

**CHIROPRACTORS COUNCIL
HONG KONG**
香港脊醫管理局

CODE OF PRACTICE
專業守則

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CODE OF PRACTICE

FOR THE GUIDANCE OF REGISTERED CHIROPRACTORS

All registered chiropractors are earnestly advised to read through this pamphlet and to acquaint themselves thoroughly with its contents, thereby avoiding the danger of inadvertently transgressing accepted codes of professional ethical behaviour which may lead to disciplinary action by the Chiropractors Council.

CHIROPRACTORS COUNCIL HONG KONG

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(Note : Words and expressions importing the masculine gender in this Code include the female gender.)

PART I

THE CHIROPRACTIC OATH

I DO HEREBY AFFIRM BEFORE GOD AND THESE ASSEMBLED WITNESSES THAT I WILL KEEP THIS OATH AND STIPULATION.

TO HOLD IN ESTEEM AND RESPECT THOSE WHO TAUGHT ME THIS CHIROPRACTIC HEALING ART; TO FOLLOW THE METHODS OF TREATMENT WHICH ACCORDING TO MY ABILITY AND JUDGEMENT I CONSIDER FOR THE BENEFIT OF MY PATIENTS; TO ABSTAIN FROM WHATEVER IS DELETERIOUS AND MISCHIEVOUS; TO STAND READY AT ALL TIMES TO SERVE MY FELLOW MAN WITHOUT DISTINCTION OF RACE, COLOR OR CREED.

WITH PURITY I WILL PASS MY LIFE AND PRACTISE MY ART; I WILL AT ALL TIMES CONSIDER THE PATIENTS UNDER MY CARE AS OF SUPREME IMPORTANCE; I WILL NOT SPARE MYSELF IN RENDERING THEM THE HELP WHICH I HAVE BEEN TAUGHT TO GIVE BY MY ALMA MATER; I WILL KEEP INVIOLETE ALL THINGS REVEALED TO ME AS A PHYSICIAN.

WHILE I CONTINUE TO KEEP THIS OATH UNVIOLATED, MAY IT BE GRANTED TO ME TO ENJOY LIFE AND THE PRACTICE OF THE CHIROPRACTIC HEALING ART, RESPECTED BY ALL MEN AT ALL TIMES.

PART II
FOREWORD

The Chiropractors Council is established under the Chiropractors Registration Ordinance, Chapter 428. The Council's main functions are to maintain a register of persons practising chiropractic and to promote proper standards of professional practice and professional conduct amongst these persons.

The purpose of this book is to provide a Code of Practice applicable to the profession. The Code is intended to provide guidance for conduct and relationships in carrying out the professional responsibilities consistent with the ethical obligations of the profession.

A person who contravenes any part of the Code of Practice may be considered to be guilty of unprofessional conduct but the fact that any matters are not mentioned in the Code shall not preclude the Council from judging a person to have acted in an unprofessional or improper manner by reference to those matters.

The Council wishes to emphasize that whatever is contained in the Code, every case referred to it will be considered on its own merits.

The question of whether any particular course of conduct amounts to misconduct or neglect in any professional respect, and the gravity of such misconduct, are matters which will be determined by the Preliminary Investigation Committee and as appropriate an Inquiry Committee established by the Council, after hearing evidence in each individual case.

If a person desires to have detailed advice on questions of professional conduct arising in particular circumstances, he is advised to consult his professional association, his own legal adviser or senior colleagues for advice. The Council, having a quasi-judicial function, is not able to advise individuals directly.

The Council also wishes to emphasize that, in considering convictions, an inquiry committee is not required to inquire whether the registered chiropractor was properly convicted. A person who faces a criminal charge should remember this if he is advised to plead guilty, or not to appeal against a conviction, in order to avoid publicity or a severe sentence. It would be difficult for him, if he has been convicted of an offence, to argue before an inquiry committee that he was in fact innocent. It is therefore unwise for a person to plead guilty in a court of law to a charge to which he believes that he has a defence.

This Code does not purport to be a complete guide to the Chiropractors Registration Ordinance, to which reference should be made in relation to specific matters.

