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Our Ref.: HKDU/173/17  
25th September 2017

By email & Fax

Mr. The Hon CHAN Han-pan, Ben  
Chairman  
Bills Committee  
Legislative Council of the  
Hong Kong Special Administrative Region  
of the People's Republic of China  
[benchanlegco@gmail.com](mailto:benchanlegco@gmail.com)

Dear Mr. Chan,

**Re: Hong Kong Doctors Union Submission  
on Private Healthcare Facilities Bill**

Hong Kong Doctors Union (HKDU) is the unique trade union with doctor members in both public and private services. Registered with the Trade Union Registry to look after the interests and rights of doctors in their employer employee relationship, HKDU is committed to upgrade the standard of medical doctors to cater for the health of the Hong Kong community.

HKDU appreciates the invitation from Bills Committee on Private Healthcare Facilities (PHFs) Bill to give our views on the proposed PHFs Bill., HKDU agrees that the improved regulatory regime would provide greater assurance to patients and help enhance the long-term sustainability of our healthcare system. However, we have the following concerns:-

1. In respect of the Exemption of Small Practice Clinics in Clause 41 (2a) and (3a) stating that “*a clinic is also a small practice clinic if a partnership having not more than 5 partners or a company having not more than 5 directors, each of whom is a registered medical practitioner or a registered dentist, operates the clinic*”, we propose the number of partners and directors to be increased from 5 to 10 for a greater flexibility of setting up the partnership.

To be cont'd... P.2



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P.2

2. For Clause 41 (4a, b) mentioning that a registered medical practitioner / registered dentist is not allowed to take individual's absence more than 60 days in a calendar year. This is not logical. Medical Practitioners of Hong Kong is to protect, promote and maintain health of the publics and they are required to participate in different medical course(s) or seminar(s) every year to maintain and to update performance and knowledge for the practice. We therefore suggest Food and Health Bureau to reconsider and change the number of days of individual's absence from 60 to 180.

3. For Clause 44, stating that "*The Operator of an exempted clinic must give the Director not less than 14 days' notice in any intended change or cessation*". Fourteen (14) days for written notice would be too short. We would suggest to increase the said notice from 14 days to 28 days.

Thank you for your attention.

Yours sincerely,

Dr. Chan Pui Kwong  
Hon. Secretary  
Hong Kong Doctors Union

Cc: Mrs. Hon. Carrie Lam, Chief Executive  
Prof. Sophia Chan, Secretary for Food and Health, Food and Health Bureau  
Legislative Councillors  
Prof. Joseph LAU, SBS, Chairman, The Medical Council of Hong Kong  
Dr. Lau Chak Sing, President, Hong Kong Academy of Medicine  
Dr. Constance Chan, Director of Health  
Dr. Leung Pak Yin, Chief Executive, Hospital Authority