

CHINESE MEDICINE ORDINANCE (Chapter 549)

ORDER MADE BY THE CHINESE MEDICINE PRACTITIONERS BOARD OF
THE CHINESE MEDICINE COUNCIL OF HONG KONG

Notice is hereby given that the Chinese Medicine Practitioners Board of the Chinese Medicine Council of Hong Kong, after an inquiry on 4 November 2022 conducted pursuant to section 98 of the Chinese Medicine Ordinance (Chapter 549, Laws of Hong Kong), was satisfied that the following charges of professional misconduct against LAM Lai-yung, registered Chinese medicine practitioner (registration no.: 005679), are proved:—

In the course of treatment of a patient from 1 March to 13 May 2019,

- (i) failed to act professionally responsible to a patient by prescribing Chinese medicines that were in breach of the compatibility of Chinese medicine principle (‘中醫配伍「十八反」’), in contravention of section 2(1) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;
- (ii) failed to discharge her professional responsibility to the patient by listing different Chinese medicines in the medical record of the patient and the issued prescription, in contravention of section 2(1) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;
- (iii) failed to make necessary referrals based on the conditions of the patient, in contravention of section 2(5) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;
- (iv) did not establish and maintain medical record for patient, in contravention of section 4(2) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;
- (v) issued prescription which did not conform with the professional standard by prescribing excessive medicines, in contravention of section 4(3) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;
- (vi) did not sign on the issued prescription, in contravention of section 4(6)(a) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;
- (vii) the names of some of the Chinese medicines listed on the prescription issued to the patient are not based on those in relevant Schedules of the Chinese Medicine Ordinance, the ‘Pharmacopoeia of the People’s Republic of China’(《中華人民共和國藥典》), the ‘Chinese Materia Medica’, (written by XU Guojun etc.)(《中國藥材學》(徐國鈞等著)), the ‘Dictionary of Chinese Herbal Medicines’(《中藥大辭典》) or the ‘Chinese Herbal Medicines’(《中華本草》), in contravention of section 4(6)(c) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong; and
- (viii) failed to set out the method of preparation and administration for the prescribed Chinese herbal medicines in the issued prescription, in contravention of section 4(6)(e) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong.

For the above established charges, registered Chinese medicine practitioner LAM Lai-yung was found guilty in Hong Kong of misconduct in a professional respect and in breach of the conditions imposed by the Chinese Medicine Practitioners Board on her practice of Chinese medicine under section 98(2)(b) and 98(2)(e) of the Chinese Medicine Ordinance respectively. Pursuant to section 98(3) of the Chinese Medicine Ordinance, the Chinese Medicine Practitioners Board ordered on 4 November 2022 that, for the above established charges (i), (ii), (iii), (iv), (v), (vii) and (viii), the name of LAM Lai-yung be removed from the Register of Chinese Medicine Practitioners for 3 months, but suspended the application of such order for 12 months, with effect from 4 November 2022; and for the above established charge (vi), a letter of warning be issued to LAM Lai-yung.

In accordance with section 104 of the Chinese Medicine Ordinance, the above order made by the Chinese Medicine Practitioners Board is hereby published.

WONG Yu-yuek *Chairman, The Chinese Medicine Practitioners Board of the
Chinese Medicine Council of Hong Kong*