

**For discussion
on 3 July 2020**

Panel on Health Services

**Subcommittee on Issues Relating
to the Development of Chinese Medicine**

**Regulatory regime for and professional development of
Chinese medicine practitioners**

Purpose

This paper aims to brief and invite members to provide views on the regulatory regime for Chinese medicine practitioners (CMPs) and its professional development.

The Chinese Medicine Council of Hong Kong

2. The Chinese Medicine Council of Hong Kong (CMCHK) is an independent statutory body established under the Chinese Medicine Ordinance (Cap. 549) (CMO). The CMCHK is responsible for implementing regulatory measures for Chinese medicine (CM) through “self-regulation”. The CMO empowers the Chinese Medicine Practitioners Board (CMPB) established under the CMCHK to assist the CMCHK in carrying out regulatory measures in respect of CMPs, including registration, continuing education, conduct and discipline of CMPs. In accordance with section 13 of the CMO, members of the CMPB are appointed by the Secretary for Food and Health. The Chairmen of the CMPB have all along been CMPs.

3. There are seven committees under the CMPB, namely the Registration Committee, Examination Committee, Committee on Assessment of CM Degree Courses, Disciplinary Committee of CMPs, Ethics Committee, Health Committee and Health Committee for Listed CMPs. The Registration Committee makes recommendations to the CMPB on applications for registration as CMPs and on matters relating to their continuing education. The Examination Committee is responsible for assisting the CMPB in vetting of applications for and the arranging of CMP licensing examination. The Committee on Assessment of CM Degree Courses is responsible for assessing and making recommendations to the CMPB on degree courses in CM. The Disciplinary Committee of CMPs handles disciplinary matters of CMPs in accordance with established procedures, including making recommendations to the CMPB for holding inquiries into the conduct of individual CMPs. The Ethics Committee is responsible for reviewing the codes of conduct of CMPs and making recommendations to the CMPB in respect of the conduct of CMPs. The Health Committee and the Health Committee for Listed CMPs are

responsible for evaluating the physical and/or mental fitness of registered CMPs or listed CMPs respectively to practise, and reporting the findings of the assessment to the CMPB for the latter's consideration. At present, all of the committees are chaired by CMPs.

Registration System for CMPs

4. According to the CMO, all CMPs must apply for registration before they can practise in Hong Kong. As at 1 June 2020, there were 7 578 registered CMPs, 2 552 listed CMPs and 32 CMPs with limited registration in Hong Kong. Registered CMPs must apply for a valid practising certificate before they are allowed to practise in Hong Kong. The usual validity period of a practising certificate is three years, which can be reviewed upon expiry.

5. The practice of CM has a long history in Hong Kong. Some CMPs had been practising in Hong Kong long before the introduction of the registration system for CMPs. In order not to force such CMPs out of practice immediately upon implementation of the registration system, the CMO provides for transitional arrangements for the registration of CMPs. Under the transitional arrangements, any CMP who was practising in Hong Kong on 3 January 2000 may apply to the CMPB for listing as a listed CMP within the application period specified by the CMPB (the application period was closed on 30 December 2000). Listed CMPs may continue practising until a date as may be specified by the Secretary for Food and Health.

System of Continuing Education for Registered CMPs

6. To ensure registered CMPs would continue to enrich their professional knowledge and skills, to grasp the latest developments in their professional and practice areas, and to maintain their professional standard through a unified and structured system, the CMO stipulates that registered CMPs must fulfill the requirements of continuing education in CM (i.e. CME) as prescribed by the CMPB before they can renew their practising certificates.

7. Having conducted extensive consultation with the profession, the CMPB formulated the CME system for registered CMPs in 2004 and the CME system was implemented from 28 February 2005. Apart from the syllabus of the CMPs licensing examination, the scope of CME includes relevant areas such as integration of Chinese-Western medicine, modernisation of CM, the CMO, and the "Code of Practice for Registered CMPs". There are currently 11 CME Administrators and 27 CME Programme Providers accredited by the CMPB under the CME system. The former is responsible for recording and maintaining personal CME records of their registered CMPs whereas the latter is responsible for organising CME courses and programmes. According to the

requirements of the CME system, each registered CMP must select on his/her own an accredited CME Administrator to set up his/her personal CME record, attend CME courses and programmes as required by the CMPB within the CME cycle and submit relevant information to his/her accredited CME Administrator¹.

