

Regulation of Chinese Medicine Practitioners

Registration System for Chinese Medicine Practitioners

The Chinese Medicine Ordinance stipulates a registration system for Chinese medicine practitioners. This system protects the rights and health of patients; ensures the professional standard and conduct of Chinese medicine practitioners; and hence establishes the statutory professional status of Chinese medicine practitioners.

According to the Chinese Medicine Ordinance, any person who intends to practise Chinese medicine in Hong Kong must apply for registration with the Chinese Medicine Practitioners Board of the council. He/she must have satisfactorily completed such undergraduate degree course of training in Chinese medicine practice, or its equivalent, as is approved by the Chinese Medicine Practitioners Board, and have passed the Licensing Examination conducted by the Chinese Medicine Practitioners Board before he/she may apply to become a Registered Chinese Medicine Practitioner.

Chinese medicine practice has a history of many years in Hong Kong. The Chinese Medicine Ordinance therefore provides for a transitional arrangement for the registration of Chinese medicine practitioners already practising in Hong Kong. A Chinese medicine practitioner (CMP) practising on 3.1.2000 in Hong Kong may apply to become a listed CMP. A listed CMP may become registered through any one of three different channels.

Following the transitional arrangements provided under the Chinese Medicine Ordinance, a listed CMP who has yet to be registered may continue to practise in Hong Kong until a date to be determined by the Secretary for Health, Welfare and Food.

A registered CMP must comply with the requirements of continuing education in Chinese medicine as determined by the Chinese Medicine Practitioners Board, before his practising certificate may be renewed. If a registered CMP is suspected of professional misconduct, the Chinese Medicine Practitioners Board shall hold an inquiry to determine whether he is guilty and, if so, to impose punishment which may include the removal of his name from the Register of CMP for a certain period, or indefinitely.

The Chinese Medicine Ordinance also provides a system of Limited Registration of Chinese Medicine Practitioner, in order to facilitate the engagement of Chinese medicine experts for performing clinical teaching and research in Chinese medicine.



The Implementation of Registration of CMP

On its establishment, the council immediately drew up a working plan to implement the registration of CMP. The various tasks included the preparation of subsidiary legislation; carrying out of the registration of CMP under the transitional arrangements; compilation of the examination syllabus and other details for the CMP Licensing Examination; drawing up the basic requirements of the undergraduate degree course of training in Chinese medicine practice approved for taking the Licensing Examination; compilation of the Code of Practice for Registered CMP; formulation of the arrangements for limited registration of CMP; working out the mechanism for continuing education in Chinese medicine for registered CMP. In addition, the Chinese Medicine Practitioners Board published the Newsletter of the Chinese Medicine Practitioners Board to facilitate communication with members of the Chinese medicine profession.

Subsidiary Legislation for CMP Registration

For the implementation of the registration of CMP, the council by exercising the powers vested in it under the Chinese Medicine Ordinance created two pieces of subsidiary legislation, through the legislation process, namely :

(1) The Chinese Medicine Practitioners (Registration) Regulation.

Mainly for the provision of detailed arrangements for the registration of CMP, including the procedures for handling reviews and appeals prescribed under the Chinese Medicine Ordinance;

(2) The Chinese Medicine Practitioners (Discipline) Regulation.

For the provision of prescribed procedures for the handling of complaints by the Disciplinary Committee and for the holding of disciplinary inquiries conducted by the Chinese Medicine Practitioners Board.

These two regulations were enacted by the Legislative Council in June 2000.

Transitional Arrangements for the Registration of CMP

Chinese medicine has a long history in Hong Kong. To take account of the needs of those CMP who have been practising in Hong Kong for a long time, and to mitigate the effects of the new requirements on them, the Chinese Medicine Ordinance provides for transitional arrangements for the registration of CMP.

Three Channels and Five Categories

Following the transitional arrangements for the registration of CMP, those CMPs already practising on 3.1.2000 may apply to become a listed CMP. The PB will assess their practising experience and academic qualifications to determine their alternative qualifying requirements for registration. They may be classified into five categories, and may be eligible to apply for registration through one of three different channels respectively, as follows.

