

**Clauses regarding Practice Promotion for Code of Practice for Listed Chinese
Medicine Practitioner**

The revised versions of the relevant provisions are set out below (changes underlined).

6. Practice Promotion

(1) Definition and Principles

(a) Definition

Practice promotion refers to the adoption of various promotion measures to enhance the popularity of a listed Chinese medicine practitioner so as to gain benefits from his business, including the promotion of a listed Chinese medicine practitioner, his work or his practice, by himself or others. The means may include the provision of information, and canvassing in relation to both the public or patients.

(b) Principles

A listed Chinese medicine practitioner providing information to the public or his patients must comply with the principles set out below.

(i) Any information provided by a listed Chinese medicine practitioner to the public or his patients must be:-

- accurate,
- true,
- objectively verifiable,
- presented in a balanced manner (when referring to the efficacy of particular treatment, both the advantages and disadvantages should be set out).

(ii) Such information must not:-

- be exaggerated or misleading,
- be comparative with or claim superiority over other listed Chinese medicine practitioners or registered Chinese medicine practitioners, or disparage other listed Chinese medicine practitioners or registered Chinese medicine practitioners (fair comments excepted).
- claim uniqueness without proper justifications for such claim,
- aim to solicit or canvass for patients,
- be used for commercial promotion of medical and health related products and services (for the avoidance of doubt, recommendations in clinical consultations are not regarded as commercial promotion of products and services).

- be sensational or unduly inducing,
- arouse unjustified public concern or distress,
- generate unrealistic expectations.

(2) Relationship with health care and health products organizations

- (a) Medical and health products and services are offered by a variety of organizations. The Council does not have jurisdiction over such organizations. However, subject to clause (b) below, disciplinary action will be taken against a listed Chinese medicine practitioner where an advertisement in the name of the organization is in effect promotion of the listed Chinese medicine practitioner's practice. In this respect, the Council will look at the actual effect of the advertisement.
- (b) A listed Chinese medicine practitioner who has any kind of financial or professional relationship with, uses the facilities of, or accepts patients referred by, such an organization, must exercise due diligence (but not merely nominal efforts) to ensure that the organization does not advertise in contravention of the principles and rules applicable to individual doctors. Due diligence shall include acquainting himself with the nature and content of the organization's advertising, and discontinuation of the relationship with an organization which is found to be advertising in contravention of the principles and rules.
- (c) Under no circumstances should a listed Chinese medicine practitioner permit his professional fees or contact information to be published in an organization's promotional materials.

(3) Dissemination of information to the public

(a) Signs at office

A listed Chinese medicine practitioner may exhibit signs that are related to his practice. The nature, position, size and wording of these signs should be reasonably necessary for the purpose of indicating the location of and entrance to the premises concerned.

(b) Signboards at office

'Signboards' includes any composite notice(s) exhibited by a listed Chinese medicine practitioner to identify his practice to the public:

- (i) General criteria: Signboards may only be exhibited on the premises at which the practice they refer to is conducted, and they should not be ornate. Except at night or where they are situated in a dark place, no illumination is allowed and any such illumination should be the minimum necessary to allow the content to be read. Flash signboard is not allowed.

- (ii) The particulars which may appear on signboards are:
- name of the listed Chinese medicine practitioner or the name by which the practice is known, in Chinese and English;
 - Gender of the listed Chinese medicine practitioner;
 - Language(s) / dialect(s) spoken;
 - Chinese title of “中醫” or “中醫師” or English title of “Chinese medicine practitioner”;
 - Availability of emergency service and emergency contact telephone number;
 - an indication of the location of the Chinese medicine practitioner’s clinic in the building; and
 - consultation hours.
- (iii) Please refer to Appendix I for the regulation regarding the size, number and position of signboards.

(c) Service information notices at office

A listed Chinese medicine practitioner may display at the exterior of his office a service information notice bearing the fee schedules and the medical services provided by him. The service information notice must comply with the guidelines set out in Appendix II.

(d) Stationery

Stationery means visiting cards, letterheads, envelopes, prescription slips, notices, etc. in connection with the practice. Stationery may only contain the following information:

- (i) name of the listed Chinese medicine practitioner, and (where appropriate) the names of partners, assistants or associates in the practice;
- (ii) Gender of the listed Chinese medicine practitioner;
- (iii) Language(s) / dialect(s) spoken;
- (iv) Chinese title of “中醫” or “中醫師” or English title of “Chinese medicine practitioner”;
- (v) Availability of emergency service and emergency contact telephone number;
- (vi) address(es) of the practice;
- (vii) consultation hours; and
- (viii) telephone and facsimile numbers, e-mail information, etc.

