

**ANNUAL REPORT 2016-17**  
**2016-17 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 2016 to March 2017, 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***

I am delighted to write, on behalf of the Optometrists Board, a report on our work for the period 2016/2017.

As a statutory body established under the Supplementary Medical Professions Ordinance (Chapter 359, Laws of Hong Kong), one of the important areas that demands our concerted effort is to uphold high ethical and professional standard of optometrists in Hong Kong. In 2016/17, the Board has conducted four inquiries in which the allegations were mainly related to disregard of professional responsibilities to patients and violation of rules in practice promotion. Three registrants were subsequently found guilty and received warning letters. To cope with the rising expectation of the community, the Board will continue to work for enhancing the sense of professional ethics and service standards from across the profession.

Trusting that continuing education is paramount for keeping optometrists abreast of updated professional knowledge, the Board has been launching voluntary continuing professional development (“CPD”) programme since 2004. The Board will keep exploring ways in encouraging optometrists to participate in lifetime learning.

Looking ahead, the Board will dedicate effort in planning for the first re-accreditation exercise on BSc (Hons) in optometry programme of The Hong Kong Polytechnic University. The programme is a prescribed qualification under section 12(1)(a) of the Supplementary Medical Professions Ordinance since its enactment in 1990s. With the aim of upholding the standard and quality of optometry education and training in Hong Kong, the Board will act on the instructions from the Supplementary Medical Professions Council to work out the implementation details of the re-accreditation exercise in the coming years.

I am privileged to have the support and assistance of the Members of the Board and its committees in achieving the Board’s statutory functions. I would like to take this opportunity to express appreciation to our dedicated Members, and staff of the Secretariat who have been working tirelessly to carry out the Board’s duties.

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.

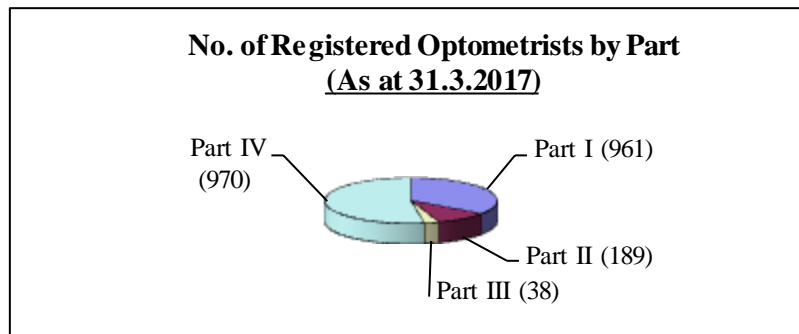
3.4 A person who was practising optometry on 1 December 1994 and did not qualify for full registration could apply for provisional registration in Part IV register. Provisional registration was a one-off exercise which was completed on 31 May 1995.

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 2017, there were 2,158 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 2016 to March 2017 was as follows –

Chairman: Dr LAU Chau-ming

Members: Ms CHAN Lai-ming (up to 30.9.2016)  
Miss Rufina CHAN Tin-yan (up to 30.9.2016)  
Ms Joyce CHOW Kar-yan (since 1.10.2016)  
Dr DO Chi-wai  
Ms KWOK Wai-ying  
Mr Patrick CHENG Wai-hung  
Miss Victoria LAW Kwai-mei (since 1.3.2017)  
Mr LEE Chi-kit (since 1.10.2016)  
Mrs Joyce LEUNG Chi-dai  
Mr Keith LEUNG Man-kei  
Dr TSE Hung-hing, JP (up to 30.5.2016)  
Mr John WONG Chun-hon (up to 28.2.2017)  
Ms Queenie YIP Siu-lai  
Dr Nancy YUEN Shi-yin (since 7.6.2016)

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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 2016 and 31 March 2017 –

### **(a) Re-accreditation of Training Programmes Recognised for Registration as Optometrists under section 12(1)(a) of the Supplementary Medical Professions Ordinance**

Since 2013, the Supplementary Medical Professions (SMP) Council has received applications for accreditation for three new Bachelor degree programmes in Medical Laboratory Science, Radiation Therapy and Occupational Therapy; and for two new Master degree (entry level) programmes in Physiotherapy and Occupational Therapy. The subject on the need to establish a re-accreditation mechanism on all local programmes, including the prescribed qualifications and the new accredited qualifications, under the SMP Ordinance in order to ensure the standard of these programmes could be kept up had then come under the spotlight. With reference to the accreditation mechanism previously endorsed on accreditation of aforementioned new local educational programmes and similar exercises of other healthcare professions, the Council has endorsed the framework of the re-accreditation mechanism for the respective Board to follow.