(1) First Category

Applicants who have been practising Chinese medicine in Hong Kong for a continuous period of not less than 15 years immediately before 3 January 2000, will be exempted from the Licensing Examination and Registration Assessment, and may directly apply to become a Registered CMP.

(2) Second Category

Applicants who have been practising Chinese medicine in Hong Kong for a continuous period of not less than 10 years but less than 15 years immediately before 3 January 2000, and have obtained a qualification acceptable to the Chinese Medicine Practitioners Board, may be exempted from the Licensing Examination and the Registration Assessment, and may directly apply to become a Registered CMP.

(3) Third Category

Applicants who have been practising Chinese medicine in Hong Kong for a continuous period of not less than 10 years immediately before 3 January 2000, but have not obtained a qualification acceptable to the Chinese Medicine Practitioners Board, will be exempted from the Licensing Examination, but they must pass the Registration Assessment before they may apply to become a Registered CMP. If they fail in the Registration Assessment, they will be required to take the Licensing Examination.

(4) Fourth Category

Applicants who have been practising Chinese medicine continuously in Hong Kong for less than ten years immediately before 3 January 2000, and have obtained a qualification acceptable to the Chinese Medicine

Practitioners Board, will be exempted from the Licensing Examination, but they must pass the Registration Assessment before they may apply to become a Registered CMP. If they fail in the Registration Assessment, they will be required to take the Licensing Examination.

(5) Fifth Category

Applicants who have been practising Chinese medicine continuously in Hong Kong for less than ten years immediately before 3 January 2000, but have not obtained a qualification acceptable to the Chinese Medicine Practitioners Board, will have to pass the Licensing Examination before they may apply to become a Registered CMP.

The Chinese Medicine Practitioners Board, with the assistance of the Registration Committee, commenced the preparatory work on the registration of CMP under transitional arrangement in second half of 1999. The CMP registration system was implemented in mid 2000.

Extensive Consultation for Invitation of Applications

To brief the public on the various details of the transitional arrangements for the registration of CMP, the council announced on 11.7.2000 the specific arrangements of the registration of CMP, including the application period and related procedures under the transitional arrangements.

To ensure the professional standard of the registered CMP, the Chinese Medicine Practitioners Board established the procedures for the



registration of CMP under the transitional arrangements and the format and syllabus for Registration Assessment. These procedures also take account of the historical background of Chinese medicine in Hong Kong. The Chinese Medicine Practitioners Board compiled the "Handbook for the Registration of CMP" which fully describes the system for the registration of CMP, the transitional arrangements for registration of CMP, and the criteria adopted by the Chinese Medicine Practitioners Board for assessing the practising experience and academic qualification of a listed CMP. Together with the application forms and guidance notes, the handbooks have been available for collection since July 2000.

The Chinese Medicine Practitioners Board openly received applications to become a listed CMP during the period from 16.8.2000 to 30.12.2000. Through extensive publicity, the Chinese Medicine Practitioners Board aimed to enable practising CMPs to fully understand the registration procedures, as well as the transitional arrangements and regulatory measures involved. Such publicity included holding a number of briefing sessions for CMP organizations; the issue of press releases; the dissemination of information through radio and television; the distribution of publicity leaflets through local associations of CMPs, training institutes in Chinese medicine, Mutual Aid Committees, Estate Offices of Public Housing Estates, and the distribution of application forms through Public Enquiries Centres

of the Home Affairs Department, and issuing letters to all those CMPs who were enrolled in the exercise conducted by the Preparatory Committee on Chinese Medicine.

The Assessment Work

During the application period, the Chinese Medicine Practitioners Board received a total of 8,044 applications. The Chinese Medicine Practitioners Board, with the assistance of the Registration Committee started the assessment work immediately after the applications had been received.

The Chinese Medicine Practitioners Board, taking into account the advice of the Independent Commission Against Corruption, prescribed a set of detailed procedures to be followed in dealing with applications. The Secretariat shall interview every applicant to verify the originals of all documents submitted. If necessary, applicants will be required to make statutory declarations, and the issuing organizations may be requested to verify the genuineness of the documents submitted. The Registration Committee held numerous meetings to consider each individual applications, to make recommendations to the Chinese Medicine Practitioners Board in accordance with the assessment criteria on practising experience and academic qualifications drawn up by the Chinese Medicine Practitioners Board.

