

MEDICAL REGISTRATION ORDINANCE (Chapter 161)

ORDER MADE BY THE MEDICAL COUNCIL OF HONG KONG

DR KO RYAN LAP YAN (REGISTRATION NO.: M13067)

It is hereby notified that after due inquiry held on 12 February 2018 in accordance with section 21 of the Medical Registration Ordinance, Chapter 161 of the Laws of Hong Kong, the Medical Council of Hong Kong found Dr KO Ryan Lap Yan (Registration No.: M13067) guilty of the following disciplinary offence:—

‘That in or about December 2013, he, being a registered medical practitioner, in respect of a television programme entitled ‘守護生命的故事’ the 6th episode (‘the Programme’), he sanctioned, acquiesced in or failed to take adequate steps to prevent the broadcast of the followings regarding himself in the Programme that ‘有14年心臟科經驗’ which was incorrect or misleading.

In relation to the facts alleged, he has been guilty of misconduct in a professional respect.’

Dr KO was at all material times a registered medical practitioner. His name has been included in the General Register from 3 July 2001 to present. His name has been included in the Specialist Register under the Specialty of Cardiology since 5 March 2008.

Dr KO admitted the factual particulars of the amended disciplinary charge. He also admitted that he failed to take adequate steps to prevent the broadcast of the incorrect information in the Programme about his professional experience in cardiology.

According to Dr KO, he was invited by one Mr. Chan sometime in around mid-2013, to take part in the filming of one of the episodes in the documentary series called ‘Guardian of Life’ (‘the Programme’). Mr. Chan was a staff member of Television Broadcasts Limited (‘TVB’) and he told Dr KO that the purpose of the Programme was to provide the public with general information on medical developments and treatments. Dr KO subsequently accepted the invitation to take part in the Programme on a pro bono basis and to speak about common heart conditions and new advances in cardiology.

According to Dr KO, Mr. Chan never asked him about his professional experience in cardiology either before or during the filming of the Programme. Some time after filming the Programme, Mr. Chan sent a draft document in Chinese to Dr KO for approval. The draft document contained the intended voice-over, the questions asked and Dr KO’s answers for sound recording of the Programme. However, the draft document did not show what captions or contents would be shown on screen in the final version.

Mr. Chan and Dr KO subsequently met to go over the draft document. According to Dr KO, in reply to Mr. Chan’s questions about his credentials, he specifically told Mr. Chan that he graduated in 2000 and had served in the Hospital Authority for 9 years. Dr KO also replied to Mr. Chan that he began to carry out cardiac catheterization procedures in 2006.

According to Dr KO, he had requested Mr. Chan to let him review the Programme before it was aired. However, Mr. Chan refused and he explained to Dr KO that it was not the policy of TVB to allow guests to review its TV programmes before airing. Dr KO then reminded Mr. Chan to be very careful to ensure none of the information to be shown in the final version of the Programme would be misleading.

The Programme was aired on 30 December 2013. One of the scenes in the Programme captured Dr KO walking in a corridor of the Hong Kong Adventist Hospital and a caption in Chinese appeared on the screen describing Dr KO as having 14 years’ experience in cardiology and he started carrying out cardiac catheterization procedures in 2006.

The Medical Council subsequently received the present complaint against Dr KO on 6 January 2014.

The Medical Council opined that whilst it is appropriate for a doctor to take part in *bona fide* health education but he must ensure that any information provided by him (or anybody acting on his behalf or with his forbearance) to the public is accurate, factual, objectively verifiable and be presented in a balanced manner. The same principle applies to information about a doctor’s professional services as well as his credentials. This is because members of the public seeking

medical services for themselves or their families need to know the professional experience of a doctor so that they can make an informed choice whether to consult him.

It is always a doctor's personal obligation to ensure that any information about his credentials would be accurate and not misleading. Dr KO ought to have foreseen that he was going to be introduced as a cardiologist in the Programme. Indeed, Dr KO also admitted that Mr. Chan had specifically asked him about his credentials during their meeting after the filming of the Programme.

In Medical Council's view, Dr KO's failure to take adequate steps to prevent incorrect information about his professional experience in cardiology be broadcast to the public had fallen below the standards expected of registered medical practitioners in Hong Kong. Therefore, the Medical Council found him guilty of misconduct in a professional respect as charged.

Taking into account the whole circumstances of the case and the mitigation advanced by Dr KO through his solicitor, the Medical Council ordered that Dr KO be reprimanded. The Medical Council needed to emphasize that but for the special factual background of this case, any doctor who engaged in unauthorized practice promotion would be dealt with by removal from the General Register for a short period with suspension of operation of the removal order, and in serious cases the removal order would take immediate effect.

The orders are published in the *Gazette* in accordance with section 21(5) of the Medical Registration Ordinance. The full decision of the Medical Council is published in the official website of the Medical Council of Hong Kong (<http://www.mchk.org.hk>).

LAU Wan-ye, Joseph *Chairman, The Medical Council of Hong Kong*