CHIROPRACTIC - A BRIEF HISTORY

Chiropractic as a profession was founded in 1895 by a Canadian healer residing at the time in Davenport, Iowa, in the United States of America. Dr. Daniel D. Palmer was a man of vision whose teachings and writings on many subjects, although hypothesis at the time, have been proven as scientific fact generations after his death. Although manipulation has been used by physicians since time immemorial, Dr. D. D. Palmer was the first one to systematise the art of manipulation into a science.

Today there are degree courses in Australia, Canada, Denmark, France, South Africa, U.K. and U.S.A. The admission requirements are on par with those of Medicine and Dentistry. The graduate chiropractor is a Portal-of-Entry Physician trained to diagnose and differentiate between patients that can be successfully treated by chiropractic and those that should be referred to other health discipline(s).

In Hong Kong, chiropractic dates back to before the Second World War. The profession started to become organized in 1967 with the formation of the Hong Kong Chiropractors' Association (HKCA), and has grown from the founding three to forty-five in 1998. The term 脊骨神經科 has been used since 1981 as the Chinese title for chiropractic and 脊骨神經科醫生 for chiropractors when they were agreed at an HKCA meeting in 1981. The Chiropractors Registration Ordinance in Hong Kong was passed in February, 1993. The legal Chinese term accorded to registered chiropractors is 註冊脊醫. The Ordinance became the first legal act in Asia to officially recognize chiropractic and register chiropractors under a Council. Equally importantly they have been placed on an equal footing with Medicine and Dentistry in the health care system. Chiropractors are acutely aware of the responsibility that has been given to them and look to the Council for mature and unbiased guidance.

PART III

SCOPE OF CHIROPRACTIC PRACTICE

Chiropractic is a distinct health care system. It is not a part of orthodox medicine. Chiropractic is a discipline of the scientific healing arts concerned with the pathogenesis, diagnostics, therapeutics and prophylaxis of functional disturbances, pathomechanical states, pain syndromes and neurophysiological effects related to the statics and dynamics of the locomotor system, especially of the spine and pelvis.

To reach a proper diagnosis of a condition, chiropractors apply their knowledge in chiropractic diagnosis, motion palpation, human biomechanics and kinesiology together with diagnostic imaging and laboratory examinations. Proper clinical diagnosis is stressed to distinguish the conditions between those that can be treated by the registered chiropractor and those that cannot. The registered chiropractor should refer any condition that needs alternate care to the appropriate health practitioner.

The practice and procedures which may be employed by the registered chiropractor include the use of diagnostic and therapeutic procedures based on the academic and clinical training received in and through accredited chiropractic institutions or post-graduate chiropractic studies.

Patient care is conducted with due regard for environmental, nutritional and psychotherapeutic factors, as well as first aid, hygiene, sanitation, rehabilitation and physiological therapeutic procedures designed to assist in the restoration and maintenance of neurological integrity and homeostatic balance.

PART IV
PROFESSIONAL CONDUCT

1. Meaning of ‘misconduct or neglect in any professional respect’

In *Doughty v General Dental Council* reported in 1988 the Privy Council interpreted the English dentists’ legislation, which uses the words “serious professional misconduct”. The learned judge used these words: “... what is now required is that the General Dental Council should establish conduct connected with his profession in which the dentist concerned has fallen short, by omission or commission, of the standards of conduct expected among dentists, and that such falling short as is established should be serious.”

Following the decision of the Court of Appeal in Hong Kong in *Koo Kwok Ho v The Medical Council of Hong Kong, Civil Appeal 23 of 1988* which adopted these comments except for the requirement that the falling short should be serious, the Chiropractors Council will use the test of whether the chiropractor’s conduct has fallen short of the standard expected amongst chiropractors.