Chapter II Regulation of Chinese Medicine Practitioners

CMPs have been practising in Hong Kong for over a hundred years but had not developed a universally-accepted set of practising codes. The ways of maintaining documents relating to their Chinese medicine practice varied from one practitioner to another, and there were many different modes of practice. To provide ample opportunity for the applicants to submit documentary proof to support their applications, the Chinese Medicine Practitioners Board requested most of the applicants to provide supplementary documents before it determining their applications. The Chinese Medicine Practitioners Board had considered in entirety all the information submitted by the applicants while making the assessment. From September 2000 to August 2002, the Chinese Medicine Practitioners Board and Registration Committee held a total of 105 meetings to handle the assessment of applications, including the classifying of alternative qualifying requirements for registration, and other related matters.

Announcement of the List of Listed CMP and the List of Registered CMP

In December 2001, the Chinese Medicine Practitioners Board completed the assessment of applications for listed CMP. On 19.12.2001, the Chairman of the council together with the Chinese Medicine Practitioners Board Chairman and the Director of Health held a press conference,

announcing that 7,707 applicants had been accepted as listed CMPs. On 21.12.2001, the list was published in the Gazette of the Government of the Hong Kong Special Administrative Region, and uploaded on to the council's website.

The Chinese Medicine Practitioners Board issued to each listed CMP a notification letter, together with a copy of the Code of Practice for listed CMPs, compiled by the Chinese Medicine Practitioners Board. Every listed CMP must comply with the Code of Practice to ensure the maintenance of their professional standards and conduct. The Chinese Medicine Practitioners Board also reminded them of the need to abide by the relevant laws.

The alternative qualifying requirements for registration of the listed CMPs were announced on 5.9.2002. Out of the 7,707 listed CMPs, about one-third were qualified to directly apply for registration, while the remaining had to undertake the Registration Assessment or the Licensing Examination.

On 29.11.2002, the Chinese Medicine Practitioners Board announced the list of 2,384 registered CMPs, which was published in the Gazette and uploaded on to the council's website on the same day. Every registered CMP who practised in Hong Kong, was issued with a Registration Certificate, a Practising Certificate and a copy of the Code of Practice for Registered CMPs.



Chinese Medicine Practitioners Licensing Examination

Under the long-term arrangements for the registration of Chinese medicine practitioners, persons who wish to become registered CMPs should complete such undergraduate degree courses of training in Chinese medicine practice, or equivalent, as are approved by the Chinese Medicine Practitioners Board, and to undertake the Chinese Medicine Practitioners Licensing Examination. After passing the examination, they may apply to be registered CMPs.

Syllabus and format of the Licensing Examination

To implement and conduct the Licensing Examination, the Chinese Medicine Practitioners Board first set the syllabus and format of the examination. Following the provisions of the Chinese Medicine Ordinance, and to ensure the professional standards of registered CMPs, the Chinese Medicine Practitioners Board requires that registered CMPs have a sound knowledge of the basic theories of traditional Chinese medicine and relevant clinical subjects. Considering the medical system in Hong Kong, and the long-term development of the Chinese medicine profession (including the special characteristics and comparable advantages of Chinese medicine), the syllabus set by the Chinese Medicine Practitioners Board includes knowledge of modern medicine and health preservation, in addition to subjects in

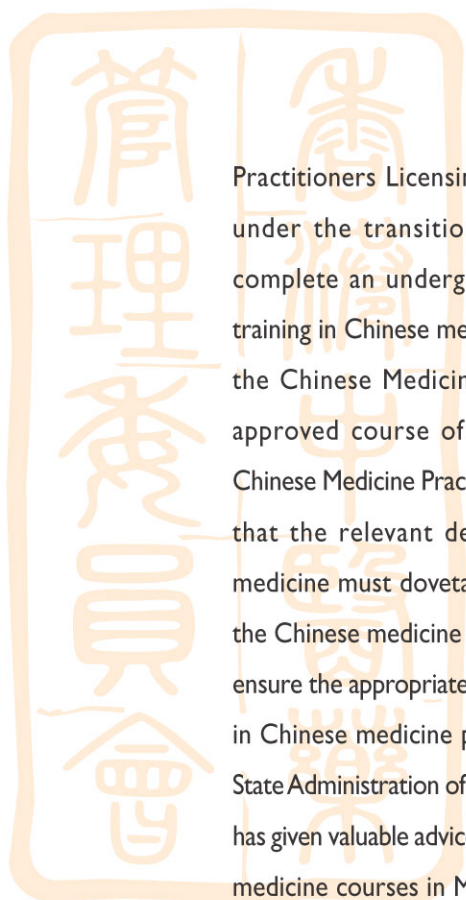
Chinese medicine. It is intended thereby that registered CMPs can keep abreast of the times; work to complement modern medicine; and strengthen the health services of Hong Kong, to provide patients with the best treatment.

