

**ANNUAL REPORT 2015-16**  
**2015-16 年報**

**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 2015 to March 2016, 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 –

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## ***2. Message from the Chairman***

It is my great honour to be appointed as the Chairman of the Optometrists Board since October 2015. Upon retiring from my over three decades of public service, I feel privileged to have the opportunity to continue to serve the community in a different capacity. Though I am not an optometrist in profession, I am confident that I can work cohesively with the Board and members of the profession to consolidate public confidence in the optometrist profession.

For the year 2015/2016, the Board has promulgated the “*Guidelines on Premises Suitable for Practice for Optometrists*” on the Board’s website. The new guidelines serve to enable registrants to observe the legal requirement as laid down at section 19(1) of the Supplementary Medical Professions (SMP) Ordinance that “*no person registered shall practise his profession in premises which are considered by the relevant Board to be unsuitable for such practice*”. The Board hopes that the service standards rendered by the profession can be further enhanced after the registrants have a clearer comprehension on the Board’s standard on premises suitable for practising the profession.

With regard to the Board’s statutory function on regulating the conduct and discipline of registered optometrists, the Board received a total of 12 complaints during the year. It is noted that most complaints are related to disregarding of professional responsibilities to patients, a fact reflecting that members of the public expect greater accountability on optometrists and higher transparency in dealing with the complaints from the Board. To this end, the Board will keep striving for enhancing the sense of professional ethics, as well as standards and quality of optometry practice, in order to meet the rising expectation of the community.

On registration matters, the Board Registration Committee (BRC) is conducting a review on the assessment criteria for registration as optometrists under section 12(1)(b) of the SMP Ordinance. The proposal includes the imposition of the “*appropriate experience*” and “*registration status*” requirement in the assessment criteria. The BRC will further discuss the matter taking into account the needs and views from various stakeholders.

In closing, on behalf of fellow colleagues of the Board, I wish to thank Dr Homer TSO Wei-kowk, the former Chairman, for his dedicated support and valuable advice tendered to the Board in the past year. I would also like to take this opportunity to owe my heartfelt gratitude to all Members of the Board, its Committees and the Secretariat for their substantial time and efforts devoted in carrying out the Board's duties. In the year ahead, I look forward to the continuous cooperation amongst fellow colleagues of the Board and active involvement of members of the profession in upholding the professional standards and the quality of optometry services in Hong Kong.

Dr LAU Chau-ming  
*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 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 offence<sup>1</sup>. 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.

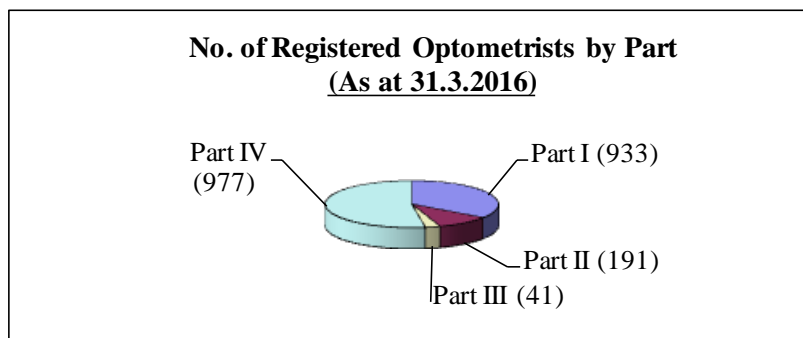
3.4 A person who was practising optometry on 1 December 1994 and did not qualify for full registration could apply for provisional registration in Part IV register. Provisional registration was a one-off exercise which was completed on 31 May 1995.

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 2016, there were 2,142 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 :

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<sup>1</sup> 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.