2. Basic ethical principles

A registered chiropractor shall :-

- 2.1 Respect the rights and dignity of all individuals/patients, their rights to a full knowledge of their condition, diagnosis, treatment and any other information pertinent to the aforementioned.
- 2.2 Serve and attend to his patients regardless of social status, culture, creed, politics, race or nationality.
- 2.3 Respect the confidence imparted to him in the course of his professional duties, and comply with a patient’s authorization to provide records to those whom the patient designates as authorized to inspect or receive all or part of such records.
- 2.4 Endeavour to practise with the highest degree of professional competency and honesty in the proper care of his patients. His clinical judgement and practice should be objective and exercised solely for the patient’s benefit.
- 2.5 Strive continually to update and extend his professional knowledge and skill.
- 2.6 Be ready to consult and seek the talents of other healthcare professionals when such action would benefit his patients or when his patients express a desire for such consultation.
- 2.7 Maintain the highest standards of professional and personal conduct, and should refrain from all illegal conduct as well as the appearance of professional impropriety.

- 2.8 Recognize that his public behaviour may have an impact on the ability of the profession to serve the public.
- 2.9 Maintain an active interest in the planning and the provision of adequate health service for the community.
- 2.10 Ensure that professional integrity is not compromised by motives of profit or greed.
- 2.11 Promote public confidence in the chiropractic profession - a learned profession dedicated to the promotion of health, the prevention of illness and the alleviation of suffering.
- 2.12 Promote cordial relationships and respect and cooperate with other members of the chiropractic profession and other related professions in an effort to promote information advantageous to the public health and well-being.
- 2.13 Support and participate in proper activities designed to enable access to necessary chiropractic care on the part of persons unable to afford the fees for such care.
- 2.14 Only teach chiropractic knowledge and techniques where it is appropriate and would not prejudice the standards and integrity of the chiropractic profession. Any lecture or course of instruction intended to provide competency in chiropractic other than within or through accredited institutions, whether in Hong Kong or anywhere else, may be deemed unethical conduct.

3. Convictions and types of professional misconduct which may lead to disciplinary proceedings and penalty

3.1 Conviction of an offence which may bring the profession of chiropractic into disrepute

It is emphasized that any conviction in Hong Kong or elsewhere which may bring the profession of chiropractic into disrepute may lead to subsequent disciplinary proceedings by the Chiropractors Council, irrespective of the sentence imposed by the court.

The Chiropractors Council will take a serious view if a registered chiropractor is convicted of offences such as criminal deception (e.g. obtaining money or goods by false pretences), forgery, fraud, theft, indecent behaviour or assault, in Hong Kong or elsewhere, whether in the course of his professional duties or not, which brings the profession of chiropractic into disrepute.

3.2 Disregard of professional responsibilities towards patients

Disciplinary proceedings may be instituted in any case in which a registered chiropractor appears to have disregarded his professional responsibility to treat or care for a patient or otherwise to have neglected his professional duties.

3.3 Abuse of alcohol or drugs

Convictions for drunkenness, or other offences arising from the abuse of alcohol or drugs (such as driving a motor car when under the influence of alcohol or drugs), may lead to disciplinary proceedings.

A registered chiropractor who treats patients or performs other professional duties while under the influence of alcohol or drugs to such an extent as to be unfit to perform his professional duties is also liable to disciplinary proceedings.

3.4 Labelling of dispensed supplements

All supplements dispensed to patients directly or indirectly by a registered chiropractor should be properly labelled with the following essential information:-

- (a) name of patient;
- (b) date of dispensing;
- (c) method and dosage of administration if different from that inscribed on the ORIGINAL sealed packagings;
- (d) trade name or pharmacological name of the supplements if they are not dispensed in their ORIGINAL sealed packagings.

3.5 Abuse of professional confidence

The fact that a registered chiropractor has, without proper justification, disclosed information which was obtained in confidence from or about a patient would be an abuse of professional confidence.

Whatever the circumstances, a registered chiropractor must always be prepared to justify his action if he has disclosed confidential information. If a registered chiropractor is in doubt about disclosing information in a particular situation, he would be wise to seek advice from a professional association or his legal adviser.

3.6 Abuse of professional position in order to further an improper association or commit adultery

A registered chiropractor who abuses his professional position in order to further an improper, immoral, or indecent association or to commit adultery with a person with whom he stands in a professional relationship may be subjected to disciplinary proceedings.

