

MEDICAL REGISTRATION ORDINANCE (Chapter 161)

ORDER MADE BY THE INQUIRY PANEL OF
THE MEDICAL COUNCIL OF HONG KONG

DR LUI NGO YIN (REGISTRATION NO.: M14088)

It is hereby notified that after due inquiry held on 26 October 2022 in accordance with section 21 of the Medical Registration Ordinance, Chapter 161 of the Laws of Hong Kong, the Inquiry Panel of the Medical Council of Hong Kong found Dr LUI Ngo Yin (Registration No.: M14088) guilty of the following charge:—

“That in or about July 2020, he, being a registered medical practitioner, engaged in impermissible promotion of himself or his practice by sanctioning, acquiescing in or failing to take adequate steps to prevent a video entitled ‘[CORPHUB] 重拾青春 醫美成就更美好的自己——專訪 Collagen+醫學美容營運總監呂傲研’ (<https://www.youtube.com/watch?v=tJ6KwtXQ6WQ>) to be available on the internet.

In relation to the facts alleged, he has been guilty of misconduct in a professional respect.”

2. Briefly stated, a complaint was received by the Medical Council (“the Council”) via email against Dr LUI for impermissible practice promotion of himself and his practice. Attached to the email was a YouTube video entitled “[CORPHUB] 重拾青春 醫美成就更美好的自己——專訪 Collagen+醫學美容營運總監呂傲研” (“the Video”).

3. Dr LUI admitted at the Inquiry that in or about July 2020, he was seen appearing in a video publicly accessible and viewed on YouTube and Facebook. He also admitted that in or about July 2020, he had engaged in impermissible promotion of himself or his practice by failing to take adequate steps to prevent the Video from being available on the internet.

4. The Video was shown to the Inquiry Panel at the inquiry. It was 2 minutes 53 seconds long. During the entire video, Dr LUI discussed generally about scientific study for aesthetic products or treatments. Dr LUI’s full name was shown and underneath his full name was the title “MANAGING DIRECTOR, COLLAGEN+ LASER SKIN CARE CENTRE”. There was a video shot which captured a card with these words “呂醫生：「thermage 聖手」！ May”. There was a video shot which captured a certificate obtained by Dr LUI and his full name and “Dr.” title could be clearly seen. There were also video shots which captured some awards. Two of the awards were given by Sculptra, which showed the following contents “COLLAGEN+榮獲2017年度十大銷售醫學美容中心TOP 10 SALES ACHIEVEMENT AESTHETIC CENTER” and “COLLAGEN+榮獲2018年度十大銷售醫學美容中心TOP 10 SALES ACHIEVEMENT AESTHETIC CENTER”. There were also video shots which captured Dr LUI operating a service machine and a reception area look-alike with the name “COLLAGEN +” on the wall behind. Near the end of the Video, Dr LUI talked about the different types of treatments or services which were available at COLLAGEN +.

5. In his submissions to the Preliminary Investigation Committee (“PIC”) of the Council, Dr LUI produced some letters, which showed that he was employed by Collagen+ Medical Skincare Laser Centre (“Collagen+”). Dr LUI explained that Collagen+ was nominated and chosen for the Hong Kong Most Outstanding Services Awards 2020 by Corphub Corporation (“Corphub”), and the Video was used to allow the Awards Committee of Corphub to understand Collagen+ and it was his understanding that it was only to be shown at the Awards Ceremony. The Video was filmed by the Corphub’s production team. Dr LUI said he did not know the card with contents “呂醫生：「thermage 聖手」！ May” was filmed and put in the Video. As for the different awards and certificates, Dr LUI said it was the cameraman who believed the contents of those awards and certificates could prove his company’s service performance. Dr LUI said he did not know that Corphub would put the Video onto the Corphub’s Facebook and YouTube channel.

6. In the view of the Inquiry Panel, the video shots which captured the card with the words “呂醫生：「thermage 聖手」！ May” and the various awards and certificates, which showed that Collagen+ was the top 10 sales achievement aesthetic center, certainly gave viewers the impression that the treatments and services of Dr LUI and/or Collagen+ were superior and recommended. The contents of the Video, when viewed as a whole, clearly amounted to impermissible promotion of Dr LUI and his practice.

7. Dr LUI as a medical doctor and who was the only person who appeared in the Video should be vigilant as to what video shots were taken by the cameraman and what contents would be finally included in the Video. Even if it was the case, as alleged by Dr LUI in his PIC submission, that he did not know what camera shots were taken at the time, what he should have done was to ask for advance viewing of the draft Video so that he could have edited out the impermissible contents. The Inquiry Panel disagreed what Dr LUI's solicitor said in his submission that Dr LUI had no role in editing the Video. Dr LUI had simply done nothing at all to ensure that there would be no impermissible contents in the Video. Dr LUI had also done nothing at all to ensure that the Video would not be misused, and as in this case, by being placed onto Corphub's Facebook and YouTube channel, which were accessible by the public.

8. There was no doubt that Dr LUI had failed to take adequate steps to prevent the Video to be available on the internet. Dr LUI's conduct had in the view of the Inquiry Panel fallen below the standards expected of registered medical practitioners in Hong Kong. Accordingly, Dr LUI was found guilty of misconduct in a professional respect as charged.

9. Taking into consideration the nature and gravity of the disciplinary charge for which Dr LUI was found guilty and what the Inquiry Panel had heard and read in mitigation, the Inquiry Panel ordered that the name of Dr LUI be removed from the General Register for a period of 1 month and that the operation of the removal order be suspended for a period of 6 months.

10. The orders are published in the *Gazette* in accordance with section 21(5) of the Medical Registration Ordinance. Full decision of the Inquiry Panel of the Medical Council is published in the official website of the Medical Council of Hong Kong (<http://www.mchk.org.hk>).

LAU Wan-ye, Joseph *Chairman, The Medical Council of Hong Kong*