

# 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 22 February 2013, 22 March 2013, 3 September 2013, 9 September 2013, 31 October 2013, 10 January 2014 and 23 January 2014 in accordance with the Chiropractors (Registration and Disciplinary Procedure) Rules (Cap. 428, subsidiary legislation), found Dr YEUNG Kwok Keung Dennis (Registration No. CC000027) guilty of the following disciplinary offences -

“He, being a registered chiropractor, in or about August 2010, had disregarded his professional responsibility towards Mr X (“the complainant”), when the complainant was under his care, in that -

- (a) he provided inappropriate chiropractic treatment to the complainant on 30 August 2010 (“the treatment”) after which he felt numbness and weakness in his lower limbs;
- (b) he had failed to give the complainant proper explanation of his neck conditions and/or appropriate advice on the effect and associated risks of the recommended treatment before providing the treatment to him;
- (c) he failed to take appropriate or necessary follow-up action in the best interest of the complainant immediately after the treatment on 30 August 2010 when he indicated severe numbness in his lower limbs to him;

and in relation to the facts alleged, either individually or cumulatively, he has been guilty of misconduct in a professional respect.”

The complainant first consulted Dr Yeung in July 2008 for severe neck pain and back pain with numbness of the 4<sup>th</sup> and 5<sup>th</sup> fingers of both hands. Dr Yeung provided to him 38 sessions of chiropractic treatment from July 2008 to January 2010.

On 20 August 2010, the complainant consulted Dr Yeung for wry neck (torticollis). Dr Yeung provided to him the same chiropractic treatment as in the previous 38 sessions.

On 30 August 2010, the complainant complained to Dr Yeung that he had numbness of his toes and could not walk steadily due to incoordination of his legs. Without performing any neurological examination to find out whether there was any neurological impairment, Dr Yeung provided to him the same treatment as before. After the treatment, the complainant felt severe numbness and weakness of his legs. Dr Yeung

told him that it was normal reaction and simply told him to take a rest before leaving the clinic.

On 1 September 2010, the complainant told Dr Yeung over the telephone that his lower limbs numbness was getting worse. On 14 September 2010, the complainant returned to see Dr Yeung. Without performing any neurological examination, Dr Yeung provided to him cervical, thoracic and lumbar chiropractic treatment.

On 27 September 2010, the complainant had a sudden onset of lower limb weakness and could not walk. He was admitted to the Accident and Emergency Department of a public hospital. MRI examination showed cervical disc prolapse leading to severe spinal cord compression at C5/C6 with focal cystic myelomalacia. On 8 October 2010, the complainant underwent emergency operation for anterior spinal fusion of the cervical spine.

The Inquiry Committee held that:-

- (a) A chiropractor must perform proper examination in order to diagnose the patient's condition, and to determine the proper treatment for managing the patient's condition. It is important that neurological examination should be performed if the patient's symptoms indicate the possibility of neurological impairment, as spinal cord compression is a risk factor in, and can be a relative contraindication for, chiropractic treatment. The chiropractic treatment may aggravate the condition and, in some cases, may lead to potentially serious consequences.
- (b) In July 2008, the complainant had a history of bilateral numbness of the 4<sup>th</sup> and 5<sup>th</sup> fingers, which increased on flexion of neck. He could not perform delicate finger movements such as typing and grabbing. These were possible signs of spinal cord compression, and required neurological examination to be performed. When the complainant returned on 20 August 2010 with further complaints, the Respondent should have conducted thorough examinations to ascertain whether the previous diagnosis still applied. When the complainant presented on 30 August 2010 with gait disturbance and complained of leg numbness which suggested further worsening of his condition, there was all the more reason for Dr Yeung to perform neurological examination.
- (c) On 30 August 2010, Dr Yeung did not pay proper attention to the complainant's symptoms and was giving only routine treatment to him. He had failed to perform adequate examination. He failed his professional duty to take the proper steps to diagnose the complainant's condition as the basis for his treatment. As diagnosis is an essential part of treatment, the treatment was inappropriate.
- (d) Given that Dr Yeung did not perform the proper examination to diagnose the complainant's neck condition, he could not have provided a proper explanation

about the complainant's neck condition. He did not advise the complainant about the effect and associated risks of the treatment which were particularly significant in the context of cervical disc prolapse.

- (e) The complainant indicated that he had severe numbness in his legs after the treatment. However, Dr Yeung failed to perform further investigation to ascertain the cause of the numbness, in order to find out whether there were underlying conditions which would require immediate management.
- (f) Dr Yeung's conduct as alleged in Charges (a), (b) and (c) had fallen below the standard expected amongst registered chiropractors and therefore constituted professional misconduct.

Pursuant to section 18 of the Chiropractors Registration Ordinance, the Inquiry Committee ordered on 23 January 2014 that:-

- (a) Dr Yeung's name be removed from the register of chiropractors for a period of 4 months.
- (b) The removal order be suspended for a period of 18 months, subject to compliance with the following conditions:-
  - (i) he shall not commit any further disciplinary offence within the suspension period;
  - (ii) he shall satisfactorily complete continuing professional development (CPD) course(s) on neurology, to the equivalent of 12 CPD points within 6 months from the date of service of this order upon him, such course(s) to be approved by the Council in advance;
  - (iii) he shall provide documentary evidence of satisfactory completion of the CPD course(s) approved by the Council within 1 month after expiry of the 6-month period for completing those course(s).

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](http://www.chiro-council.org.hk)).

Dr Mazy LAM YIP Chin-may  
Chairman,  
Chiropractors Council