3.7 Advertising

3.7.1 Registered chiropractors should not engage in self-advertisement. Advertising is incompatible with principles which should govern relations between members of the professions, and could be a source of danger to the public. 'Advertising' in this context will be regarded by the Council in its broadest possible sense to include any means by which a registered chiropractor is publicized, either by himself, his servants, agents or others, in a

manner which can reasonably be regarded as promoting his own professional advantage. Whether a registered chiropractor actually benefits from publicity is no defence to a charge of advertising.

3.7.2 The unprofessional conduct of advertising may arise from the publication either directly or indirectly (in any form in Hong Kong or elsewhere) of matter commending or drawing attention to the professional skill, knowledge, services or qualifications of a registered chiropractor when the registered chiropractor concerned has instigated, sanctioned or connived at or organized such publication or failed to take adequate steps to prevent publication.

3.7.3 Advertising may also be considered to occur if a registered chiropractor permits or fails to take adequate steps to prevent the publication either directly or indirectly (in any form in Hong Kong or elsewhere) by other persons of matter which commends attention to his own professional attainments or services, or if a registered chiropractor is associated professionally with or employed by persons or organizations which advertise clinical, diagnostic or other services connected with the practice of chiropractic. In determining whether unprofessional conduct has occurred, it is relevant to take into account:-

- (a) the extent and nature of, and possible reason for the publicity; and
- (b) the question whether the arrangements appear to have been intended to serve to promote the registered chiropractor's own professional advantage or financial benefit, or for the promotion of the chiropractic profession.

3.7.4 Advertising may arise from notices or announcements displayed, circulated, or made public by a registered chiropractor in connection with his own practice, if such notices or announcements materially exceed the limits customary in the profession : examples of permitted notices and announcements are given in Appendices I to IX. Rules for the guidance of registered chiropractors in relation to signs, visiting cards, etc., entries in street or telephone directories, circulars and entertainment are set out below:-

3.7.4.1 Signs : The Council disapproves of the exhibition in connection with a practice of any sign which, by its nature, position, size or wording, exceeds what is reasonably necessary to indicate the location of, and entrance to, the premises concerned.

The following are general guidelines in respect of Signboards/Directory Board/Directional Notices and Notices of Consulting Hours :-

(a) Signboards (general)

(i) Definition

The word signboard means any composite or individual notice containing the particulars mentioned at subparagraph

(ii) below which is exhibited in connection with a registered chiropractor's own practice.

(ii) Restriction

Signboards may not be exhibited other than on the premises at which the practice to which they refer is carried on. Signboards may not be of an ornate type nor may they be illuminated except at night or when situated in a dark place; the illumination should not be more than is necessary to allow the contents to be read. On no account will flashing signs be permitted.

The only particulars which may appear on the signboards are :

- (1) The name of the registered chiropractor with the appropriate prefix Dr./Mr./Mrs./Ms./Miss/脊醫 (OR the name by which the practice is known) in Chinese and English or other title(s) acceptable to the Council.
- (2) The appropriate term registered chiropractor (註冊脊醫) or other titles acceptable to the Council.
- (3) Qualifications registered with the Council together with the appropriate Chinese translation acceptable to the Council.
- (4) An indication of the situation in the building of the registered chiropractor's office.
- (5) Other titles acceptable to the Council.

[Note : The terms 'Registered Chiropractor', 'Doctor of Chiropractic', '脊醫', '註冊脊醫' and '脊骨神經科醫生' can be used interchangeably, provided that it is not used in circumstances which may mislead others to believe that the chiropractor is a medical doctor.] (amended on 31.8.2011)

(iii) Dimensions and sizes

The area of a signboard should be reasonable.

(b) Signboards (location and numbers permitted)

- (i) For Ground Floor offices with direct access from the pavement

One Signboard to be exhibited below First Floor level, visible from the street.

(ii) For offices situated within a building having one public entrance

One Signboard to be exhibited at the floor level where the practice is conducted, visible from the street.

One Signboard to be exhibited adjacent to the public entrance to the building, visible from the street.