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 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 2015 to March 2016 was as follows –

Chairman: Dr Homer TSO Wei-kwok, SBS, JP  
(from 1.4.2015 to 30.9.2015)  
Dr LAU Chau-ming (from 1.10.2015)

Members: Ms CHAN Lai-ming  
Miss Rufina CHAN Tin-yan  
Dr DO Chi-wai  
Ms KWOK Wai-ying  
Mr Patrick CHENG Wai-hung  
Mrs Joyce LEUNG Chi-dai  
Mr Keith LEUNG Man-kei  
Dr TSE Hung-hing, JP  
Mr John WONG Chun-hon  
Ms Queenie YIP Siu-lai

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\* 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 2015 and 31 March 2016 –

### **(a) Establishment of Guidelines for Suitable Premises under Section 19(1) of the Supplementary Medical Professions Ordinance**

The Supplementary Medical Professions (SMP) Council agreed at its September 2011 meeting on the policy relating to the exercise of the Board's power to ensure suitability of premises for practice under section 19 of the SMP Ordinance. In essence, the 5 SMP Boards may authorize public officers in the Department of Health to inspect the premises concerned upon receipt of complaints. To facilitate onsite inspection by the public officers, the 5 SMP Boards should consider developing guidelines for suitable premises having regard to the needs and views of the profession.

The Board endorsed the guidelines on premises suitable for practice for optometrists (the Guidelines) as recommended by the Working Group on the Overall Review of the Code of Practice in September 2015.

Following the endorsement of the Guidelines by the Supplementary Medical Professions (SMP) Council at its meeting held in December 2015, the Board has arranged to upload the Guidelines under the section of "*Message to Registrants*" on the Board's website for information and reference by members of the profession. A letter was issued to all registered optometrists on 28 January 2016 informing them of the promulgation of the guidelines.

**(b) Guidelines for Assessing Professional Training for the Purpose of Registration as Optometrists**

The Board, at its meeting held in August 2015, endorsed the guidelines as proposed by the Board Registration Committee (BRC) for assessing professional training for the purpose of registration as optometrists again after the last practising certificate has expired for a certain period of time. According to the BRC's proposal, applicants would be required to update their professional knowledge and skills by undertaking Continuing Professional Development (CPD) activities when re-applying for registration under section 12 of the SMP Ordinance. The proposal serves to safeguard the interests of the public and to maintain a high standard of professional competence among the registrants.

The proposed set of guidelines as endorsed by the Optometrists Board will be submitted to the SMP for consideration in due course.

**(c) Review of Assessment Criteria for Registration as Optometrists under Section 12(1)(b) of the Supplementary Medical Professions Ordinance**

The BRC is conducting a review of the assessment criteria for registration as optometrists under section 12(1)(b) of the SMP Ordinance. The proposal includes the imposition of the "*appropriate experience*" and "*registration status*" requirement in the assessment criteria.

Following a preliminary discussion on the matter in March 2016, the BRC has worked out a draft proposal. The BRC will further discuss the revised assessment criteria for registration as OPs under section 12(1)(b). The Committee's recommendation will be put forth to the OP Board for consideration in due course.

**(d) Continuing Professional Education**

138 optometrists have reported attainment of 10 CPD hours in 2015/2016. Subject to consent given by the registrants, they were awarded a Certificate of Achievement and their names were posted on the Board's website.

## ***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 2015 to March 2016 was as follows –

Chairman: Mr John WONG Chun-hon (from 1.4.2015 to 15.6.2015)  
Mr Patrick CHENG Wai-hung (from 16.6.2015)

Members: Miss Joyce CHOW Kar-yan (from 1.4.2015 to 30.9.2015)  
Dr Larry NG Hou-yan (from 1.4.2015 to 29.2.2016)

Mr Adam LEE Chi-ying (from 1.10.2015)

Dr Patrick TING Wai-ki (from 1.3.2016)

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 2015 to March 2016:

<u>Cases</u>	<u>No.</u>
Received	12
Considered	10
Dismissed	5
Referred to the Board for inquiry	5