After reviewing the licensing examinations of other places and other medical professions, the Chinese Medicine Practitioners Board decided to conduct the Licensing Examination in two parts: a written examination and a clinical examination. To ensure that the Licensing Examination is conducted in a fair and equitable manner, the Chinese Medicine Practitioners Board has commissioned the Hong Kong Examinations and Assessment Authority to provide administrative support. The Chinese Medicine Practitioners Board also consulted the Independent Commission Against Corruption on these examination procedures. The syllabus and format of the Licensing Examination were announced in March 2002 and uploaded on to the website of the council. The Chinese Medicine Practitioners Board decided to conduct the first Chinese Medicine Practitioners Licensing Examination in mid-2003 and to solicit applications in January 2003. Candidates' handbooks were distributed in 2002.

Approved Degree Courses in Chinese Medicine

Under the Chinese Medicine Ordinance, persons who seek to undertake the Chinese Medicine





Practitioners Licensing Examination other than under the transitional arrangements should complete an undergraduate degree course of training in Chinese medicine practice, approved by the Chinese Medicine Practitioners Board, or approved course of equivalent standard. The Chinese Medicine Practitioners Board is of the view that the relevant degree courses in Chinese medicine must dovetail with the development of the Chinese medicine profession in Hong Kong to ensure the appropriate level of professional training in Chinese medicine practice. In this respect, the State Administration of Traditional Chinese Medicine has given valuable advice on the structure of Chinese medicine courses in Mainland China. The Chinese Medicine Practitioners Board has also taken account of the professional training in Chinese medicine in other regions, and of the professional requirements of other medical professions. After careful consideration, the Chinese Medicine Practitioners Board decided on the basic requirements of an approved course: the course should be a full-time undergraduate degree courses in Chinese medicine of not less than 5 years duration, and the course content should include ten compulsory subjects in Chinese medicine. Moreover, the teaching quality and facilities should be of a satisfactory level.

The Chinese Medicine Practitioners Board was aware that local universities had been offering Chinese medicine education for a long time. To

strengthen mutual communication and cooperation in enhancing the standards of Chinese medicine education in Hong Kong, the Chinese Medicine Practitioners Board set up the Committee on Assessment of Chinese Medicine Degree Courses in June 2001. The committee members include individuals from local universities. The committee's work is to assess Chinese medicine degree courses impartially, and to make recommendations on accredited courses to the Chinese Medicine Practitioners Board, in accordance with the basic course requirements and assessment items specified by the Chinese Medicine Practitioners Board.

The committee has visited Nanjing University of Traditional Chinese Medicine and Guangzhou University of Traditional Chinese Medicine and reviewed the relevant courses, the teaching conditions and their methods of ensuring teaching quality, as a reference in developing the assessment criteria for Chinese medicine degree courses in Hong Kong.

The committee subsequently wrote to the University of Hong Kong, the Chinese University of Hong Kong and the Hong Kong Baptist University to request them to provide detailed information on their relevant courses. The committee conducted site inspections of the Chinese medicine degree courses offered by them. Major aspects were examined carefully and critically. These included the aims of the course, the teaching facilities, the student



entry results, the student selection criteria, course exemptions and bridging policy, profiles of senior staff, their appointment and teaching arrangements, the ratio of full-time Chinese medicine teachers to students, the curriculum, the arrangement of the curriculum and studying hours, the course assessment and controlling measures, the examination methods and award-granting criteria, and clinical teaching and training arrangements.

