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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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1. Preface

Through this report, which covers the period from April 2009 to March 2010, 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 been simplified and 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.

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2. Message from the Chairman

As the Chairman of the Optometrists Board, I am pleased to present the Board's Annual Report for 2009/2010.

One encouraging news I wish to share with you is that the Board's legislative proposal for the advancement mechanism for Part III and Part IV optometrists to the higher parts of the Register has the policy support of both the Supplementary Medical Professions Council and the Administration. This proposal compliments the advancement mechanism from Part II registrants to Part I Register and is a further step forward to the Board's objective of promoting high professional standard and credibility of the optometry profession.

2009/2010 was a busy year for the Board in relation to its statutory functions of registration. We have received 44 applications for registration and all were approved after vigorous scrutiny by the Registration Committee. For quality assurance, a task force established under the Board is working out the preliminaries of the mechanism for accrediting local education programs for the purpose of registration under section 12(1)(a) of the Supplementary Medical Professions Ordinance.

On the regulation of the conduct and discipline of optometrists, 9 complaint cases were received and considered by the Preliminary Investigation Committee in 2009/2010, representing a substantial 80% increase as compared with the 2008/2009 figure. The majority of the complaints centered on allegations relating to disregard of professional responsibilities to patients and practice promotion. The Board has conducted 2 disciplinary inquiries and 1 optometrist was found guilty of professional misconduct.

I am very much indebted to the Board members and staff of the Board Secretariat for their support and commitment in furthering the objectives of the Board in 2009/2010. With close collaboration of the Board and optometrists practitioners, I am confident that continuous enhancement to the professionalism and quality of service standards could be seen in the years ahead.

Prof. Ricky Y. K. MAN
Chairman, Optometrists Board

3. Introduction

3.1 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. To assist the Board in carrying out its functions, the Board Secretariat, which is staffed by the Department of Health, provides administrative and secretarial support to the Board.

Registration of optometrists

3.2 Registration of optometrists commenced on 1 December 1994. With effect from 1 April 1996, any person who practises the profession of optometry in Hong Kong without being registered commits an offence¹. Any information on illegal practice of the optometry profession will be reported to the Police for investigation.

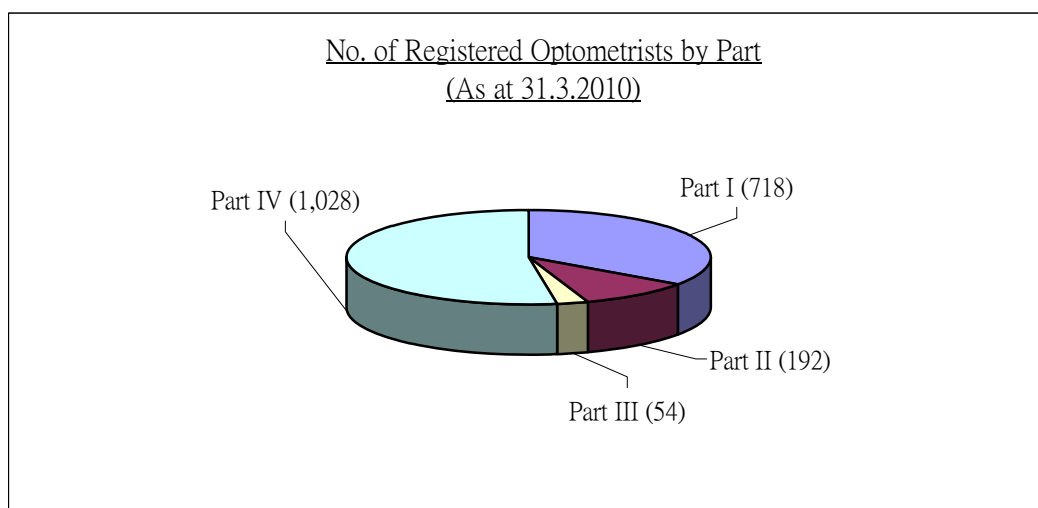
3.3 The Register has four parts, Part I, Part II, Part III and Part IV. Entry in the various parts of the Register is based mainly on the qualification and/or experience possessed by the applicants.

3.4 A person who was practising optometry on 1 December 1994 and did not qualify for full registration could apply for provisional registration in Part IV register. Provisional registration was a one-off exercise which was completed in 31 May 1995.

3.5 The Optometrists Board is empowered under section 15A of the Supplementary Medical Professions Ordinance to hold examinations for the purpose of registration as and when it considers expedient or necessary.

¹ Schedule 4 to the Optometrists (Registration and Disciplinary Procedure) Regulation provides for persons exempt from the requirement.