**Annex B** summarizes the two disciplinary inquiries conducted by the Optometrists Board in 2015 / 2016, 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 2015 to March 2016 was as follows –

Chairman: Mr John WONG Chun-hon

Members: Mr CHAN Kong (from 1.4.2015 to 17.6.2015)  
Mr KWAN Kwok-fai  
Mr Geoffrey CHENG Wai-chak  
Dr FAN Chi-shing (from 11.6.2015)  
Miss Victoria LAW Kwai-mei (from 18.6.2015)  
Dr Larry NG Hou-yan  
Ms Bibiana YU Sin-ying (from 1.4.2015 to 10.6.2015)

### **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 2015 to March 2016 was as follows –

Chairman: Dr DO Chi-wai

Members: Miss Monica CHOW Man-kit  
Mr KWOK Wai-wah  
Prof Kenneth LAM Chung-wing  
Mr Alex YIM Kwok-bun

## **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 2015 to March 2016 was as follows –

Chairman: Miss Rufina CHAN Tin-yan

Members: Dr Allen CHEONG Ming-yan  
Dr Patrick CHU Ho-wai  
Dr LAM Chuen  
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 2015. The role of the PIC is to make preliminary investigation into complaints and determine whether there is any prima facie case of professional misconduct on the part of registered optometrists. If affirmative, the PIC shall 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 Delegated with this important role by the Board, the PIC has been at all times prudent and meticulous while in examining the evidence placed before the Committee for the sake of ensuring that all the investigation of complaints were being conducted in fair and objective manners and that any potential cases of professional negligence were appropriately dealt with.

7.3 In 2015/2016, the PIC processed a total of 10 complaints, in which 5 were dismissed and 5 were referred to the Board for inquiry. Whilst most of the complaints did not proceed to the inquiry stages, the increasing number of complaints reflects a greater awareness of the public on their rights and a rising public expectation for high standards of optometric care services.

7.4 In order to maintain the professional credibility of registered optometrists, registrants should maintain high standards of professional competence and conduct in the practice of the profession. Registered optometrists are also strongly advised to familiarize themselves with the provisions of the Code, so as to minimize the risk of committing any professional misconduct inadvertently.

Mr Patrick CHENG Wai-hung  
*Chairman, Preliminary Investigation Committee*

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

## **Registration Committee**

7.5 For the year of 2015/2016, the Registration Committee received a total of 44 applications for registration, of which 43 cases were approved. The Committee has also endorsed 6 applications for restoration of names to the Register of Optometrists during the period.

7.6 As the Board's delegated accreditor of CPD programmes, one of the major functions of the Registration Committee is to approve applications for validation of CPD programmes submitted by non-accredited programme providers. During the year, the Committee has approved 9 applications for accreditation of CPD programmes. Under the revised CPD scheme which took effect from July 2014, the CPD programmes are further classified into core and non-core activities having regard to its relevancy to optometry. Registrants may refer to the Board's website for the most updated information regarding the categories and CPD points of activities accredited by the Board.

7.7 In accordance with the Guidelines for Consideration of Quotable Qualifications laid down by the Board, the Registration Committee processed 1 application from registered optometrist for quoting non-listed qualifications in 2015/16. The applicant was notified of the result of the application accordingly.

Mr John WONG Chun-hon  
*Chairman, Registration Committee*

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

## **Examination Committee**

7.8 To pave way for the holding of the Part II and Part III registration examinations as provided in the Optometrists (Registration and Disciplinary Procedure) Regulation, the Examination Committee has previously worked out the format, design and the preliminaries for the examinations. The Optometrists Board has briefly discussed the Committee's proposal in past policy meetings. The Board shall resume discussion of the matter in due course.

Dr DO Chi-wai

*Chairman, Examination Committee*

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

## **Education Committee**

7.9 For the year 2015/2016, 208 members of the profession, representing 9.7% of total number of registrants, submitted returns on their CPD attainment to the Board. The Education Committee awarded CPD certificates to 138 registered optometrists who have satisfactorily attained the Board's annual requirement of 10 CPD points for the CPD cycle ending 30 June 2016.

