ANNUAL REPORT 2013-14 2013-14 年報

視光師管理委員會 【香港】

OPTOMETRISTS BOARD HONG KONG



Report of the Optometrists Board

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1. Preface

Through this report, which covers the period from April 2013 to March 2014, 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.

All enquiries to the Optometrists Board should be addressed to –

THE OPTOMETRISTS BOARD SECRETARIAT

2/F Shun Feng International Centre 182 Queen's Road East Wanchai, Hong Kong

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Website: http://www.smp-council.org.hk/op/index.html

2. 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 am honoured to be appointed as the Chairman of the Board for more than five years since October 2008. During these years, the Board continued with its goals in promoting high standards of professional practice and conduct among optometrists, and in ensuring that quality optometric care services are being rendered to the public.

On disciplinary control, a total of 12 complaints were received during the year. Taking the opportunity, the Optometrists Board has reviewed and updated its policy on publication of the Board's findings of disciplinary inquiries on its website. Starting from 11 December 2013, the full judgment of all guilty cases will be published on the Board's website for a fixed period of 5 years. Identity of the respondent(s) may or may not be published, subject to the order of the Board.

Sharing this information would enable registrants to better comprehend situations that may give rise to disciplinary inquiries and to minimize the risks of committing any professional misconduct inadvertently. It also serves to enhance the transparency of the disciplinary proceedings and to provide a ready source of reference for the public in making an informed choice of optometrists.

For the sake of enhancing the professional standard and the credibility of the optometrist profession, the Optometrists Board sees the need for registrants to continuously strive to enrich their professional knowledge and skills through life-long learning and continual education. To this end, the Board is contemplating a revision to the existing Section 1.3 of Part III of the Code of Practice, mandating the participation of Continuing Professional Development (CPD) activities as a means for registered optometrists to upkeep their professional knowledge and competence. The Board shall consult the members of the profession and collect their views on the proposal in due course.

I would also like to take this opportunity to thank all Members of the Board and its committees for their tremendous efforts and dedicated commitments in the past year. Looking ahead, the Board will continue to work with the optometrist profession in upholding the spirit of self-regulation and maintaining high ethical and professional standards of practice.

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

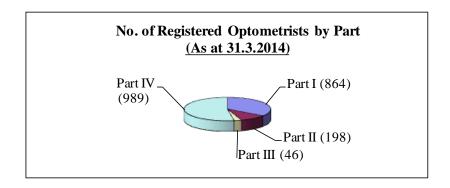
3. Introduction

3.1 The Optometrists Board is a statutory body established under the Supplementary Medical Professions Ordinance, Chapter 359, and the Optometrists (Registration and Disciplinary Procedure) Regulation, Chapter 359F, responsible for the registration, discipline, and management of persons engaged in professions supplementary to medicine including optometrists. The Board is also tasked to promote adequate standards of professional practice and conduct among optometrists. The Board Secretariat, which is staffed by the DH, provides administrative and secretarial support to the Board and its committees.

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 on 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.
- 3.6 As at 31 March 2014, there were 2,097 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:

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



Control mechanism and disciplinary power of the Board

- 3.7 The Optometrists Board is empowered by law to regulate the professional conduct of registered optometrists through an established disciplinary mechanism.
- 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.
- 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 for inquiry where necessary. At 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 for registered optometrists

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 2013 to March 2014 was as follows –

Chairman: Prof Ricky Y. K. MAN

Members: Ms CHAN Lai-ming

Miss Rufina CHAN Tin-yan Dr CHOW, Pak Chin, JP

Dr DO Chi-wai

Ms KWOK Wai-ying

Prof Kenneth LAM Chung-wing (from 1.4.2013 to 30.9.2013)

Mr Patrick CHENG Wai-hung (from 1.10.2013)

Mrs Joyce LEUNG Chi-dai Mr Keith LEUNG Man-kei Mr John WONG Chun-hon

Mr Jack WONG Wai-hung (from 1.4.2013 to 27.12.2013)

Ms Queenie YIP Siu-lai (from 28.12.2013)

^{*} 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 2013 and 31 March 2014 –

(a) Establishment of the Optometrists Sub-directory under the Primary Care Directory

With a view to enhancing primary care services in Hong Kong, the Food and Health Bureau (FHB) agreed in 2009 to establish a Primary Care Directory (Directory), and a Task Force was set up under the FHB to oversee the development of the Directory.

