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視光師管理委員會
香港

OPTOMETRISTS BOARD
HONG KONG



Optometrists Board
視光師管理委員會

Report of the Optometrists Board

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Preface

Through this report, which covers the period from April 2007 to March 2008, the Optometrists Board aims to keep members of the profession and the public better informed of the functions and work progress of the Board and its committees.

This report is intended for general information only. Certain functions of the Optometrists Board have accordingly been simplified and/or presented in the form of an information document. For details of the statutory functions of the Board and its committees, readers should refer to the Supplementary Medical Professions Ordinance, Chapter 359, Laws of Hong Kong and the Optometrists (Registration and Disciplinary Procedure) Regulation, Cap. 359F.

All enquiries to the Optometrists Board should be addressed by mail to the Optometrists Board Secretariat at 2/F Shun Feng International Centre, 182 Queen's Road East, Wanchai, Hong Kong or by email info@smp-council.org.hk.

Message from the Chairman

The Optometrists Board is a statutory body established under the Supplementary Medical Professions Ordinance, Chapter 359, Laws of Hong Kong, tasked with the registration and disciplinary control of registered optometrists. I have been the Chairman of the Board for more than five years since 2002. During these years, the Board has made very good progress in promoting high standards of professional practice and conduct among optometrists, and to protect the interest of the public in terms of optometric care and consumers' rights.

Highlights of our work in 2007/2008 include refinements to the voluntary Continuing Professional Development (CPD) scheme, updating of the approved drugs of the Code of Practice, and finalization of the proposal on the control over the sale of the contact lenses.

The Board has first launched the CPD scheme in November 2004 to encourage registered optometrists to upgrade their professional knowledge and skills, and enhance their understanding of the latest developments in optometry. The response to the scheme since its implementation has been encouraging. The three-year period from 2004/05 to 2006/07 saw a 27% increase in the number of registered optometrists who fulfilled the annual CPD hour requirement (439 in 2004/05, 573 in 2005/06, and 600 in the 2006/07). To further boost the rate of participation and to encourage a culture of life-long learning, the Board has, following a comprehensive review in 2007, implemented a number of refinements to the design and logistical arrangements of the scheme taking into account operational experience and feedback from the profession.

To facilitate everyday practice of registered optometrists, the Board has expanded the list of approved drugs for use by registered Part I optometrists with reference to common practices in overseas countries. Two drugs, namely, tetracaine used in 0.5% solution and phenylephrine used in not more than 2.5% solution, have been added to the approved drug list of the Code of Practice. It is hoped that the revisions will give optometrists a wider choice to cater for situations where the client is allergic to the drugs or where the drugs are out of manufacture.

On the protection of public health and consumers' rights, the Board has finalized its proposal for imposing control over the sale of contact lenses to ensure that contact lenses could only be supplied over the counter upon the production of a valid prescription or by a registered optometrist who has performed an eye examination on the patient. Subject to the approval by the Supplementary Medical Professions Council, legislative amendments to the Supplementary Medical Professions Ordinance will be arranged.

The Board also continues its major function as a statutory body to provide for the registration, discipline and regulation of registered optometrists. In 2006, we have received 38 applications for registration. After careful vetting and deliberation by members of the Board and Committees, 37 applications were approved for registration. To ensure a good standard of practice and conduct by optometrists, the Optometrists Board, upon recommendation from the Preliminary Investigation Committee, held regular inquiries to investigate possible breach of the ordinance and the Code of Practice and to take disciplinary action where appropriate.

Looking to the future, the Board will continue to work with the optometrist profession to uphold the spirit of self-regulation, to maintain high ethical standards, and to further enhance the image and standard of the optometry profession in Hong Kong.

Taking this opportunity, I would like to extend my warmest thanks to members of the Board for their dedication and contributions over the past year and count on their continued support to meet new challenges ahead.

Dr Polly CHEUNG
Chairman, Optometrists Board

1. Introduction

1.1 The Optometrists Board was established on 1 May 1986 under the Supplementary Medical Professions Ordinance, Chapter 359, which provides for the registration, discipline and management of persons engaged in professions supplementary to medicine including optometrists. The Board is responsible for promoting adequate standards of professional practice and conduct among optometrists. The Optometrists (Registration and Disciplinary Procedure) Regulation, Cap. 359F, made under the Supplementary Medical Professions Ordinance provides for detailed arrangements for the registration of and the disciplinary proceedings for optometrists.