7.10 The Education Committee shares the Board's belief that continuing education in the optometry field is indispensable in keeping practising optometrists abreast of the most updated professional knowledge and service innovations. To this end, the Committee would like to take the opportunity to appeal for registrants' fullest support in participating in CPD activities and engaging in life-long learning.

7.11 In future, the Education Committee would keep on reviewing the existing CPD scheme and exploring new initiatives to encourage registrants' wider participation in CPD activities.

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 31.3.2015)**

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"> <li>Allowed to use drugs approved by the Board as shown in the Code of Practice</li> </ul>	(a) 696
	(b) Professional Diploma in Optometry issued by the Hong Kong Polytechnic			(b) 99
	(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"> <li>Not allowed to use diagnostic agents except staining agents</li> </ul>	(a) 19
	(b) A certification from the Optometrists Board that he has passed an examination in optometry conducted under section 15A of the SMPO			(b) 0
	<ul style="list-style-type: none"> <li>A certification from the Optometrists Board that he has passed an examination in refraction conducted under section 15A of the SMPO</li> </ul>	III	<ul style="list-style-type: none"> <li>To practice refraction only</li> </ul>	0
12(1)(b)	<ul style="list-style-type: none"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>To be determined by SMPC in consultation with the Board</li> </ul>	<ul style="list-style-type: none"> <li>Restrictions relevant to the part of the register entered</li> </ul>	Part I = 69 Part II = 19 Part III= 0
12(1)(c)	<ul style="list-style-type: none"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>To be determined by SMPC in consultation with the Board</li> </ul>	<ul style="list-style-type: none"> <li>Restrictions relevant to the part of the register entered</li> </ul>	Part I = 0 Part II = 153 Part III= 41

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"> <li>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</li> </ul>	IV	<ul style="list-style-type: none"> <li>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</li> </ul>	468
	<ul style="list-style-type: none"> <li>To practice refraction only</li> </ul>		182	
	<ul style="list-style-type: none"> <li>A person who was practising optometry profession on 1 December 1994 and has passed the Optometrists Board examination on refraction and contact lens fitting</li> </ul>	IV	<ul style="list-style-type: none"> <li>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</li> </ul>	134
	<ul style="list-style-type: none"> <li>A person who was practising optometry profession on 1 December 1994 and has passed the Optometrists Board examination on refraction</li> </ul>	IV	<ul style="list-style-type: none"> <li>To practice refraction only</li> </ul>	193
<u>Part</u>	<u>No.</u>			
I	933 (900)			
II	191 (198)			
III	41 (44)			
<u>IV</u>	<u>977 (983)</u>			
Total	2,142 (2,125)			

**Annex B**

**Disciplinary inquiries conducted by the Optometrists Board**  
**(1 April 2015 to 31 March 2016)**

Date of Inquiry	Allegation(s)	Decision of the Board
10 April 2015	The respondents were convicted at the District Court in Hong Kong on 22 February 2013 for Fraud, which was an offence punishable with imprisonment, contrary to section 16A(1) of the Theft Ordinance, Cap. 210, Laws of Hong Kong.	Guilty. The Board ordered that the names of the respondents be removed from the register for 6 months and such order was published in the gazette.
19 November 2015	The respondent was alleged to have disregarded and/or neglected his professional duties and responsibilities towards the Patient in that he , in or around the period between January 2014 to June 2014 –  (a) failed to advise the Patient on the limitation of the pair of spectacles prior to her purchase of the spectacles; and/or  (b) failed to take appropriate follow-up action after the Patient complained to him about the vision problems in wearing the glasses prescribed by him.	Guilty. The Board ordered that a warning letter be served on the respondent and such order was published in the gazette.

Summary: 2 cases – guilty