The Directory is a web-based directory containing personal and practice-based information of different primary care providers, so as to facilitate members of the public to identify suitable healthcare professionals according to their needs. The Directory consists of sub-directories for different healthcare professionals and is being developed in phases. The doctors, dentists and Chinese medicine practitioners sub-directories have been launched. In the next phase, the Task Force plans to set up a sub-directory for optometrists.

The Task Force is now studying issues such as the eligibility criteria for enrolment, requirement for maintaining an optometrist's name in the sub-directory and the scope of services to be displayed on the sub-directory etc. The Task Force has also sought views from Optometrists Board and the professional associations on the proposed design and contents of the sub-directory.

(b) Review of the CPD scheme

With a view to encourage wider participation in the voluntary CPD scheme, the Board Education Committee (BEdC) has conducted a review on the design and the implementation of the CPD scheme.

Under the revised CPD scheme, the scope of recognized CPD activities is widened to include a broad range of activities such as active participation, post-graduate studies, self-study and publication. The allocation of CPD points will be adjusted depending on the mode of participation (active/passive) and the relevance to optometry (core/non-core activities). A ceiling is also imposed for certain categories of CPD activities to encourage registrants' attainment of a more balanced CPD profile.

The new CPD scheme took effect on 1 July 2014. A letter has been issued to all registrants in June 2014 informing them of the new arrangement and Members of the profession may visit the Board's website for updated information.

(c) Review of the Code of Practice

In an effort to build a culture of life-long learning and to enhance the quality of services and credibility of the optometrist profession, the Optometrists Board considered that participation in CPD activities an indispensable element for registered optometrists to upkeep their professional knowledge and competence. To this end, the Board is contemplating a revision to the Code of Practice, mandating registrants' participation in CPD activities.

Under the proposed revision, non-compliance with the Board's CPD requirement would be tantamount to professional misconduct and the optometrist concerned may subject himself to disciplinary actions by the Optometrists Board in case of a complaint. The Board shall consult the members of the profession and collect their views on the proposal in due course.

(d) Continuing professional education

273 optometrists have reported attainment of 10 CPD hours in 2012/2013. Subject to consent given by the registrants, they were awarded a Certificate of Achievement and their names were posted on the Board's website.

(e) Quotable qualifications

The List of Quotable Qualifications was expanded during the year to include 3 academic qualifications, namely (i) Diploma of Licentiate of Optometric Science (LOSc) awarded by Australian College of Optometry, (ii) Diplomate of Low Vision Section awarded by American Academy of Optometry and (iii) Graduate Certificate in Ocular Therapeutics awarded by The University of New South Wales.

As at 31 March 2014, there were a total of 76 quotable qualifications. Registrants may visit the Board's website for the most updated List of Quotable Qualifications as approved by the Board.

6. Committees of the Optometrists Board

6.1 Section 9 of the Supplementary Medical Professions Ordinance provides for the Supplementary Medical Professions Boards to appoint committees for the better discharge of its functions under the Ordinance. Works of the four committees under the Optometrist 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 2013 to March 2014 was as follows –

Chairman: Mr Jack WONG Wai-hung (from 1.4.2013 to 15.6.2013)

Mr John WONG Chun-hon (from 16.6.2013)

Members: Mr Adam LEE Chi-ying (from 1.4.2013 to 30.9.2013)

Miss Joyce CHOW Kar-yan (from 1.10.2013)

Dr Larry NG Hou-yan

- 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 2013 to March 2014:

Cases	<u>No.</u>
Received	12
Considered	5
Dismissed	4
Referred to the Board for inquiry	1

Annex B summarizes the one disciplinary inquiry conducted by the Optometrists Board in 2013 / 2014, the charges in detail and the Board's decision.

