

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 2 December 2008 in accordance with the Chiropractors (Registration and Disciplinary Procedure) Rules (Cap. 428, subsidiary legislation), found Dr YAM Wai-keung, William guilty of the following charges -

“That he, being a registered chiropractor, -

- (a) failed to provide within a reasonable time the medical records of Mr. X (‘the patient’) despite repeated requests by the patient in October 2006 and January 2007;
- (b) in response to the patient’s request for a copy of his medical records, repeatedly demanded payment for a medical report in October 2006, both via the nurse and by way of letter, despite the fact that the patient never asked for a medical report and clarified that he was not asking for a medical report.

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

The case involved a request first made in October 2006 by a patient of Dr Yam for a copy of his medical records. Dr Yam refused to release the medical records and insisted on providing a medical report to be compiled upon payment of a fee, even after the patient had repeatedly made clear that he was asking for the medical records and not a medical report. Dr Yam only released the medical records to the patient when the Privacy Commissioner for Personal Data intervened in March 2007 in connection with a complaint by the patient.

The Inquiry Committee found that Dr. Yam’s conduct in respect of his failure to provide the medical records to the patient until almost 6 months after the first request was made and his demand for payment for a medical report which the patient had clearly refused had fallen below the standard expected amongst registered chiropractors.

Pursuant to section 18 of the Chiropractors Registration Ordinance, the Inquiry Committee ordered on 2 December 2008 that a warning letter be served on Dr YAM Wai-keung, William.

Dr NG Shu-yan
Chairman,
Chiropractors Council