(iii) For offices situated within a building having more than one public entrance

One Signboard to be exhibited at the floor level where the practice is conducted, visible from the street.

Two Signboard to be exhibited adjacent to a maximum of two public entrances to the building, visible from the street.

(c) Additional signboard permitted

Every registered chiropractor is permitted to exhibit one signboard on or beside the actual door of his clinic/office. The size of the signboard on/beside the actual door of the clinic/office is to be of reasonable size.

(d) Directory boards

Where directory boards are provided in buildings having a number of entrances and lobbies there will be no objection to the use of whatever number of boards are provided. The particulars which may appear on directory boards are those which may appear on signboards. Each entry must conform to the norm for every other entry on the board.

(e) Directional notices

Directional notices must not contain more particulars than those which may appear on signboards. They can only be exhibited within a building. The numbers which may be exhibited will be left to the discretion of the practitioner but the guidance given at the beginning of this section under '3.7.4.1 Signs:' must be given due consideration.

Directional notices must be of reasonable size.

(f) Notices of consulting hours

Every registered chiropractor is permitted to exhibit one separate notice containing his particulars and details of his practice hours provided that this information is not already shown on some other sign. The placement of such a notice is left entirely to the practitioner. However, it is emphasized that only one such notice is permitted and its size should be of reasonable dimensions.

(g) Specific guidance

The Council wishes to warn each registered chiropractor specifically against:-

- (i) the use of the word 'clinic' or 'polyclinic' in any language on his signboards or stationery to describe his private consulting rooms, except prefixed by the word "chiropractic" or otherwise acceptable to the Council.
- (ii) the use of such terms as 'X-Ray', 'Red Cross', 'Painless Adjustment', 'Specific Technique', 'Treatments of Diseases', etc., in any language on his signboards or stationery to advertise services that may or may not be available;
- (iii) the exhibition of letters of appreciation or of commendation other than within the chiropractor's premises;
- (iv) the use of any academic qualifications other than those entered against his name in the register in any language on his signboards or stationery;
- (v) the use of any descriptive wording such as 'Specialist' or 'Specialist in ...' in any language on his signboards or stationery other than such as has been approved by the Council; and
- (vi) the use of his name with his title or degree in any advertising materials such as circulars.

Whilst the exhibition of showcases of equipment or displays of orthotics, spinal supports, nutritional products, herbal products, etc is not prohibited, any such exhibition or display must be discreet and non-obstructive. A chiropractor must not take advantage of his professional capacity in the promotion and sale of such equipment and products and must not abuse the patient's trust or exploit his lack of knowledge.

- 3.7.4.2 Stationery etc. : Stationery (that is visiting cards, letterheads, envelopes, notices, etc.) may contain only those particulars which may appear on signboards together with details of the registered

chiropractor's address(es), telephone numbers and consultation hours. Such stationery should not be ornate or professionally flattering or contain any other qualifications or any indication of honorary or other positions held. Any registered chiropractor whose stationery contains other information, qualifications which may be taken by a lay person to represent an additional qualification, indications as to registration(s) acquired, reference to courses of clinical training or periods of study or positions previously held at universities, hospitals, or chiropractic colleges, etc., may be considered to be guilty of unprofessional conduct.

Note : See Section 3.10, misleading and unapproved descriptions and announcements, below.

3.7.4.3 Announcements of commencement of practice and of altered conditions of practice such as change of address, change of partnership or assistantship, telephone number, etc., are permissible provided that :-

- (a) A notice of reasonable size should only be placed in publications selected by or acceptable to the Hong Kong Chiropractors Council.
- (b) A notice in any newspaper should be in black type only and no coloured decorations, characters or wording should be used. The notice itself should be of a reasonable size.
- (c) Where a registered chiropractor's commencement of practice is announced in a notice of partnership, associateship or assistantship, a separate individual notice of commencement of practice should not be published.
- (d) When giving notice of the closure of a branch office, mention should not be made of the address of any other office which is being used by the registered chiropractor.
- (e) A notice of 'Recommencement of Practice' should only be published where a registered chiropractor has not practised in Hong Kong for a continuous period exceeding twelve months, and then only on condition that cessation of practice was not the result of disciplinary action by the Chiropractors Council.