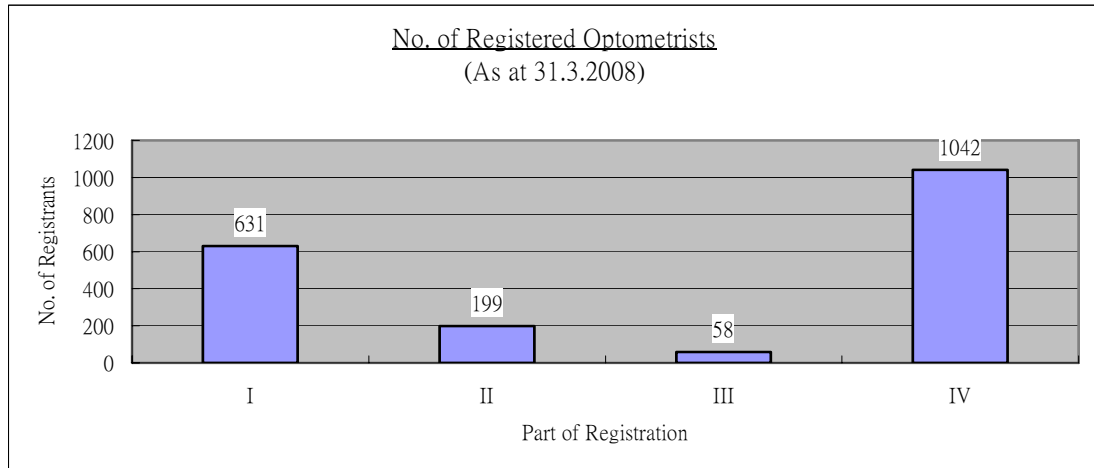
Registration of optometrists

1.2 Registration of optometrists commenced on 1 December 1994. With effect from 1 April 1996, persons practising the profession of optometry in Hong Kong have to be registered.

1.3 The Register has four parts, Part I, Part II, Part III and Part IV. Entry in the various parts of the Register is based mainly on the qualification and/or experience possessed by the applicants.

1.4 A person who was practising optometry on 1 December 1994 and did not qualify for full registration could apply for provisional registration, i.e. Part IV. Provisional registration was a one-off exercise, with its deadline on 31 May 1995.

1.5 As at 31 March 2008, there were 1,930 registered optometrists. Statistics on the registration of optometrists are detailed at **Annex A**. Appended below is a bar chart showing the number of registrants in each part of the register:



Examinations held by the Board

1.6 The Optometrists Board is empowered under the Supplementary Medical Professions Ordinance to hold examinations for the purpose of registration.

Control mechanism and disciplinary power of the Board

1.7 The Optometrists Board is empowered to regulate the professional conduct of registered optometrists through disciplinary actions.

1.8 A person who practises the profession of optometry without being registered commits an offence. Any information on illegal practice of the optometry profession should be reported to the Police for investigation.

1.9 The Optometrists Board has prepared a Code of Practice prescribing the standards of conduct and practice and regulating the activities of optometrists. The Code is issued to all registered optometrists for compliance. The Board will from time to time review the Code and promulgate changes whenever necessary. Any alleged cases of professional misconduct committed by the optometrists should be referred to the Board for investigation and necessary inquiry. Subject to the results of the inquiries, the Board may make orders ranging from the issue of warning letters to the removal of the optometrist's name from the register.

Continuing professional education

1.10 In view of the need to upgrade the standard of the profession and to safeguard the interest of the public in terms of optometric care, the Optometrists Board is considering the proposal of making continuing professional education a mandatory requirement for renewal of practising certificate in the long run. An Education Committee was set up in November 2001 to look into the issue and work out the details. A voluntary scheme was launched in November 2004 to enable registered optometrists to get acquainted with the system. The Committee will continue to fine-tune the scheme to pave the way for the mandatory scheme in the light of the operational experience.

2. Membership of the Optometrists Board

2.1 The Supplementary Medical Professions Ordinance stipulates that all members of the Optometrists Board are appointed by the Chief Executive. The Board comprises -

- (a) a Chairman from among the members of the Supplementary Medical Professions Council, other than a member appointed under section 3(1)(d)(iv) of the Supplementary Medical Professions Ordinance;
- (b) one registered medical practitioner on the nomination of the Hong Kong Medical Association;
- (c) one person specially qualified to advise the Board on professional education; and
- (d) five to eight optometrists.

