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17th May 2014

By fax and email

Prof. the Hon. Lee Kok Long, Joseph
Chairman
Panel on Health Services
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Prof. the Hon. Lee,

**Re: Proper protection of dispensed drug safety through
effective user friendly, Open & Fair means**

Hong Kong Doctors Union (HKDU) is most disappointed with the stubbornness and almost slyness of the Government in pushing through means to compel all authorized sellers of pharmaceutical products (ASPs), doctors, dentists and pharmacists to use written method of ordering drugs. This ruthless insistence by the authority to enforce such a requirement is unacceptable. We are disgusted by the Government as she knows she will meet with resistance if she tries to put this requirement into a law. So she used the Poisons and Pharmacy Ordinance to put in a code of practice incorporating this requirement. This is done without consulting the subjects affected by the code viz. Pharmacists and pharmaceutical industry. The Pharmacy and Poisons Board consists of eleven representatives but only three representatives are required to be pharmacists which are only obligated to express their own personal opinions and not the opinions of the profession.

HKDU also condemns the incorporating by the Government of this requirement into the code of practice for doctors. The code should only be promulgated by the Medical Council of Hong Kong and is not part of the Medical Registration Ordinance.

Once more doctors in Hong Kong are furious with the Government for subverting justice in secretly pushing this written order requirement into the code of practice when there is so much resentment against it in the medical field at large and when pharmacists and pharmaceutical firms are against it for the obvious reasons that it adds nothing to dispensing safety but create delay and confusion requirement.

With the rest of the Pharmacy and Poisons Board being persons not being in the practice and includes mainly officials, HKDU agrees with the community pharmacists to condemn the creation of such a code for ASPs and other traders and the way this code of practice was created which is never a part of the related Ordinance (i.e. Pharmacy and Poisons Ordinance CAP 138).

In relation to the recent proposed Pharmacy and Poisons Amendment Bill 2014, we strongly disagree to grant a new power to the Pharmacy and Poisons Board (the Board) to issue and revise Code of Conduct / Code of Practice for pharmacists and traders as the Pharmacy and Poisons Board has no capability to perform such an important role to issue and revise Code of Conduct and Code of Practice with such an

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inappropriate proportion of representatives of pharmacists and traders on the Pharmacy and Poisons Board and a lack of transparency on the operating processes of the Board. Ultimately, the decisions of the Pharmacy and Poisons Board will not be practical nor effective to serve the needs of the pharmacy profession, pharmaceutical trade, or the public at large. We recommend the Pharmacy and Poisons Board to be dissolved and restructured into separate functional bodies (namely: Drug Registration Board, Pharmacists Licensing Board and Pharmaceutical Licensing Board) prior to granting more power. Furthermore, there is clear conflict of interest for the Pharmacy and Poisons Board to assume so many roles at the same time with no system for checks and balance and/or ways to appeal against the decisions made by the members of the Board.

Also, we object to the proposed amendment to relax the current requirement for local drug manufacturers to mandatorily having a registered pharmacist to be the authorized person to ensure for the quality of drugs products released to the market for sale to customers. In the Hong Kong drug manufacturing environment, the ratio of quality assurance staff verses production workers is very low as compared to larger scale global manufacturers, it is absolutely necessary to follow the World Health Organization recommendations to have a professional registered pharmacist to act as a final gate-keeper for quality assurance to protect the public as the Authorized Person. It is desirable if the Amendment Bill proposes that the Head of Production and Quality Control key personnel should also be pharmacists as well. To relax the current requirement to no longer need to have registered pharmacists as the Authorized Person is against the direction of tightening drug regulations to protect public safety and must not be approved. As for those small number of manufacturers that complain of difficulty to hire pharmacists to work for them, it may be for reasons that they do not provide the high standards of practice environment to attract pharmacists to work for them and they should not be able to continue their substandard ways of operations.

Conclusion

We ask the Legislative Council members and the Government to put patients' safety and welfare first and tighten important regulations that require improvement and should retain the existing more efficient and convenient methods including verbal ordering of drugs if doctors/ pharmacists prefers but stress on the stringent checking of "all" dispensed drugs before final delivery to patients. To assist in the correct drugs being delivered by drug firms, we stress that we can require doctors to sign all delivered drug invoices within 48 hours.

Yours sincerely,



Dr. Ho Ock Ling Thomas
Hon. Secretary
Hong Kong Doctors Union