Registration Committee

- 6.7 The 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 2013 to March 2014 was as follows –

Chairman: Mr John WONG Chun-hon

Members: Mr CHAN Kong

Miss Rufina CHAN Tin-yan Dr Karen CHENG Kam-yee

Mr Patrick CHENG Wai-hung (from 1.4.2013 to 30.9.2013)

Mr Geoffrey CHENG Wai-chak (from 1.10.2013)

Ms Bibianna YU Sin-ying

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 2013 to March 20143 was as follows –

Chairman: Prof. Kenneth LAM Chung-wing (from 1.4.2013 to 18.9.2013)

Dr DO Chi-wai (from 19.9.2013)

Members: Dr FAN Chi-shing

Mr Dominic CHIM Chun-pong

Dr KEE Chea-su (from 1.4.2013 to 4.3.2014) Mr Alex YIM Kwok-bun (from 5.3.2014) Members: Prof Carly LAM Siu-yin (from 1.4.2013 to 30.9.2013)

Prof Kenneth LAM Chung-wing (from 1.10.2013)

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 2013 to March 2014 was as follows –

Chairman: Miss Rufina CHAN Tin-yan

Members: Dr Henry CHAN Ho-lung

Dr Allen CHEONG Ming-yan

Mr FAN Sio-hong (from 1.4.2013 to 26.5.2013)

Dr Patrick CHU Ho-wai (from 27.5.2013)

Dr Forrest NG Yiu-fai Ms Queenie YIP Siu-lai

7. Review by Committee Chairmen

Preliminary Investigation Committee

- 7.1 It is my pleasure to be appointed as the Chairman of the Preliminary Investigation Committee (PIC) since June 2013. The role of the PIC is to determine whether there is any prima facie case for professional misconduct on the part of registered optometrists and, if so, refer the case to the Board for an inquiry. The PIC is also empowered to dismiss frivolous complaints or allegations which could not constitute professional misconduct.
- 7.2 In 2013/2014, the PIC processed a total of 5 complaints, in which 4 were dismissed and 1 was referred to the Board for inquiry.
- As members of the profession may already be aware, the Optometrists Board has reviewed and updated its policy on publication of the Board's findings of disciplinary inquiries on its website. Starting from 11 December 2013, the full judgment of all guilty cases will be published on the Board's website for a fixed period of 5 years. Identity of the respondent(s) may or may not be published, subject to the order of the Board.
- 7.4 Sharing this information would enable registrants to better comprehend situations that may give rise to disciplinary inquiries and to minimize the risks of committing any professional misconduct inadvertently. It also serves to enhance the transparency of the disciplinary proceedings and to provide a ready source of reference for the public in making an informed choice of optometrists.

Mr John WONG Chun-hon
Chairman, Preliminary Investigation Committee

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

Registration Committee

- 7.5 In the year of 2013/2014, the Registration Committee received a total of 74 applications for registration, of which 72 cases were approved. Separately, the Committee has endorsed 2 applications for restoration of names to the Register of Optometrists.
- 7.6 During the year, the Registration Committee processed 5 applications for quotable qualifications from registered optometrists. Having assessed the standards of the qualifications in accordance with the guidelines for consideration of quotable qualifications as laid down by the Board, the Registration Committee recommended the inclusion of the following 3 academic qualifications in the List of Quotable Qualifications
 - Diploma of Licentiate of Optometric Science (LOSc), Australian College of Optometry (formerly known as Victorian College of Optometry)
 - Diplomate of Low Vision Section, American Academy of Optometry
 - Graduate Certificate in Ocular Therapeutics, The University of New South Wales

The recommendations were endorsed by the Board and the updated list has been uploaded to the Board's website for registrants' information and easy reference.

