

CHINESE MEDICINE ORDINANCE (Chapter 549)

ORDER MADE BY THE CHINESE MEDICINE PRACTITIONERS BOARD OF
THE CHINESE MEDICINE COUNCIL OF HONG KONG

Notice is hereby given that the Chinese Medicine Practitioners Board of the Chinese Medicine Council of Hong Kong, after inquiry on 23 May 2019 conducted pursuant to section 98(2) of the Chinese Medicine Ordinance (Chapter 549, Laws of Hong Kong), was satisfied that the following charges of professional misconduct against TANG Chau, registered Chinese medicine practitioner (registration no.: 000354), are proved:—

- (1) On around 22 January 2018:—
 - (i) did not record or maintain any record of the detailed composition, dosage, manufacturing time and prescription records, etc. in relation to medicines made by him such that his conduct fell short of the reasonable standards of conduct expected among his professional colleagues, in contravention of Part 2 of the Code of Professional Conduct for Registered Chinese Medicine Practitioner in Hong Kong;
 - (ii) did not diligently discharge his responsibility to protect the privacy of patients' personal data and disclosed their information by keeping their medical records in open-mouthed plastic boxes in an unmanaged manner, in his practising premises located at Ground Floor of 255 Ki Lung Street, Sham Shui Po, Kowloon, in contravention of section 3(2) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;
 - (iii) failed to state the names and dosages of all Chinese medicines of the prescribed medicine in the prescriptions issued to patients, in contravention of sections 4(6)(c) and (d) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong;

For the above matters, registered Chinese medicine practitioner TANG Chau was found guilty in Hong Kong of misconduct in a professional respect under section 98(2)(b); and breached the conditions imposed by the Chinese Medicine Practitioners Board on practice of Chinese medicine as referred to in section 98(2)(e) of the Chinese Medicine Ordinance;

- (2) convicted at the Hong Kong Special Administrative Region West Kowloon Magistrates' Court on 7 January 2019 of the following offences:—
 - (i) 'possession of substance to which the Antibiotics applies', contrary to sections 5(1) and 10(1) of the Antibiotics Ordinance, Chapter 137, Laws of Hong Kong;
 - (ii) 'possession of Part I poisons', contrary to sections 23(1), 33 and 34 of the Pharmacy and Poisons Ordinance, Chapter 138, Laws of Hong Kong;
 - (iii) 'possession of unregistered pharmaceutical products for the purpose of sale or distribution', contrary to sections 36(1) and 40 of the Pharmacy and Poisons Regulations, Chapter 138A, Laws of Hong Kong;

and hence breached section 98(2)(a) of the Chinese Medicine Ordinance;

- (3) did not report to the Chinese Medicine Practitioners Board within 28 days after being convicted of the above offences, contrary to section 1(2) of Part 3 of the Code of Professional Conduct for Registered Chinese Medicine Practitioners in Hong Kong. Registered Chinese medicine practitioner TANG Chau was hence found guilty in Hong Kong of misconduct in a professional respect under section 98(2)(b) and breached the conditions imposed by the Chinese Medicine Practitioners Board on practice of Chinese medicine as referred to in section 98(2)(e) of the Chinese Medicine Ordinance.

Pursuant to section 98(3) of the Chinese Medicine Ordinance, the Chinese Medicine Practitioners Board ordered on 23 May 2019 that for the above established charge (2), the name of TANG Chau be removed from the Register of Chinese Medicine Practitioners for 6 months, but suspended the application of such order for 24 months, with effect from 23 May 2019; and for the above established charges (1) and (3), registered Chinese medicine practitioner TANG Chau be reprimanded.

In accordance with section 104 of the Chinese Medicine Ordinance, the above order made by the Chinese Medicine Practitioners Board is hereby published.

WONG Yu-yeuk *Chairman, The Chinese Medicine Practitioners Board of
the Chinese Medicine Council of Hong Kong*