8. For training courses or activities provided by organisations other than accredited CME Programme Providers, the organiser(s) may apply to the CMPB for accreditation as individual CME programmes. Registered CMPs will also acquire CME points if they participate in accredited individual CME programmes.

9. The CME cycle for each registered CMP, which commences on the effective date of his/her practicing certificate and ends on the expiry date, will normally last for three years. Registered CMPs should participate in CME activities and acquire not less than 60 CME points within each cycle. Taking into account the request of the CM profession and the difficulties elderly registered CMPs encountered in pursuing continuing education, the CMPB decided in 2012 the reduction of the required CME points for registered CMPs aged 75 or above in each CME cycle from 60 to 30.

10. Recently, the CMPB noted that the pandemic of Coronavirus Disease-2019 has caused substantial impact on the organisation of face-to-face CME courses by the accredited CME Programme Providers and decided to adopt a lenient approach in handling and approving applications for renewal of practising certificate from registered CMPs whose practising certificate would expire in 2020 but have not acquired the required CME points. However, the registered CMPs concerned should make up for the CME points in short for the previous cycle in their new 3-year cycle.

System of Limited Registration

11. The CMO provides a system of limited registration of CMPs to facilitate the engagement of CM experts in performing clinical teaching and research in CM in specific institutions. Educational and scientific research institutions² approved by the CMPB may apply, on behalf of the CM experts under their employment, for CMPs with limited registration for the conduct of

¹ To facilitate those registered CMPs who are taking CM courses organised by Mainland tertiary institutions to acquire CME points, the CMPB has approved the CM courses (including full-time, part-time, correspondence, online and clinical courses) organised by 30 Mainland tertiary institutions as accredited CME courses. Registered CMPs who attend such courses may, following the guidelines set by the CMPB, apply to their CME Administrators for assessing the CME points gained from participating in such courses.

² At present, there are six educational or scientific institutions which may apply, on behalf of CM experts under their employment, for CMPs with limited registration. They are the University of Hong Kong, the Chinese University of Hong Kong, the Hong Kong Baptist University, the Hong Kong Polytechnic University, the City University of Hong Kong and the Hospital Authority.

CM clinical teaching or research, to promote the development of CM in Hong Kong.

12. Applicants for limited registration must be experienced educational and research personnel possessing academic qualifications and experience as approved by the CMPB in order to help promote the development of CM in Hong Kong. CMPs with limited registration can only engage in clinical teaching and research in CM in an employing educational and scientific research institution approved by the CMPB. They are not permitted to engage in private practice with patients.

Discipline of CMPs

13. The CMPB has drawn up the “Code of Professional Conduct for Registered CMPs in Hong Kong” and the “Code of Conduct for Listed CMPs” (the Codes) to uphold the standard of professional practice and practice conduct of registered CMPs and listed CMPs respectively. The Codes set out the requirements with which the registered and listed CMPs should comply, in respect of areas including discipline, professional responsibility, professional ethics, practicing rules, medical practice and practice advertising, etc.

14. Upon receiving complaints from the public or information referred by law enforcement departments or other organisations in respect of suspected professional misconduct of CMPs, the CMPB and the Disciplinary Committee under CMPB will take follow-up actions, including requesting the complainant to provide detailed information, to make a statutory declaration and to attend disciplinary inquiry, etc., and also requesting the CMP concerned to submit representations about the allegations against him/her and to provide relevant information, in accordance with the procedures laid down in the Chinese Medicine Practitioners (Discipline) Regulation (Cap. 549D) and the Codes.

15. For complaint cases with prima facie evidence showing the CMP concerned has committed acts that the CMPB is empowered to conduct inquiry into, the Disciplinary Committee will decide whether to refer the complaint to CMPB for disciplinary inquiry after examination. If the CMPB determines that the CMP in question has committed professional misconduct after due inquiry, the registered CMP may receive penalty, including warning, reprimand and removal from the register, or the listed CMP may be removed from the list of listed CMPs.

