

**Bills Committee on Medical Registration (Amendment) Bill 2016**

**List of follow-up actions required of the Administration  
arising from the discussion at the meeting on 23 May 2016**

The Administration was requested to:

- (a) in respect of the proposed three additional lay members of the Medical Council of Hong Kong ("the Medical Council") who would be elected from the patient-related groups for appointment by the Chief Executive,
  - (i) provide details of the nomination and election arrangement being formulated by the Administration in consultation with the patient and patient-related groups. The Administration's view was that the arrangement should not be specified in the legislation so as to allow flexibility for the patient and patient-related groups to come up with the best arrangement among themselves; and
  - (ii) consider a member's suggestion that the arrangement referred to in item (i) above, as well as the factors to be taken into account by the Secretary for Food and Health ("SFH") in recognizing organizations which were eligible for electing persons representing patients' interests should be set out in the legislation. For the latter, the current proposal of the Administration was that SFH might specify by notice published in the Gazette an organization that, in his or her opinion, represented the interests of patients;
- (b) in respect of those complaints against registered medical practitioners received by the Medical Council which required the provision of medical reports or records by the Hospital Authority ("HA"),
  - (i) advise the number of cases which were at the stage of pending the provision of the relevant medical reports or records by HA and the average waiting time involved;
  - (ii) advise the details of the arrangement agreed by the Administration, the Medical Council and HA for the provision of the medical reports or records by HA when the obtaining of the patients' consent for such disclosure was not practicable, such as those cases involving a deceased patient; and

- (iii) advise the circumstances when an application to the court to determine whether there was an overriding public interest for HA to disclose the relevant medical reports or records to the Medical Council would be required, and the estimated legal cost to be involved;
- (c) provide information on the rate of remuneration and annual remuneration of the former Legal Adviser to the Medical Council for each of the financial year he served the Medical Council; and
- (d) relay to the Medical Council the suggestion of a member that the clarification of the Medical Council on the purpose of sub-paragraph 3 of Standing Order No. 6 as set out under paragraph 3 of LC Paper No. CB(2)1495/15-16(02) should be incorporated into the Standing Order to improve its clarity. According to the Medical Council, the purpose of sub-paragraph 3 was to encourage members to make a declaration of interest in case there was any doubt about whether there was a potential conflict of interest and the Medical Council or committee or sub-committee would, upon a member's disclosure of such an interest, decide on whether the member concerned should participate in any deliberation or decision regarding the matter.

Council Business Division 2  
Legislative Council Secretariat  
26 May 2016