(e) Newspaper announcements

Only announcements of commencement of practice or alteration of conditions of practice (e.g. change of address, partnership, etc.) are permissible in local newspapers. The announcements should be completed within two weeks of the commencement / alteration and should comply with the regulations stipulated in this Code of Practice.

The size of the announcement should not exceed 300cm². A listed Chinese medicine practitioner should not make announcements by other means (including promotion materials either distributed or mailed, radio, TV or e-mail, etc.). Newspaper announcements may contain only the following information:

- (i) name of the listed Chinese medicine practitioner, and (where appropriate) the names of his partners, assistants or associates in the practice;
- (ii) Chinese title of “中醫” or “中醫師” or English title of “Chinese medicine practitioner”;
- (iii) address(es) of the practice;
- (iv) consultation hours; and
- (v) telephone and facsimile numbers, e-mail information, etc.

(f) Telephone directories

Telephone directory entries may be listed under the appropriate descriptive title (e.g. Chinese medicine practitioner) and may contain only the following information:

- (i) name of the listed Chinese medicine practitioner, and (where appropriate) the names of his partners, assistants or associates in the practice;
- (ii) Gender of the listed Chinese medicine practitioner;
- (iii) Language(s) / dialect(s) spoken;
- (iv) Chinese title of “中醫” or “中醫師” or English title of “Chinese medicine practitioner”;
- (v) Availability of emergency service and emergency contact telephone number;
- (vi) address(es) of the practice; and
- (vii) telephone number.

(g) Internet website :

Only the following information may be published on an internet website :

- (i) name of the listed Chinese medicine practitioner, and (where appropriate) the names of his partners, assistants or associates in the practice;
- (ii) Gender of the listed Chinese medicine practitioner;
- (iii) Language(s) / dialect(s) spoken;
- (iv) Chinese title of “中醫” or “中醫師” or English title of “Chinese medicine practitioner”;
- (v) Availability of emergency service and emergency contact telephone number;
- (vi) address(es) of the practice;
- (vii) consultation hours; and
- (viii) telephone and facsimile numbers, e-mail information, etc.

(h) Newspapers, magazines, journals and periodicals

A listed Chinese medicine practitioner may publish his service information in bona fide newspapers, magazines, journals and periodicals for the purpose of enabling the public to make an informed choice of doctors.

A publication published for the predominant purpose of promotion of the products or services of a listed Chinese medicine practitioner or other persons is not regarded as an acceptable newspaper, magazine, journal or periodical for this purpose.

A listed Chinese medicine practitioner who publishes his service information in these publications must ensure that:-

(i) the published information includes only the information which is permitted in Service Information Notices;

(ii) the same rules as to terminology of procedure and operations for Service Information Notices are complied with, and no questionable terminology is adopted;

(iii) a written undertaking is secured from the publisher that his service information will not be published in a manner which may reasonably be regarded as suggesting his endorsement of other medical or health related products/services, such as publication in close proximity to advertisements for those products/services;

(iv) the published information does not exceed the size limit of 300 300cm², and not more than one notice is published in the same issue of a publication; and

(v) a proper record of the published information and the arrangements for its publication is kept for two years.

(4) In disseminating information to patients, a listed Chinese medicine practitioner:

- (a) should conform to the principles and rules of this Code of Practice;
- (b) should not involve in unsolicited visits or telephone calls by himself or by people acting on his behalf;
- (c) should not abuse the patient's trust;
- (d) should not put the patient under undue pressure; and
- (e) should not offer guarantees to cure particular diseases.

(5) Canvassing

A listed Chinese medicine practitioner may not promote his service by himself or people acting on his behalf, by means of unsolicited visits or telephone calls, or advertisement through media such as television, radio and posters.

(6) Health education activities

- (a) It is appropriate for a doctor to take part in bona fide health education activities, such as lectures and publications. However, he must not exploit such activities for promotion of his practice or to canvass for patients. Any information provided should be objectively verifiable and presented in a balanced manner, without exaggeration of the positive aspects or omission of the significant negative aspects.
- (b) A listed Chinese medicine practitioner should take reasonable steps to ensure that the published or broadcasted materials, either by their contents or the manner they are referred to, do not give the impression that the audience is encouraged to seek consultation or treatment from him or organizations with which he is associated. He should also take reasonable steps to ensure that the materials are not used directly or indirectly for the commercial promotion of any medical and health related products or services.
- (c) Information given to the public should be on the basis of Traditional Chinese Medicine, appropriate and in accordance with general experience. It should be true, lucid and expressed in simple terms. It should not arouse unnecessary public concern or personal distress, or generate unrealistic expectations. Listed Chinese medicine practitioners must not give the impression that they, or the institutions with which they are associated, have unique or special skills or solutions to health problems. Information should not be presented in such a way that it furthers the professional interests of the listed Chinese medicine practitioners concerned, or attracts patients to their care.

