospitals to inquire whether doctors have professional indemnity insurance, we would like to bring to your kind attention that this regulation of the ordinance have not been adequate to protect the interests of the public.

At this junction, private hospitals are requiring all doctors to purchase the medical protection product from Medical Protection Society (MPS) as a practice to comply with the Private Hospital Ordinance. However, private hospitals have failed to realize that the MPS may not be able to inform and provide the necessary protection coverage to compensate patients in the event of medical incidents causing harm to patients.

We would like to bring to your kind attention that the MPS product fails to provide the necessary level of transparency to disclose to the consumer, namely the doctor, and the ultimate beneficiary, namely the patient, regarding the maximum level of protection coverage for medical incidents. This lack of information about maximum protection coverage provided by MPS may cause ambiguity during the claim process resulting in the inability of patients to obtain reasonable compensation for medical incidents.

Furthermore, the MPS product is not regarded as an insurance product and has no oversight by government regulatory bodies in Hong Kong. The lack of government oversight on the operations of the MPS company is putting Hong Kong's consumer and patient in the dark of the risks of their protection and may lead to the inability for patients to obtain fair treatment and reasonable compensation in the event of claims.

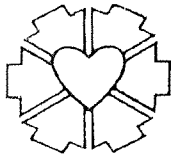
In view of the fact that there are other professional indemnity products available that are of an insurance nature and are required to be regulated by insurance authorities of Hong Kong and to disclose the maximum protection coverage, we find that, in terms of transparency and regulations, the MPS product is a substandard product choice which does not work to the best interests of the consumer and the patient.

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We wonder why private hospitals are requiring all doctors to purchase an unregulated, not transparent and less optimal product such as MPS while there are obviously better and more favourable products available in the Hong Kong market. We fear that there are other reasons, such as financial incentives, being offered to the doctors or groups of doctors, lead to unhealthy and unfair domination by MPS product in the professional indemnity insurance market.

We hope to meet with you to discuss our concerns on the professional indemnity arrangements in private hospitals leading to the inability of the regulations of the Private Hospital Ordinance to not work for the benefit of the public.

Yours truly,

Tsang Kin Ping  
Chairman  
Alliance for Patients' Mutual Help Organizations

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