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Re: Regulation for cosmetic medicine procedure.

Submitted by:

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Any “honest” attempt to try to delineate what is cosmetic and what is medical procedure for the purpose of regulating medical cosmetic procedure is doomed to fail for the following reasons:

Cosmetic surgeries such as breast enhancement/reduction, tummy tuck, restructuring of the facial features, etc., are well-known medical procedure done by licensed medical practitioners/specialists with proper trainings. They are performed for cosmetic purpose. They are cosmetic medicine, clear and simple. Any person not duly trained or licensed to perform such invasive procedures are already regulated by existing laws. No further regulation is needed.

Any invasive procedures involving transfer of blood in human body by way of needle puncture of the blood vessels are already regulated as medical procedures whether it is done for cosmetic reasons or not. In the case of DR's incidence, calling it a cosmetic procedures has no legal significance. If someone accidentally or intentionally stab a person with a surgical scalpel, a medical instrument, calling the event a medical procedures has no legal meaning. If harm is done to a person as a direct result of certain procedures performed on that person, whether it is done for cosmetic reasons or medical reasons does not change the responsibility and thus the liability of the provider.

The term, “medical cosmetic procedures,” has no legal meaning. It is the nature of the procedures, not the intent that should determines what is medical (which is already regulated) and what is cosmetic procedures (where no bureaucratic regulation is needed).

In the DR incidence, the procedures were done by a licensed medical practitioner. The procedures were legally performed. The issue is not how you described the procedure but what really happened. Is it just an accident? Is there punishable negligence involved? Disseminated Intravascular Coagulation has many causes.

It is quite obvious that the term, “medical cosmetic procedure,” is a “non-issue”. So why make such a fuss about the terminology. Many have guessed that the DR incidence will be used as a pretext by the medical cartel to re-introduce, “Medical Device Registration Ordinance,” which was shelved a few years ago for the benefit of Hong Kong.

Thank you for your invitation for my opinion. Please remember what Sir William Blackstone, the writer of Law of England said, “The more laws, the less justice.”