2.2 Membership of the Board for the period from April 2007 to March 2008 was as follows -

Dr Polly CHEUNG Suk-yee (Chairman)

Dr Clement CHAN Wai-nang

Ms Alice CHAN Chui-wa

Dr Ada CHENG Sau-kuen (appointment expired on 30.9.2007)

Ms Monica CHOW Man-kit

Mr HO Kai

Miss Tina KWAN Wai-ping

Mr Kenneth LAM Chung-wing (appointed since 1.10.2007)

Dr Andrew LAM Kwok-cheung

Mr LEE Hung-chiu (resigned on 23.8.2007)

Mr LO Hing-nam

Mr Jack WONG Wai-hung (appointed since 28.12.2007)

Professor Gregory WU Chor-nam

3. Activities of the Optometrists Board

3.1 The Optometrists Board held three meetings for the period from April 2007 to March 2008. Major activities undertaken by the Optometrists Board for the period are summarized below -

(a) Registration issues

Universal registration examination

At present, except for those holding local qualifications as prescribed under section 4 of the Optometrists (Registration and Disciplinary Procedure) Regulation, all applications for registration are considered on an individual basis, with regard to the applicants' qualifications, training, experience and skills. To ensure the adoption of a uniform standard, the Supplementary Medical Professions Council has endorsed the Board's proposal of introducing a universal registration examination. Under the proposal, all applicants for registration will have to sit for the registration examination. Only graduates of local programmes accredited by the Board would be exempted. The proposal has been forwarded to the Administration for necessary legislative amendments.

Part II and Part III registration examinations

The Board has endorsed the syllabus for Part II registration examination proposed by the Board Examination Committee. Following the finalization of the syllabus for Part III registration examination, the logistics for the conduct of the examinations would be worked out.

Temporary and limited registration

The Board, with the help of the Board Registration Committee, is studying the legal issues pertaining to the introduction of temporary and limited registration to facilitate the bringing-in of expertise and techniques not available locally.

(b) Continuing professional education

To encourage registered optometrists to enhance their knowledge in order to keep pace with rapid advances in optometry, a voluntary Continuing Professional Education Scheme was launched in November 2004. Under the Scheme, registered optometrists are encouraged to attain 30 hours of continuing professional development activities in a three-year cycle. Those who have accomplished ten hours each year will be awarded a certificate of achievement as an encouragement. Please click [here](#) for a list of optometrists who have attained the recommended CPD hours for the period from 1 July 2006 to 30 June 2007. For details of the scheme, please visit the Board's website at http://www.smp-council.org.hk/op/english/Index_cpd.htm.

(c) Control over the sale of contact lenses

To safeguard the consumers' right and the interest of the public, the Board has finalized the proposal for imposing control over sale of contact lenses. Under the proposal, contact lenses could only be supplied over the counter upon the production of a valid prescription or by a registered optometrist who has performed an eye examination on the patient. Legislative amendments would be arranged subject to the approval by the Supplementary Medical Professions Council.

(d) Review of the approved drug list

The Board has added two drugs, namely, tetracaine used in 0.5% solution and phenylephrine used in not more than 2.5% solution, to the approved drug list of the Code of Practice. The revision is expected to give optometrists a wider choice of drugs facilitating their everyday practice.

3.2 Section 9 of the Supplementary Medical Professions Ordinance provides for the Optometrists Board to appoint committees for the better discharge of its functions under the Ordinance. Works of the four committees under the Board are detailed in sections 4 to 7 below.

Preliminary Investigation Committee

4.1 The Optometrists Board's jurisdiction over optometrists' professional conduct is laid down in the Supplementary Medical Professions Ordinance and the Optometrists (Registration and Disciplinary Procedure) Regulation.

4.2 Situations that may give rise to disciplinary proceedings include where a registered optometrist -

- (a) has been convicted in Hong Kong or elsewhere of an offence punishable with imprisonment;
- (b) has been guilty in Hong Kong or elsewhere of professional misconduct;
- (c) was not at the time of his registration qualified to be registered;
- (d) has obtained registration by fraud or misrepresentation; or
- (e) has not complied with or is in breach of any condition of his registration (other than a condition under section 15) or has failed to comply with the Supplementary Medical Professions Ordinance.