7.7 Another main function of the Registration Committee is to validate CPD programmes organized by non-accredited programme providers. During the year, the Committee has approved 9 applications for validation of CPD programmes. Registrants may visit the Board's website for the most updated list of CPD programmes as accredited by the Board.

Mr John WONG Chun-hon Chairman, Registration Committee

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

Examination Committee

7.8 I have been appointed as the Chairman of the Examination Committee in September 2013. The Committee has previously worked out the format, design and the preliminaries for the Part II and Part III registration examinations. The Committee's proposal was put forth to the Optometrists Board for initial consideration at its policy meeting held in August 2013. The Board shall resume discussion of the matter at its next meeting.

Dr DO Chi-wai

Chairman. Examination Committee

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

Education Committee

- Almost ten years has passed since the first launch of the voluntary Continuing Professional Development (CPD) scheme in 2004. The Education Committee considered it an opportune time to review the CPD scheme and its implementation so as to perfect various aspects of the scheme and to encourage wider participation in CPD activities.
- 7.10 Following the Board's endorsement of the Committee's proposal on the revised CPD scheme, the Committee has updated the Manuals for CPD Activities and the new CPD scheme has taken effect on 1 July 2014.
- 7.11 Under the revised CPD scheme, the scope of recognized CPD activities is widened to include a broad range of activities such as active participation, post-graduate studies, self-study and publication. Another major feature of the new scheme is that CPD activities eligible for accreditation will be classified into core and non-core activities. The allocation of CPD points will be adjusted depending on the mode of participation (active/passive) and the relevance to optometry (core/non-core activities). A ceiling is also imposed for certain categories of CPD activities to encourage registrants' attainment of a more balanced CPD profile.
- 7.12 The Board's annual CPD requirement will remain unchanged at 10 CPD points per annum. A certificate will be issued to registrants who have attained 10 CPD points in the year.
- 7.13 In the future, the Committee would continue to monitor and refine the CPD scheme taking into account the operational experience and feedback from the profession.

Miss Rufina CHAN Tin-yan Chairman, Education Committee

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

Registration of Optometrists (as at 31.3.2014)

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 (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) 622 (b) 98 (c) 69
	(a) Higher Certificate in Optometry issued by the Hong Kong Polytechnic; or(b) A certification from the Optometrists Board that he has passed an examination in optometry conducted under section 15A of the SMPO	II	Not allowed to use diagnostic agents except staining agents	(a) 20 (b) 0
	A certification from the Optometrists Board that he has passed an examination in refraction conducted under section 15A of the SMPO	III	To practice refraction only	0
12(1)(b)	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	To be determined by SMPC in consultation with the Board	Restrictions relevant to the part of the register entered	Part I = 75 Part II = 19 Part III= 0
12(1)(c)	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	To be determined by SMPC in consultation with the Board	Restrictions relevant to the part of the register entered	Part I = 0 Part II = 159 Part III= 46

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

SMPO	Qualification/Eligibility	Part of Register	Restriction on Practice	No. of registrants
15	• 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	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	475
			To practice refraction only	183
	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	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	134
	A person who was practising optometry profession on 1 December 1994 and has passed the Optometrists Board examination on refraction	IV	To practice refraction only	197
Part I II III IV Total	No. 864 (814) 198 (183) 46 (48) 989 (1,012) 2,097 (2,057)		•	

<u>Note</u>: Numbers in brackets are last year's figures as at 31 March 2013.

Annex B

Disciplinary inquiries conducted by the Optometrists Board (1 April 2013 to 31 March 2014)

Date of	Allegation(s)	Decision of
Inquiry		the Board
	The respondent was alleged to have — (a) failed to report to the Secretary of the Optometrists Board every address at which she practised her optometric profession; (b) failed to report to the Secretary of the Optometrists Board any change in the address at which she practised her optometric profession within 2 months of such change; (c) disregarded her professional responsibility towards the Patient in that she failed to take appropriate action after the Patient	
	complained to her about the vision problems in wearing the glasses prescribed by her.	

Summary: 1 case – guilty