

CHIROPRACTORS REGISTRATION ORDINANCE (CHAPTER 428)

ORDER MADE BY THE INQUIRY COMMITTEE, CHIROPRACTORS COUNCIL

It is hereby notified that the Inquiry Committee of the Chiropractors Council, after due inquiry held on 11 July 2016 and 26 September 2016 in accordance with the Chiropractors (Registration and Disciplinary Procedure) Rules (Cap. 428, subsidiary legislation), found Dr LEE Hin Yim (Registration No. CC000080) guilty of the following disciplinary offences -

“ He, being a registered chiropractor, on or about 22 July 2008 –

- (a) improperly used in his information pamphlet the Chinese title of “腦神經科專科醫生” which in law could only be used by a registered medical practitioner included in the Specialist Register of Medical Practitioners under the specialty of “Neurology” by virtue of section 20M of the Medical Registration Ordinance, Cap. 161;
- (b) improperly used in his information pamphlet the title of “Chiropractic Neurologist” which was misleading;

and that in relation to the facts alleged, he has been guilty of misconduct in a professional respect.”

On 22 July 2008 the Complainant took her 11-year old daughter to consult Dr LEE in respect of the daughter’s learning difficulty and/or attention deficit. After conducting some examinations, he recommended a course of treatment for one year in order to improve the daughter’s brain function. He instructed his nurse to give his information pamphlet to the Complainant to facilitate her in deciding on whether to take the recommended treatment.

The information pamphlet was in Chinese, with the name, address and telephone number of Dr LEE’s clinic “Lee Chiropractic Neurology Center 李憲嚴腦神經暨脊醫中心” printed at the end. In the pamphlet, there was a section with the underlined heading “腦神經科專科醫生 (Chiropractic Neurologist)”.

After the Complainant returned home, she tried to verify Dr LEE’s qualifications and discovered that Dr LEE was not a registered medical practitioner but was only a registered chiropractor. She then made a complaint to the Chiropractors Council.

The Inquiry Committee held that:-

- (a) The proper title for a person registered under section 10 of the Chiropractors Registration Ordinance was “registered chiropractor”. There was no provision for using other titles, either in the Ordinance or in the Code of Practice.

- (b) Under section 20M of the Medical Registration Ordinance, only a registered medical practitioner whose name was included in the Specialist Register under a particular specialty was entitled to be known in English as “specialist” in that specialty and in Chinese as “專科醫生” in that specialty. As Dr LEE was neither a registered medical practitioner nor included in the Specialist Register of Medical Practitioners, he could not use the title “腦神經科專科醫生” or “Specialist in Neurology”.
- (c) Although the title “neurologist” was not in the same form as the statutorily prescribed title “Specialist in Neurology” reserved for specialist medical doctors, in daily language a neurologist generally referred to a medical doctor specializing in neurology. Even if the title “neurologist” was prefixed with the description “chiropractic”, it misleadingly suggested that the person was a specialist medical doctor, particularly when it was used side by side with the Chinese title ‘腦神經科專科醫生’.
- (d) There was no merit in Dr LEE’s argument that he could call himself a “Chiropractic Neurologist” by reason of his qualification of Diplomate of the American Chiropractic Neurology Board. While he could indicate his further training in chiropractic neurology by quoting the qualification “Diplomate, American Chiropractic Neurology Board”, it was not open for him to adopt the title in conjunction with the Chinese title “腦神經科專科醫生” which misleadingly suggested that he was a specialist medical doctor.
- (e) Dr LEE’s conduct in using the titles “腦神經科專科醫生” and “Chiropractic Neurologist” as alleged in Charges (a) and (b) had clearly fallen short of the standard expected amongst registered chiropractors and constituted professional misconduct.

Pursuant to section 18 of the Chiropractors Registration Ordinance, the Inquiry Committee ordered on 26 September 2016 that a warning letter be served on Dr LEE in respect of both charges.

This notice is published in accordance with section 21 of the Chiropractors Registration Ordinance. The full determination of the Inquiry Committee is published on the website of the Chiropractors Council (www.chiro-council.org.hk).

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Chairman,
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