The committee also commissioned six experienced professors from universities of traditional Chinese medicine on the Mainland as consultants to participate in the inspection visits and give advice. These scholars were Vice-President Zhang Hong-bin (張洪斌), Shandong University of Traditional Chinese Medicine; Professor Gu-huang (顧璜), Shanghai University of Traditional Chinese Medicine; Vice-President Xu Zhi-wei (徐志偉), Guangzhou University of Traditional Chinese Medicine; Professor Wan De-guang (萬德光), Chengdu University of Traditional Chinese Medicine; Vice-President Wu Mian-hua (吳勉華), Nanjing University of Traditional Chinese Medicine, and Professor Fu Yan-ling (傅延齡), Beijing University of Chinese Medicine.

After deliberation of the assessment report submitted by the committee, the Chinese Medicine Practitioners Board made proposals to the relevant universities on the courses concerned. The Chinese

Medicine Practitioners Board accepted the full-time degree courses offered by the three universities as accredited courses. As for the part-time degree courses offered by two of them, the council and the Chinese Medicine Practitioners Board, after considering the historical factors of the Chinese medicine education provided by local universities, decided to allow those students enrolled on them in or before 2002, to sit for the Licensing Examination after satisfactorily completing the relevant course.

Registration Assessment ◆

Following the transitional arrangements for the registration of CMPs, listed CMPs who have either continuously practised for 10 years or more before 3 January 2000, or having academic qualifications acceptable to the Chinese Medicine Practitioners Board, are required to sit for the registration assessment. They must pass the assessment to become a registered CMP. Currently, there are approximately 2,500 listed CMPs who are required to undertake the registration assessment and about 70% of them hold academic qualifications acceptable to the Chinese Medicine Practitioners Board.

The assessment format and content

The Chinese Medicine Practitioners Board, assisted by the Examination Committee, has formulated the assessment format, content and the scope covered in the registration assessment. In this respect, the Chinese Medicine Practitioners Board has taken

the view that the candidates taking the registration assessment are Chinese medicine practitioners who have either practising experience or academic qualifications in Chinese medicine. Therefore, the registration assessment places emphasis on the candidates' basic knowledge in Chinese medicine and clinical experience. The registration assessment is conducted in the form of an oral assessment on two cases: the first one mainly tests the candidate's basic knowledge in Chinese medicine; the second one mainly tests clinical cases relevant to the examinee's practising area. (These cases are selected on the basis of common diseases in Hong Kong.) The different training backgrounds of the CMPs in Hong Kong are also taken into account when setting the examination questions.

Registration Assessment Handbook for Chinese Medicine Practitioners

To brief the listed CMPs on the scope and specific details of the registration assessment, the Chinese Medicine Practitioners Board compiled a "Registration Assessment Handbook for Chinese Medicine Practitioners". Copies of this were distributed to the public in March 2002. In September 2002, the Chinese Medicine Practitioners Board mailed the "Registration Assessment Handbook for Chinese Medicine Practitioners" to each of the listed CMPs who were required to sit for the registration assessment. The oral assessments for the registration assessment was planned to be held in January and February 2003.

The System of the Limited Registration of Chinese Medicine Practitioners and Approved Institutions

The Chinese Medicine Ordinance provides for the system of Limited Registration of CMPs, to enable educational and scientific research institutions approved by the Chinese Medicine Practitioners Board to employ Chinese medicine experts who are not registered CMP of Hong Kong, for the conduct of Chinese medicine clinical training and research.

To meet the need for the development of Chinese medicine in Hong Kong, applicants of CMP with limited registration must be senior educational and research personnel, possessing such academic qualifications and experience as approved by the Chinese Medicine Practitioners Board. CMP with limited registration may only engage in clinical teaching or research in Chinese medicine in the employing institution. They cannot carry out private practice.

The council and the Chinese Medicine Practitioners Board, after thorough consideration, decided that the University of Hong Kong, the Chinese University of Hong Kong, the Baptist University of Hong Kong, the Hong Kong Polytechnic University and the City University of Hong Kong are qualified to apply on behalf of their employees as CMP with limited registration. This list was promulgated in the Government Gazette on 1.12.2000. In December 2002, the Chinese Medicine Practitioners Board decided that the Hong Kong



Hospital Authority may also make applications for CMP with limited registration. On 31.12.2002, there were 41 registered CMPs with limited registration.