The exercise will top the meeting agenda of the Optometrists Board in the years to come.

### **(b) Continuing Professional Education**

148 optometrists have reported attainment of 10 CPD hours in 2016/2017. Subject to consent given by the registrants, they were awarded a Certificate of Achievement and their names were posted on the Board's website. Considering the participation rate of CPD of optometrists was still on a downward trend in recent years, ways will be explored with the professional organisations to boost up the



participation of CPD among registrants.

**(c) Quotable Qualifications**

On the recommendation by the Board Registration Committee, the Optometrists Board has approved the inclusion of “*Doctor of Health Science (Optometry), The Hong Kong Polytechnic University*” in the List of Quotable Qualifications.

As at 31 March 2017, there were a total of 78 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 2016 to March 2017 was as follows –

Chairman: Mr Patrick CHENG Wai-hung

Members: Mr Adam LEE Chi-ying  
Dr Patrick TING Wai-ki

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 2016 to March 2017:

<u>Cases</u>	<u>No.</u>
Received	7
Considered	8
Dismissed	6
Referred to the Board for inquiry	2

**Annex B** summarizes the four disciplinary inquiries conducted by the Optometrists Board in 2016 / 2017, 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 2016 to March 2017 was as follows –

Chairman: Mr John WONG Chun-hon (up to 28.2.2017)  
Mr Patrick CHENG Wai-hung (since 1.3.2017)

Members: Mr KWAN Kwok-fai  
Mr Geoffrey CHENG Wai-chak  
Dr FAN Chi-shing  
Miss Victoria LAW Kwai-mei  
Dr Larry NG Hou-yan

## **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 2016 to March 2017 was as follows –

Chairman: Dr DO Chi-wai

Members: Ms Monica CHOW Man-kit  
Mr KWOK Wai-wah  
Prof Kenneth LAM Chung-wing  
Ms Rita SUM Wing-man (since 5.3.2017)  
Mr Alex YIM Kwok-bun (up to 4.3.2017)

## **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 2016 to March 2017 was as follows –

Chairman: Miss Rufina CHAN Tin-yan (up to 30.9.2016)  
Ms Queenie YIP Siu-lai (since 1.10.2016)

Members: Dr Allen CHEONG Ming-yan  
Mr Dominic CHIM Chun-pong (since 27.5.2016)  
Dr Patrick CHU Ho-wai  
Dr LAM Chuen  
Dr Forrest NG Yiu-fai  
Ms Queenie YIP Siu-lai (up to 26.5.2016)

## ***7. Review by Committee Chairmen***

### **Preliminary Investigation Committee**

7.1 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, 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 2016/2017, the PIC processed a total of 8 complaints, among which 6 were dismissed and 2 were referred to the Board for inquiry.

7.3 In the face of rising public expectation on healthcare professionals, registrants are again strongly advised to familiarize themselves with the provisions in the Code of Practice and to observe at all times high standards of professional and personal conduct reflecting credit upon the profession.

7.4 Opportunity is also taken to remind registrants to make good use of the full judgment of all guilty cases published on the Board's website to better comprehend situations that may give rise to disciplinary inquiries and to minimize the risks of committing any professional misconduct heedlessly.

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

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

## **Registration Committee**

7.5 I have been appointed as the Chairman of the Registration Committee since June 2017. One of the main functions of the Registration Committee is to handle and vet applications for registration as optometrists. In the year of 2016/2017, the Registration Committee approved 34 registration applications and rejected 2. Besides, the Committee has endorsed 7 applications for restoration of names to the Register of Optometrists.

7.6 The Registration Committee is also responsible for scrutinizing qualifications, on application from registrants or institutions, for inclusion in the List of Quotable Qualifications. In accordance with the Guidelines for Consideration of Quotable Qualifications as laid down by the Board, the Registration Committee processed 1 application for inclusion of “Doctor of Health Science (Optometry), The Hong Kong Polytechnic University” in the list. The updated list was uploaded to the Board’s website in February 2017 for registrant’s easy reference.