Future Development

16. The Government has been working closely with CM profession with a view to understanding its needs and formulating policy to support the development of the profession in a timely manner. Established in 2013, the

Chinese Medicine Development Committee (CMDC) and its Chinese Medicine Practice Subcommittee (CMPSC) have played an important role in this respect. Since their establishment, CMDC and CMPSC have provided valuable advice on various issues integral to the development of the profession, including formulation of the Integrated Chinese-Western Medicine Pilot Programme, establishment of the CM Hospital (CMH), and drawing up of the schemes under the CM Development Fund (CMDF). As of May 2020, a total of 20 meetings of the CMDC and the CMPSC have been held. CMDC will continue to provide recommendations to the Government in a timely manner on the long term strategy of the development of the CM profession in Hong Kong.

Professional Development

17. As one of the major study areas of the CMDC, the CMPSC has been discussing the personnel training and professional development to enhance the level of CM services. In July 2014, the Hong Kong CM Specialty Development Working Group (Working Group) was jointly established by the CM profession and the Schools of CM of three universities to bring together the profession and academia to promote the development of CM specialisation. The Working Group aims to draw up a CM specialty structure as well as a CM specialty training and qualification accreditation mechanism that is widely recognised by the profession, and making practicable recommendations to the Government. Three sub-groups have been set up under the Working Group, namely the Acupuncture Sub-group, the CM Orthopaedics and the Traumatology Sub-group, and Internal Medicine Sub-group, to examine the scope of specialty training and assessment criteria according to their ambits. The Working Group will make recommendations for the discussion of the CMDC. The CMPSC will continue to study the issue and maintain communication with the profession, and will make recommendations to the Government in due course.

Chinese Medicine Clinics cum Training and Research Centres (CM Clinics)

18. The Hospital Authority established a CM Clinic in each of the 18 districts which plays an important role in nurturing local CM and CM drug professionals. Graduates of local full-time CM undergraduate programmes may apply to work and receive training at the CM Clinics as CMP trainees for a 3-year on-the-job training scheme if selected. As one of the main purposes of establishing the CM Clinics is to nurture local CM and CM drug professionals, apart from CMP trainees, the CM Clinics have all along been providing various types of training to CMPs at all levels which include CM clinical training, visiting scholar programmes, scholarships at junior and advanced levels (training programme in Mainland CM hospitals), scientific research and practical training, commissioned training in enhancing understanding of Western medicine, study

in CM and CM drugs, online learning etc.

19. In line with the Government's CM policies, apart from the new Government-subsidised out-patient services in CM Clinics provided since March 2020, a new training programme for CMP trainees has also been launched at the same time. The programme aims to comprehensively enhance the clinical ability and professional standard of CMP trainees by adopting "evidence-based" medicine as an approach to develop solid clinical capability. This programme is structured by a progressive training curriculum led by a senior CMP in the clinic in order to raise the clinical capability of CMP trainees thoroughly through standardised clinical training hours of prescribed quality and quantity. Clinical abilities of the trainees will be assessed and have to meet prescribed levels in order to fulfil training completion requirements. We aim to, through the systematic training schemes in the 18 CM Clinics, provide a platform for nurturing CM talents in order to prepare for the future development of CM and the establishment of the CMH.

CMH

20. The CMH to be located in Tseung Kwan O will serve as the flagship CM institution leading the development of CM in Hong Kong and promote CM service, education and training, innovation and scientific research. In addition to providing in-patient services to the public, the CMH will work closely with the three local universities with Schools of CM to provide clinical placement for their undergraduate and postgraduate students. Besides, the CMH will provide training posts subsidised by the Government, basic and advanced training for registered CMPs and training for other healthcare professionals.

CMDF

21. The Government announced the establishment of a \$500 million dedicated fund in the 2018-19 Budget to provide the CM and CM drug sectors with financial support for their participation in the development of CM. The CMDF has commenced operation in June 2019. Under the "CM Industry Training Funding Scheme and the "CM Applied Studies and Research Funding Scheme" under the CMDF, priority would be accorded to applications concerning topics on CM-related development so as to encourage the profession to organise training courses and conduct researches to raise their standards.

22. In addition, the "CM Personal Training Funding Scheme" also provides subsidy for CMPs to attend different training programmes, which include courses levelled as 4 or above under the Hong Kong Qualifications Framework and those which fulfil the requirements of CME for registered CMPs set by the CMPB of the CMCHK. The scheme has been open for applications

for registration to become courses providers in late 2019, and will soon be open for CMPs to apply for subsidy for taking various eligible courses successively.

Advice Sought

23. Members are invited to note the content of the paper and provide their views.

**Food and Health Bureau
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