3.6 As at 31 March 2010, there were 1,992 registered optometrists. Statistics on the registration of optometrists are detailed at **Annex A**. Appended below is a pie chart showing the number of registrants in each part of the register:



Control mechanism and disciplinary power of the Board

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

3.8 Complaints against registered optometrists are normally either lodged with the Board by individuals or referred to the Board by other bodies such as the Hong Kong Police Force.

3.9 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 will 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

3.10 To encourage optometrists to engage in life-long learning to sharpen their professional knowledge and skills, the Optometrists Board introduced a voluntary Continuing Professional Development (CPD) Scheme in November 2004. The Education Committee formed under the Board was set up to monitor and review the design and implementation of the CPD Scheme and the Registration Committee for the accreditation of CPD activities and appointment of accredited programme providers.

4. Membership of the Optometrists Board

4.1 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.

4.2 Membership of the Board for the period from April 2009 to March 2010 was as follows -

Chairman: Prof. Ricky MAN Ying-keung

Members: Ms Alice CHAN Chui-wa
Ms Monica CHOW Man-kit
Dr CHOW, Pak Chin
Mr HO Kai
Miss Tina KWAN Wai-ping
Mr Kenneth LAM Chung-wing
Dr Andrew LAM Kwok-cheung
Mr Jack WONG Wai-hung
Professor Gregory WU Chor-nam
Mr Alex YIM Kwok-bun

* Authority delegated to the Secretary for Food and Health.

5. Highlights of activities of the Optometrists Board

5.1 The Optometrists Board transacted its business at meetings and by the circulation of papers. Set out below is a highlight of major activities of the Board between 1 April 2009 and 31 March 2010 –

(a) Registration issues

Advancement mechanism for Part III and Part IV optometrists

To encourage registrants to upgrade their professional competence by taking structured training, the SMP Council endorsed in November 2009 the Board's proposed advancement mechanism for them to register in Part II or Part III of the register. Under the proposal, Part III or Part IV registrants would be eligible for Part II or Part III registration if they have practised for one year or more after having been registered and have the following qualifications awarded by the Hong Kong Polytechnic University –

- (i) For Part II registration – a Certificate of Attainment in Optometry (Part II)
- (ii) For Part III registration – a Certificate of Attainment in Optometry (Part III)

Policy support to the legislative amendments was given by the Administration in March 2010

The response for the continuing education courses leading to the Certificate of Attainment in Optometry has been good with more than 30 registrants enrolled in Course 1 that commenced in January 2010. It is expected that the first batch of graduates will be available in March 2014 and July 2013 respectively.

Accreditation mechanism

The Board is considering a professional mechanism for accrediting training programmes for registration purpose. A task force responsible for working out the framework and details of the accreditation mechanism was set up in February 2009.

Non-local qualifications accepted for registration

The Board has approved the inclusion of the Master of Optometry awarded by the University of Manchester to the list of non-local qualifications generally accepted by the Board for registration under section 12(1)(b) of the SMP Ordinance.

(b) Continuing professional education

632 optometrists have reported attainment of ten CPD hours in 2008/2009, a 5.5% drop over 2007/2008. They were awarded a Certificate of Achievement and their names were posted on the Board's website. Please click [here](#) for the list.

(c) Quotable Qualifications

The List of Quotable Qualifications was expanded during the year to include 10 academic qualifications and 3 professional fellowships. As at 31 March 2010, there were a total of 70 quotable qualifications. Please click [here](#) for the list.

6. Committees of the Optometrists Board

6.1 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 below –

Preliminary Investigation Committee

6.2 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.

6.3 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.

6.4 Membership of the Preliminary Investigation Committee for the period from April 2009 to March 2010 was as follows -

Chairman: Dr Andrew LAM Kwok-cheung

Members: Mr HO Sui-sang (from 1.10.2008 to 30.9.2009)

Mr Losers LO Tik-fu (from 1.10.2009)

Mr John WONG Chun-hon

6.5 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.

6.6 Below is a summary on the complaints handled by the Board's Preliminary Investigation Committee for the period from April 2009 to March 2010:

<u>Cases</u>	<u>No.</u>
Received	9
Considered	9
Dismissed	4
Referred to the Board for inquiry	5

Annex B summarizes the two disciplinary inquiries conducted by the Optometrists Board between April 2009 and March 2010, the charges in detail and the Board's decisions.

Registration Committee

6.7 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) accrediting CPD programmes from non-accredited programme providers;
- (h) vetting the applications for renewal of accreditation status from accredited programme providers for the CPD scheme
- (i) 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
- (j) advising the Optometrists Board on matters relating to registration.