7.7 As the Board’s delegated accreditor of programme providers and CPD programmes, the major functions of the Registration Committee include accrediting APPs and processing applications for validation of CPD programmes submitted by non-APPs. During the year, the Committee has approved the renewal of the APP status of the 4 APPs<sup>2</sup> for another three years effective from 1 November 2016 and approved 9 applications for validation of CPD programmes and rejected 3. Registrants may visit the Board’s website for the most updated list of CPD programmes as accredited by the Board.

Mr Patrick CHENG Wai-hung  
*Chairman, Registration Committee*

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

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<sup>2</sup> The four APPs are : (1) The Hong Kong Polytechnic University (PolyU); (2) The Hong Kong Association of Private Practice Optometrists (HKAPPO); (3) the Hong Kong Optometric Association (HKOA) and (4) The Hong Kong Society of Professional Optometrists (HKSPPO).



## **Examination Committee**

7.8 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 consideration. 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 I have been appointed as the Chairman of the Education Committee since October 2016. For the year 2016/2017, 196 members of the profession, representing 9.1% of total population of optometrists, have submitted returns on their CPD attainment to the Board. Among them, 148 registrants have been confirmed attainment of the Board's annual requirement of 10 CPD points for the cycle ended 30 June 2017. Certificate of achievement will be issued to these registrants to recognize their efforts made to enhance their professional knowledge.

7.10 The purpose of imposing CPD requirement is to encourage optometrists to commit to life-long continuing professional development through education and training. Optometrists are expected to acquire new knowledge, skills and practical experience in order to provide quality service. This is very important particularly at this time of rapid technological advancement.

7.11 The Committee will continue exploring ways to boost the participation rate in CPD activities. Meanwhile, we count on registrants' full support in continually enriching their professional knowledge and skills through life-long learning and active participation in CPD activities.

Ms Queenie YIP Siu-lai  
*Chairman, Education Committee*

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

**Registration of Optometrists**  
**(as at 31.3.2017)**

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) 727
	(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 = 66 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 = 151 Part III= 38

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>	462
	<ul style="list-style-type: none"> <li>To practice refraction only</li> </ul>		181	
	<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>	133
	<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>	194
<u>Part</u>	<u>No.*</u>			
I	961 (933)			
II	189 (191)			
III	38 (41)			
<u>IV</u>	<u>970 (977)</u>			
Total	2,158 (2,142)			

\* Figures as at 31.3.2016 are in bracket

## Annex B

### Disciplinary inquiries conducted by the Optometrists Board (1 April 2016 to 31 March 2017)

Date of Inquiry	Allegation(s)	Decision of the Board
21 April 2016	The respondent was alleged to have disregarded and/or neglected his professional duties and responsibilities towards the Patient in that he, in or around July and August 2014, failed to take appropriate follow-up action after the Patient complained to him about the vision problems in wearing the glasses prescribed by him.	Not guilty. The facts alleged against the respondent had not been proved to the satisfaction of the Board and the complaint was dismissed.
19 May 2016	The respondent was alleged to have disregarded and/or neglected his professional duties and responsibilities towards the Patient in that he, in or around March 2015 –  (a) failed to properly prescribe a pair of suitable spectacles according to the Patient's vision conditions and needs; 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 of charge (b). The Board ordered that a warning letter be served on the respondent and such order was not published in the gazette.
21 July 2016	The respondent, being a registered optometrist (Part I) of an optical establishment, was alleged to have instigated, sanctioned, acquiesced in or failed to take reasonable steps to prevent the publication of an email promotion of the establishment, in which offers for free optometric services were made.	Guilty. The Board ordered that a warning letter be served on the respondent and such order was not published in the gazette.
15 February 2017	The respondent was alleged to have disregarded and/or neglected her professional duties and responsibilities towards the Patient in that she, in or around March and April 2015 –  (a) failed to properly prescribe a pair of suitable spectacles according to the	Guilty of charge (a). The Board ordered that a warning letter be served on the respondent and such order was not published in the gazette.

Date of Inquiry	Allegation(s)	Decision of the Board
	Patient's vision conditions and needs; and/or (b) failed to take appropriate follow-up action after the Patient complained to her about the vision problems in wearing the spectacles prescribed by her.	

Summary: 3 cases – guilty  
 1 case – not guilty