4.3 Membership of the Preliminary Investigation Committee for the period from April 2007 to March 2008 was as follows -

Dr Andrew LAM Kwok-cheung (Chairman)

Mr Jack WONG Wai-hung (appointment lapsed on 28.12.2007 since
his appointment as a Board Member)

Mr WONG Chun-hon (appointed since 29.2.2008)

Mr Alex YIM Kwok-bun

4.4 If an optometrist is found guilty of a disciplinary offence after an inquiry, the Optometrists Board may order any one of the following -

- (a) removal from the Register of Optometrists which will be published in the Gazette;
- (b) removal from the Register of Optometrists for such period as the

Optometrists Board may think fit which will be published in the Gazette;

- (c) a reprimand which will be published in the Gazette; and
- (d) a warning letter in such terms as the Board considered appropriate which may or may not be published in the Gazette.

4.5 Below is a summary on the complaints handled by the Board's Preliminary Investigation Committee for the period from April 2007 to March 2008:

| <u>Cases</u> | <u>No.</u> |
|-----------------------------------|------------|
| Under consideration | 3 |
| Considered | 1 |
| Dismissed | 0 |
| Referred to the Board for inquiry | 1 |

Annex B summarizes the four disciplinary inquiries conducted by the Optometrists Board between April 2007 and March 2008, the charges in detail and the Board's decisions.

5. Registration Committee

5.1 The Board Registration Committee, established in 1994, is responsible for –

- (a) approving applications for registration under section 12(1)(a) of the Supplementary Medical Professions Ordinance;
- (b) advising the Supplementary Medical Professions Council Registration Committee on the eligibility of applicants for registration under sections 12(1)(b) and 12(1)(c) of the Supplementary Medical Professions Ordinance;
- (c) approving the registration of applicants found by the Supplementary Medical Professions Council to be qualified for registration under sections 12(1)(b) and 12(1)(c) of the Supplementary Medical Professions Ordinance;
- (d) making recommendations to the Optometrists Board in updating the list of registrable qualifications under section 12(1)(b) of the Supplementary Medical Professions Ordinance;
- (e) determining the removal of names from the register under section 10(4) of the Supplementary Medical Professions Ordinance;
- (f) determining the restoration of names to the register for removals effected under section 10(4) of the Supplementary Medical Professions Ordinance;
- (g) deciding on and updating the list of quotable qualifications, their abbreviations and Chinese translation for inclusion on signboards and stationery used by registered optometrists; and
- (h) advising the Optometrists Board on matters relating to registration.

5.2 Membership of the Board Registration Committee for the period from April 2007 to March 2008 was as follows -

Dr Andrew LAM Kwok-cheung (Chairman) (appointed since 1.10.2007)

Dr Ada CHENG Sau-kuen (Chairmanship expired on 30.9.2007 and appointed as Member since 1.10.2007)

Mr Steven CHEUNG Hon-sang

Mr HO Kai

Dr May WU Mew-may

Ms Elke WU Wai-ling

6. Examination Committee

6.1 The Examination Committee, established in 1989, is responsible for

-

- (a) advising the Optometrists Board on syllabus and format of examination/assessment for registration;
- (b) advising the Optometrists Board on the appointment of examiners;
- (c) assisting the Optometrists Board in matters relating to examinations/assessments; and
- (d) advising the Optometrists Board on matters relating to qualifications and experience.

6.2 Membership of the Examination Committee for the period from April 2007 to March 2008 was as follows -

Mr Kenneth LAM Chung-wing (Chairman) (appointed since 19.9.2007)

Dr Andrew LAM Kwok-cheung (resigned on 10.5.2007)

Ms CHAN Lai-ming

Dr Albert HO Cho-chak

Dr KEE Chea-su (appointed since 5.3.2008)

Dr Carly LAM Siu-yin

Dr Andrew SIU Wing-tak (resigned on 31.5.2007)

7. Education Committee

7.1 The Education Committee, established in 2001, is responsible for –

(a) developing an implementation plan on continuing professional development for registered optometrists;

(b) developing an accreditation system for continuing professional development for registered optometrists; and

(c) considering the promotion strategies for continuing professional development for registered optometrists.

7.2 Membership of the Education Committee for the period from April 2007 to March 2008 was as follows -

Professor Gregory WU Chor-nam (Chairman)

Ms Monica CHOW Man-kit

Dr Albert HO Cho-chak

Mr LO Hing-nam

8. Review by Committee Chairmen

Preliminary Investigation Committee

8.1 The role of the Committee is to investigate the facts and circumstances from each complaint. Whenever preliminary investigation found evidence of professional misconduct, the complaint will be referred to the Board for disciplinary inquiry. There were four complaints received in 2007-08 versus nine complaints for 2006-07. Subject to legislative amendments, lay members will in the long run be added to the Committee for injecting variety in perspective.