6.8 Membership of the Board Registration Committee for the period from April 2009 to March 2010 was as follows –

Chairman: Dr Andrew LAM Kwok-cheung

Members: Miss Rufina CHAN Tin-yan

Dr Karen CHENG Kam-yee

Dr Ada CHENG Sau-kuen (resigned w.e.f. 1.6.2009)

Mr CHAN Kong (from 18.6.2009)

Mr HO Kai

Ms Elke WU Wai-ling

Examination Committee

6.9 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.

6.10 Membership of the Examination Committee for the period from April 2009 to March 2010 was as follows -

Chairman: Mr Kenneth LAM Chung-wing

Members: Ms CHAN Lai-ming

Mr Dominic CHIM Chun-pong

Dr KEE Chea-su

Prof. Carly LAM Siu-yin

Education Committee

6.11 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.

6.12 Membership of the Education Committee for the period from April 2009 to March 2010 was as follows -

Chairman: Professor Gregory WU Chor-nam

Members: Dr Henry CHAN Ho-lung

Ms Monica CHOW Man-kit

Dr Albert HO Cho-chak

7. Review by Committee Chairmen

Preliminary Investigation Committee

7.1 The role of the Preliminary Investigation Committee is to make preliminary investigation into complaints received against registered optometrists and to determine, based on the entirety of information available, whether a complaint should be referred to the Board for an inquiry. If a complaint, in the Preliminary Investigation Committee's view, may involve a breach of the law or the Code of professional conduct, the case will be referred to the Board for an inquiry. To enhance the objectivity of the committee in handling complaints, consideration is given to expand its membership to include lay members in the long run..

7.2 In 2009/2010, the Preliminary Investigation Committee received a total of 9 complaints (including one case where a registered optometrist reported his conviction records in accordance with section 16(2)(b) of the Supplementary Medical Professions Ordinance), compared to 5 cases in 2008/09, representing a 80% increase. Despite the substantial percentage increase, the number of complaints is considered low bearing in mind that there are about 2,000 practitioners in the profession.

7.3 For the purpose of giving registered optometrists a reference as to what may constitute unprofessional conduct and situations that may give rise to disciplinary proceedings, the Optometrists Board is considering to publish on the Board's website findings of disciplinary inquiries held by the Board. Sharing this information with the registered optometrists may also help enhance the standards of professional practice and conduct in the profession.

7.4 Registered optometrists are also strongly advised to familiarize themselves with the Supplementary Medical Professions Ordinance, the Optometrists (Registration and Disciplinary Procedure) Regulation and the Code of Practice to minimize the risk of committing any professional misconduct inadvertently.

Dr Andrew LAM Kwok-cheung
Chairman, Preliminary Investigation Committee

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

Registration Committee

7.5 In 2009/2010 the Registration Committee received and approved 44 applications for registration, 4 applications for restoration (excluding one application from a registrant with conviction records which was referred to the Board for approval), and accredited 4 CPD programmes organized by non-accredited programme providers.

7.6 For registration under section 12(1)(b) of Supplementary Medical Professions Ordinance, the Committee reviewed the list of non-local qualifications generally accepted by the Board for registration. At the Committee's recommendation, the Board and the Council Registration Committee approved the inclusion of the Master of Optometry awarded by the University of Manchester to the list.

7.7 During the year the Committee also recommended the inclusion of 10 academic qualifications and 3 professional fellowships as quotable qualifications after scrutinizing the standard of the qualifications. The recommendations were endorsed by the Board and the registrants were informed of the updated list in March 2010.

Dr Andrew LAM Kwok-cheung
Chairman, Registration Committee

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

Examination Committee

7.8 To encourage Part III and Part IV registrants to further develop and enhance their professional knowledge/skills through continuing education and structured training, the Board endorsed the Committee's recommendation that Part III and Part IV registrants should be eligible for direct registration for the Part II or Part III of the register if they hold a Certificate of Attainment in Optometry awarded by the Hong Kong Polytechnic University and have practiced for one year or more after having been registered as a Part III or Part IV optometrist. The Supplementary Medical Professions Council endorsed the legislative proposal in November 2009 and the Administration gave its policy support in March 2010.

7.9 Following the Board's endorsement of the syllabi for Part II and Part III Registration Examinations, the Committee would work out the details of the format and logistics for the registration examinations.

Mr Kenneth LAM Chung-wing
Chairman, Examination Committee

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

Education Committee

7.10 2008/2009 saw 632 optometrists reporting attainment of 10 CPD hours (or 32.2% of total registrants), a slight dip from 669 registrants in 2007/08 or a 5.5% decrease over the past year. As a voluntary scheme, an average of over 30% rate of participation is considered highly satisfactory and is attributable to the practitioners' commitment to lifelong learning and the continued support of the accredited programme providers and other programme providers in providing a variety of quality CPD activities.