The Discipline of CMP ◆

The council and the Chinese Medicine Practitioners Board introduced rules for the practice of Chinese medicine in order to maintain the professional conduct and practising standards of CMPs. This was to safeguard the rights of patients and to further promote the professional image of CMPs, which enhances public's confidence in Chinese medicine.

The Code of Practice for Registered CMPs

For these purposes, the Chinese Medicine Practitioners Board compiled the Code of Practice for Registered CMPs, setting unequivocal standards and requirements for the professional conduct of a registered CMP. Its contents include the definition of professional misconduct, as well as requirements on areas in discipline, professional responsibility, professional ethics, practising requirements, medical acts and practice promotion. In compiling this code, the Chinese Medicine Practitioners Board reviewed the Codes of Practice adopted by other healthcare professional statutory bodies. In April 2000, the Chinese Medicine Practitioners Board held a consultation seminar to gather the views of the profession. Over 100 members of the profession participated in the seminar; mainly the representatives of local Chinese medicine organizations.

The Code of Practice for Listed CMPs

Using the Code of Practice for Registered CMPs as a blueprint, the Chinese Medicine Practitioners Board compiled the Code of Practice for Listed CMPs, to serve as guidelines for listed CMPs in carrying out their practice. Taking into consideration the historical background of Chinese medicine in Hong Kong, the Chinese Medicine Practitioners Board introduced an adaptation period for the implementation of the requirements on signboards. CMPs were required to remove inappropriate signboards by 31.12.2002.

Procedures for handling CMP Disciplinary Matters

In accordance with the Chinese Medicine Ordinance, the Chinese Medicine Practitioners Board is authorized to handle disciplinary matters involving registered CMPs. The Chinese Medicine Practitioners Board requires that a registered CMP complies with the Code of Practice. The Chinese Medicine Practitioners Board shall hold an inquiry concerning a registered CMP who has been convicted of an offence punishable with imprisonment, or is suspected to be guilty of professional misconduct. The Chinese Medicine Practitioners Board may impose disciplinary punishment on the registered CMP concerned, such as the removal of his/her name from the Register of Registered CMP for a certain period or indefinitely, or may issue to him a reprimand, or warning letter.

Listed CMPs must comply with the Code of Practice for Listed CMPs. A listed CMP who has been convicted of an offence punishable with imprisonment, or contravenes the Code of Practice for Listed CMPs, shall be subject to an inquiry held by the Chinese Medicine Practitioners Board, which may then decide whether to remove his/her name from the list of listed CMPs or to impose other punishment.

After the publication of the list of listed CMP in December 2001, the Disciplinary Committee in the year 2002 handled 123 cases of complaints against listed CMP. Such complaints mainly involved aspects on practice promotion.

Continuing Education in Chinese Medicine by Registered CMP ◇

Following the Chinese Medicine Ordinance, a registered CMP must, within a period of not more than 3 years, renew the practising certificates. In applying for renewal, they must have fulfilled the requirements of continuing education in Chinese medicine, as set out by the Chinese Medicine Practitioners Board. The Chinese Medicine Practitioners Board is now devising the mechanism for implementing the continuing education requirements. Preliminarily, the Chinese Medicine Practitioners Board considers that the approved continuing education may be of various modes, such as participation in academic exchanges, or class

learning. The mechanism may include the setting up of a credit system; to organize continuing education courses and activities by qualified training institutions; to handle records of continuing education of individual registered CMPs by approved administrators.

Enhancement of communication with members of the Chinese medicine profession ◇

The implementation of the registration system of CMPs is novel in the development of Chinese medicine in Hong Kong. Phasing out of hitherto unsystematic Chinese medicine practices, by the installation of various regulatory measures, involves many changes. These include the introduction of the transitional arrangements for registration of CMPs, the imposition of practising restraints; as well as the need for professional continuing education.

The Chinese Medicine Practitioners Board considers it important to enhance communications with members of the profession, conveying to them the appropriate messages at appropriate times, briefing them on matters of current concern, and receiving their feedback. The Chinese Medicine Practitioners Board therefore decided to instigate a Newsletter of the Chinese Medicine Practitioners Board. Initially, it will be published periodically. The first issue was published in December 2002.