Dr Andrew LAM Kwok-cheung
Chairman, Preliminary Investigation Committee

[The Preliminary Investigation Committee held two meetings during the reporting period.]

Registration Committee

8.2 One of the main duties of the Committee is to handle application for optometrist registration. In 2007-08, the Committee has processed 38 applications for registration and six applications for restoration. The Committee has worked out the proposal for introducing temporary and limited registration for the profession. The proposal has been fine-tuned and considered by the Board in September 2007 and is being considered by the Supplementary Medical Professions Council.

8.3 Another important duty of the Committee is to accredit continuing professional development (CPD) programmes. There were four programme providers accredited by the Board for organizing CPD programmes, namely Hong Kong Polytechnic University (PolyU), the Hong Kong Association of Private Practice Optometrists (HKAPPO), the Hong Kong Optometric Association (HKOA) and the Hong Kong Society of Professional Optometrists

(HKSPPO). The term of appointment ended in November 2007. The Committee has vetted and approved the applications for renewal of accreditation from these four programme providers for another three years. There were another 12 applications for CPD programmes handled during the year. The list of accredited activities had been posted on the website of the Board for registered optometrists' easy reference.

8.4 The Board has also endorsed the Guidelines for Consideration of Quotable Qualifications as proposed by the Committee in January 2008. The Committee proceeded to update the List of Quotable Qualifications. .

Dr Andrew LAM Kwok-cheung
Chairman, Registration Committee

[The Registration Committee held three meetings during the reporting period.]

Examination Committee

8.5 I have been appointed as the Chairman of this Committee at the end of 2007. The syllabus for Part III registration examination was proposed to the Board for approval. It took out the contact lenses related subjects from that for Part II registration examination. The Committee will work on the details of the format and logistics for Part II and Part III registration examination. Since it might take a long time for the enactment of the amendment bill for implementing the universal registration examination, details for the examination will be worked out at a later stage.

Mr Kenneth LAM Chung-wing
*Chairman, Examination
Committee*

[The Examination Committee transacted its business by the circulation of papers during the reporting period.]

Education Committee

8.6 The Optometrists Board first launched a three-year voluntary continuing professional education scheme in 2004 with a view to encouraging all registered optometrists to undertake continuing education and keep updating their skills and knowledge in the field of Optometry. The Scheme will become mandatory in the future subject to legislative amendments.

8.7 The first three-year cycle of voluntary scheme commenced on 1 November 2004 had met with favourable response. 439, 573 and 600 registered optometrists had attained ten CPD hours in 2004/05, 2005/06 and 2006/07 respectively and was issued the Certificate of Achievement.

8.8 The Committee has conducted a review on the voluntary scheme and found out that the scheme had been running smoothly and the overall performance of the four accredited continuing professional education programme providers had been very good with a great variety of programmes to enrich registrants' professional knowledge and skills.

8.9 The Committee has fine-tuned the voluntary scheme which would be implemented for another three years.

Professor Gregory WU Chor-nam
Chairman, Education Committee

[The Education Committee held one meeting during the reporting period.]

Registration of Optometrists
(as at 31.3.2008)

| Section of Supplementary Medical Professions Ordinance | Qualification/Eligibility | Part of Register | Restriction on Practice | No. of registrants |
|--|---|---|---|--|
| 12(1)(a) | (a) Bachelor of Science Degree in Optometry awarded by the Hong Kong Polytechnic or the Hong Kong Polytechnic University; or (b) Professional Diploma in Optometry issued by the Hong Kong Polytechnic (c) Part II optometrist with Certificate of Attainment in Ocular Pharmacology issued by the Hong Kong Polytechnic University and has practised for one year or more after having been registered as a Part II optometrist, or has other experience that is recognized by the Board | I | Allowed to use drugs approved by the Board as shown in the Code of Practice | (a) 405 (b) 98 (c) 67 |
| | (a) Higher Certificate in Optometry issued by the Hong Kong Polytechnic; or (b) Passed Optometrists Board exam leading to registration in Part II | II | Not allowed to use diagnostic agents except staining agents | (a) 23 (b) 0 |
| | Passed Optometrists Board exam leading to registration in Part III | III | To practice refraction only | 0 |
| 12(1)(b) | Other qualifications and appropriate experience recognized by the Council | To be determined by Supplementary Medical Professions Council | Restrictions relevant to the part of the register entered | Part I = 61 Part II = 0 Part III = 0 |
| 12(1)(c) | Other qualifications together with training, professional experience and skill satisfying the Council | To be determined by Supplementary Medical Professions Council | Restrictions relevant to the part of the register entered | Part I = 0 Part II = 176 Part III = 58 |
| | | | | |