7.11 To further boost the participation rate, the Committee is considering further incentives such as allowing registrants who have attained the annual CPD requirement to use "CPD-certified" in their name cards.

7.12 The Committee believes that a mandatory CPD scheme should be implemented in the near future.

Professor Gregory WU Chor-nam
Chairman, Education Committee

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

Registration of Optometrists
(as at 31.3.2010)

SMPO	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	I	<ul style="list-style-type: none"> Allowed to use drugs approved by the Board as shown in the Code of Practice 	(a) 481
	(b) Professional Diploma in Optometry issued by the Hong Kong Polytechnic			(b) 98
	(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			(c) 69
12(1)(a)	(a) Higher Certificate in Optometry issued by the Hong Kong Polytechnic; or	II	<ul style="list-style-type: none"> Not allowed to use diagnostic agents except staining agents 	(a) 22
	(b) A certification from the Optometrists Board that he has passed an examination in optometry conducted under section 15A of the SMPO			(b) 0
12(1)(a)	<ul style="list-style-type: none"> A certification from the Optometrists Board that he has passed an examination in refraction conducted under section 15A of the SMPO 	III	<ul style="list-style-type: none"> To practice refraction only 	0
12(1)(b)	<ul style="list-style-type: none"> A person who holds degree, diploma or any other document of any examining body other than those prescribed in law and has appropriate experience as recognized by the SMPC 	<ul style="list-style-type: none"> To be determined by SMPC in consultation with the Board 	<ul style="list-style-type: none"> Restrictions relevant to the part of the register entered 	Part I = 70 Part II = 1 Part III = 0
12(1)(c)	<ul style="list-style-type: none"> A person who was practising optometry profession on 1 December 1994, and by reason of his education, training, professional experience and skill satisfies the SMPC that he is fit for registration 	<ul style="list-style-type: none"> To be determined by SMPC in consultation with the Board 	<ul style="list-style-type: none"> Restrictions relevant to the part of the register entered 	Part I = 0 Part II = 169 Part III = 54

Legend: SMPO – Supplementary Medical Professions Ordinance
SMPC – Supplementary Medical Professions Council

SMPO	Qualification/Eligibility	Part of Register	Restriction on Practice	No. of registrants
15	<ul style="list-style-type: none"> A person who was practising optometry profession on 1 December 1994 but who on that date was not qualified under section 12 of the SMPO to be registered and has acquired substantial knowledge, experience and skill in the practice of his profession to the satisfaction of the SMPC 	IV	<ul style="list-style-type: none"> 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 	490
			<ul style="list-style-type: none"> To practice refraction only 	185
	<ul style="list-style-type: none"> A person who was practising optometry profession on 1 December 1994 and has passed the Optometrists Board examination on refraction and contact lens fitting 	IV	<ul style="list-style-type: none"> 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 	139
	<ul style="list-style-type: none"> A person who was practising optometry profession on 1 December 1994 and has passed the Optometrists Board examination on refraction 	IV	<ul style="list-style-type: none"> To practice refraction only 	214
<u>Part</u>	<u>No.</u>			
I	718 (676)			
II	192 (194)			
III	54 (54)			
<u>IV</u>	<u>1,028 (1,035)</u>			
Total	1,992 (1,959)			

Note :

Numbers in brackets are the figures as at 31 March 2009

Disciplinary inquiries conducted by the Optometrists Board
(1 April 2009 to 31 March 2010)

Date of Inquiry	Allegation(s)	Decision of the Board
5 Oct 2009	The respondent was alleged to have – (a) performed a brief and/or incomplete eye examination on the patient prior to contact lens fitting and by so doing have not provided care and/or service of a standard commensurate with the training that he has received and with his registration, contrary to items 1.2 and 6.1 of Part III of the Code of Practice; and (b) upon the patient’s enquiry over the phone, told the patient to switch the contact lenses prescribed for her two eyes without providing her with appropriate contact lens aftercare, contrary to items 1.2 and 7.2 of Part III of the Code of Practice.	The facts alleged against the respondent had not been proved to the satisfaction of the Board and the complaint was dismissed.
10 Oct 2009 and 2 Dec 2009	The respondent was alleged to have – (a) prescribe a pair of suitable lenses the patient, hence causing tiredness to the patient’s eyes and poor vision contrary to section 6.1 of the Code of Practice; and (b) provide the patient with proper explanation when he complained to the respondent of poor vision and tiredness to his eyes after wearing the lenses the respondent prescribed contrary to sections 1.2 and 6.5 of the Code of Practice.	Guilty. The respondent was reprimanded and such order was published in the gazette.

Summary: 1 case – guilty
1 case – not guilty