Size, Number and Position of Signboards

I. Signboard

1. The area of a signboard is taken to be the length multiplied by the breadth of its face, or faces, including all borders.
2. The areas of any number of visible faces (i.e. can be read from different directions) on the signboards must not in aggregate exceed the permitted maximum size of signboards in that precise location. (Please refer to paragraph 4 and 6)
3. The maximum number of signboards a listed Chinese medicine practitioner is permitted to exhibit in total includes the number “Generally permitted” plus the number shown under “Additional signboards permitted”.

Generally permitted

4. Every listed Chinese medicine practitioner is permitted to exhibit not more than two signboards on or beside that door which gives immediate and direct access to his premises. The size of the signboards beside that door must not exceed 0.93m² (10ft²).

Additional signboards permitted

5. A listed Chinese medicine practitioner may exhibit additional signboards under the following conditions:
 - (a) For Ground Floor offices with direct access from the pavement
One signboard: the wording of which is visible from the street, exhibited below first floor level.
 - (b) For offices situated within a building having one public entrance
One signboard: the wording of which is visible from the street, exhibited at the floor level where the practice is conducted.
One signboard: the wording of which is visible from the street, exhibited adjacent to the public entrance to the building.
 - (c) For offices situated within a building having more than one public entrance
One signboard: the wording of which is visible from the street, exhibited at the floor level where the practice is conducted.

Two signboards: the wording of which is visible from the street,

exhibited adjacent to a maximum of two public entrances to the building.

6. Regulation of additional signboards permitted to exhibit is as follows:
 - (a) No additional signboard exhibited below First Floor level may exceed 0.93 m^2 (10ft^2).
 - (b) No additional signboard exhibited at Mezzanine Floor or First Floor level may exceed 1.21m^2 (13ft^2).
 - (c) No additional signboard exhibited at a level above First Floor level may exceed 1.86m^2 (20ft^2).

II. Directory Boards

7. Where directory boards are provided in buildings having a number of entrances and lobbies, there will be no objection to the use of whatever number of boards are provided. The particulars which may appear on directory boards are those which may appear on signboards. Each entry must conform to the standard size for every other entry on the board.

III. Directional Notices

8. Directional notices must contain only the name of the listed Chinese medicine practitioner, the permitted prefix and the location of his premises. They can be exhibited only inside a building. The numbers which may be exhibited will be left to the discretion of the practitioner but the guidance given at Part 3 section 6(3) of this Code on "Practice Promotion" must be given due consideration.

9. Directional notices must not exceed 0.1m^2 (1ft^2) in area and all borders must be included in the calculation.

IV. Notices of Consulting Hours

10. Every listed Chinese medicine practitioner is permitted to exhibit one separate notice containing his name and details of his consultation hours provided that his information is not already shown on some other sign. The placement of such a notice is left entirely to the practitioner. However, it is emphasized that only one such notice is permitted and its maximum size, including borders, is limited to 0.2m^2 (2ft^2).

Guidelines on Service Information Notices

A Chinese medicine practitioner may display a Service Information Notice bearing the fee schedules and the medical services provided by him at the exterior of his office. He must ensure that the displayed consultation fees truly reflect his normal charges. He must also ensure compliance with the provisions of section 6(1)(b) of the Code.

The Service Information Notice must comply with the following guidelines:-

(a) Location of Notices

- At the exterior of the office on or immediately next to the entrance for patients

(b) Number of Notices

- Maximum number of notices allowed is 2

(c) Size of Notice

- A3 size

(d) Format of Notice

- Single color print
- Uniform font size
- Plain text only without graphic illustrations
- The notice should not be ornate

(e) Permitted Contents of Notice

- All information presently permitted under sections 6(3)(b), 6(3)(d) and 6(3)(g) of the Code
- ☞ Medical services and range of fees
 - Only those medical services in which the doctor has received adequate training and which are within his area of competency may be quoted
- Range of consultation fees, or composite fees including consultation and basic medicine for a certain number of days
- Affiliated medical organizations (if applicable)