

MEDICAL REGISTRATION ORDINANCE (Chapter 161)

ORDER MADE BY THE INQUIRY PANEL OF
THE MEDICAL COUNCIL OF HONG KONG

DR CHUI HON CHIU (Registration No.: M05286)

It is hereby notified that after due inquiry held on 5 March 2019 in accordance with section 21 of the Medical Registration Ordinance, Chapter 161 of the Laws of Hong Kong, the Inquiry Panel of the Medical Council of Hong Kong found Dr CHUI Hon Chiu (Registration No.: M05286) guilty of the following disciplinary charges:—

‘That on or about 5 May 2014, she, being a registered medical practitioner, disregarded her professional responsibility to her patient (‘the Patient’) in that:—

- (a) she failed to ensure that the name of the prescribing doctor was labelled in the dispensed medicine; and
- (b) she failed to ensure that the name of the medicine was labelled in the dispensed medicine.

In relation to the facts alleged, either singularly or cumulatively, she has been guilty of misconduct in a professional respect.’

Dr CHUI was at all material times a registered medical practitioner. Her name has been included in the General Register from 6 March 1984 to present.

Dr CHUI was at all material times working as a locum doctor in the clinic of Dr MA Joseph located at Mei Foo Sun Chuen, Kowloon. On 5 May 2014, the Patient consulted Dr CHUI at Dr MA’s clinic complaining of minor rashes around the lower corner of her right eyelid.

On examination, Dr CHUI noted that there was swelling and redness in the Patient’s right eye and there was a maculopapular rash over the Patient’s right outer eyelid. A diagnosis of allergic contact dermatitis was made. Dr CHUI then prescribed to the Patient the following medicines:—

- (i) oral Piriton 4 mg 3 times a day for 3 days;
- (ii) vitamin C 100 mg 3 times a day for 3 days; and
- (iii) 1% hydrocortisone cream for local application on the right outer eyelid 2 times a day for 3 days

There is no dispute that the prescribed medicines were subsequently dispensed to the Patient through Dr CHUI’s clinic assistant. However, none of the prescribed medicines were labelled with the name of Dr CHUI as prescribing doctor. The container of the 1% hydrocortisone cream bore on one side a label with the letters ‘H.C’. On the other side of the container, there was a label bearing the name of the Patient and the instruction (in Chinese and English) for use 2 times a day morning and night.

The Patient returned home and took the prescribed medicines. According to the unchallenged evidence of the Patient, she continued to apply the 1% hydrocortisone cream around the lower corner of her right eyelid for some 2 months. And yet, her medical condition did not improve and there was sign of worsening of rashes around the lower corner of her right eyelid.

The Patient subsequently lodged this complaint against Dr CHUI with the Medical Council.

Dr CHUI admitted the factual particulars of the disciplinary charges against her.

Registered medical practitioners in Hong Kong are in a unique position in that they can prescribe and dispense medicines to patients. As a registered medical practitioner who dispensed medicines to her patients, Dr CHUI had the personal responsibility to ensure all dispensed medicines are properly labelled.

It was clearly stated in paragraph 9.4 of the Code of Professional Conduct (2009 edition) (the ‘Code’) that:—

‘All medications dispensed to patients directly or indirectly by a doctor should be properly and separately labelled with all the following information:—

- (a) name of prescribing doctor or proper means of identifying him;*

...

(d) name of medicine, which can be either:—

- (i) the name of the medicine as it is registered with the Pharmacy and Poisons Board of Hong Kong and shown in the Compendium of Pharmaceutical Products published by the Department of Health; or
- (ii) the generic, chemical or pharmacological name of the medicine;

...’

Proper labelling of medicine is an important requirement in the practice of medical practitioners in Hong Kong. Doctors who provide subsequent treatment to the same patient will need to know what medicines the patient has been taking in order to determine the proper treatment. Failure to properly label the medicines may have serious consequences, particularly in emergency situations.

Doctors who provide subsequent treatment to the same patient need to be able to tell from the label who was the prescribing doctor. Otherwise, the prescribing doctor may not be contacted in good time to provide the necessary information and/or assistance, particularly when the patient is unable to communicate with the subsequent treating doctor. The Inquiry Panel acknowledged that Dr CHUI was at the material time a locum doctor. However, this was not an excuse for Dr CHUI's failure to comply with the requirement of proper labelling of the name of prescribing doctor.

The Medical Council has repeatedly emphasized in previous cases the importance of proper labelling of name of medicine. Doctors who provide subsequent treatment to the same patient need to know the name and dosage of medicine previously taken by the patient when formulating their treatment plans. This will also avoid over dosage and adverse effect of drug-drug interaction.

In this case, Dr CHUI merely labelled the container of the 1% hydrocortisone cream with the letters ‘H.C’. Doctors who might provide subsequent treatment to the Patient could not tell the name and strength of the medicine inside the container. And there was no excuse for her failure to comply with the requirement of proper labelling of name of medicine.

For these reasons, the Inquiry Panel found Dr CHUI's conduct to have fallen below the standards expected of registered medical practitioners in Hong Kong. The Inquiry Panel therefore found her guilty of professional misconduct in respect of disciplinary charges (a) and (b).

Taking into consideration the nature and gravity of the case and what the Inquiry Panel had heard and read in mitigation, the Inquiry Panel made a global order in respect of disciplinary charges (a) and (b) that Dr CHUI be reprimanded.

The order is published in the *Gazette* in accordance with section 21(5) of the Medical Registration Ordinance. The full decision of the Inquiry Panel 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