| Section of Supplementary Medical Professions Ordinance | Qualification/Eligibility | Part of Register | Restriction on Practice | No. of registrants |
|--|---|------------------|---|--------------------|
| 15 | The applicant has acquired substantial knowledge, experience and skill in the practice of his profession | IV | Not allowed to perform any function or engage in any activity other than work relating to refraction and contact lenses and not allowed to use any diagnostic agents other than staining agents | 494 |
| | The applicant has acquired substantial knowledge, experience and skill in the practice of his profession | IV | To practice refraction only | 188 |
| | Passed Optometrists Board exam on refraction and contact lens fitting leading to provisional registration | IV | Not allowed to perform any function or engage in any activity other than work relating to refraction and contact lenses and not allowed to use any diagnostic agents other than staining agents | 142 |
| | Passed Optometrists Board exam on refraction leading to provisional registration | IV | To practice refraction only | 218 |
| <u>Part</u> | <u>No.</u> | | | |
| I | 631 (601) | | | |
| II | 199 (199) | | | |
| III | 58 (60) | | | |
| <u>IV</u> | <u>1042 (1052)</u> | | | |
| Total | 1930 (1912) | | | |

Note :

Numbers in brackets are the figures as at 31 March 2007

Disciplinary inquiries conducted by the Optometrists Board
(1 April 2007 to 31 March 2008)

| Date of Inquiry | Allegation(s) | Decision of the Board |
|------------------|--|--|
| 31 October 2007 | <p>The respondent was alleged to allow or acquiesce to his appearance in an advertisement of an establishment with a business name in a magazine, by which the following offers were made, contrary to item 5.4 of Part III of the Code of Practice –</p> <p>(a) We provide a special offer to our readers: Student Vision Care Exam Scheme ORIGINAL \$888 NOW \$538 up SPECIAL PRICE INCLUDING: Routine eye examination (one pair of glasses and a spare pair of multi-coated plastic lenses) An extra routine eye examination”; and</p> <p>(b) “Now, we provide another special offer on Advance Ortho-K treatment to our readers. ORIGINAL \$12000 NOW \$9600up”.</p> | <p>Guilty of the charge. The respondent was reprimanded and such order was published in the gazette.</p> |
| 21 November 2007 | <p>The respondent was alleged to have inappropriately used the personal data (including the address) of his patient in that the patient’s personal data, which was collected by the optical shop he previously worked for, for the purpose of providing professional services to the patient, was used by him for promoting his new business, by sending promotional materials to the patients’s address as collected in the manner discussed above.</p> | <p>Guilty of the charge. A warning letter was served to the respondent.</p> |
| | | |

| Date of Inquiry | Allegation(s) | Decision of the Board |
|-----------------|--|---|
| 5 December 2007 | <p>The respondent was alleged to have –</p> <p>(a) inappropriately instructed his patient to use tap water for cleaning the rigid contact lenses he prescribed to him contrary to items 6.1 and 7.2 of Part III of the Code of Practice; and</p> <p>(b) applied eye ointment to the eye(s) of the patient without possessing the necessary qualification or knowledge contrary to items 6.1, 8.1 and 8.2 of Part III of the Code of Practice.</p> | <p>The facts alleged against the respondent had not been proved to the satisfaction of the Board and the complaint was dismissed.</p> |
| 5 March 2008 | <p>The respondent was alleged to have issued a prescription to his patient with the clause, “For reference only To be confirmed by dispensing optician”, and by so doing, he –</p> <p>(a) deferred to dispensing optician to confirm the prescription of a registered optometrist which brought discredit to the profession, contrary to item 1.1 of Part III of the Code of Practice; and</p> <p>(b) had not put the best interests of the patient uppermost as the decision on a final prescription might depend on the binocular status of the patient which was out of the scope of dispensing optician, contrary to item 1.2 of Part III of the Code of Practice.</p> | <p>The facts alleged against the respondent had not been proved to the satisfaction of the Board and the complaint was dismissed.</p> |

Summary: 2 cases – guilty
2 cases – not guilty