Draft notices which in the view of the Chiropractors Council are in accordance with the ethics of professional conduct are given as Appendices I to IX.

A registered chiropractor who finds it necessary to inform his patients of a modification in the circumstances of the practice including change of consulting hours may do so by means of a

printed letter or card enclosed in a sealed envelope. The wording of such a notice should be restricted to a statement of the modification which has taken place without any addition which might be held to draw attention to the professional skill of any practitioner or to constitute an invitation to consult or visit any practitioner. The chiropractor is responsible for ensuring that it is sent only to persons whom he is reasonably entitled to assume to be his patients.

Cards notifying patients of the time which has elapsed since their previous appointments should only be sent with the prior agreement of the persons to whom they are addressed.

- 3.7.4.4 Entries in street or telephone directories : Such entries should be in normal type only and should accord with the particulars permitted to be used on signboards. Entries in some other section of the Yellow Pages other than within the alphabetical listing of registered chiropractors are not permitted.
- 3.7.4.5 Circulars : The circulation of visiting cards, announcements or circulars in other forms to persons who are not Chiropractic, Dental or Medical Practitioners may lead to a charge of advertising.
- 3.7.4.6 Entertainment : The Council is of the opinion that holding an entertainment at a registered chiropractor's professional premises by a practitioner on opening or transferring a practice is acceptable provided that it is done in a quiet and unobtrusive manner.
- 3.7.4.7 Supplementary Guidance : The question of advertising may also arise in a number of other contexts, such as books written by registered chiropractors, articles or letters or other items written by or about them in newspapers or magazines, and talks or appearances by registered chiropractors on radio or television. In such cases the identification of a registered chiropractor needs not in itself raise a question of advertising, but such a question may arise from the nature of the material printed or spoken.

Official spokesmen for Government, University, professional associations, hospitals and charitable organizations when discussing matters of public interest may, however, find it necessary, in order to lend authority to their statements, to divulge their names and qualification as a chiropractor (脊醫), a registered chiropractor (註冊脊醫) or other title(s) acceptable to the Chiropractors Council (Refer to Section 3.10, misleading and unapproved descriptions and announcements, below) but no mention should be made of experience or other personal professional particulars (such as the fact that they are in practice).

The giving of lectures to lay audiences (e.g. club or association luncheon speeches) is permitted if the aim is to give general

information or to promote chiropractic and provided that publicity on radio, television or in the lay press is not sought intentionally.

The Council does not consider it unethical for the name and qualification as a chiropractor (脊醫) or a registered chiropractor (註冊脊醫) (Refer to Section 3.10, misleading and unapproved descriptions and announcements, below) of a registered chiropractor to be mentioned in press reports dealing with matters of general interest but again no mention should be made of experience or other personal professional particulars (such as the fact that he is in practice).

Registered chiropractors should take steps to ensure that ethical codes are respected whenever they have dealings with radio, television and press interviews and reporters.

In upholding a decision of the Disciplinary Committee of the General Medical Council, the Judicial Committee of the Privy Council in the United Kingdom have stated some principles which, though enunciated in relation to books and articles, may be regarded as of general application and also applicable to the chiropractic profession :-

‘The Disciplinary Committee were entitled to have regard to the content of the written material, the form in which it was written, and the selected media for its publication in forming conclusions as to what were the purposes which animated the writer. The Committee were entitled to consider whether a desire to give information about a subject and to direct attention to such a subject could have been achieved without directing attention to the personal and unique performance and abilities of the writer.’

‘On the one side of the line there might be a book or an article which is an exposition of a particular subject either written as a text-book for medical students or practitioners or written impersonally in order to give information to the general public. No exception could be taken to such a publication. As an example on the other side of the line there might be a book or an article an essential theme of which is the praise and commendation of the skill and abilities of the writer himself with an express or implied suggestion that his successes in dealing with cases show that potential patients would do well to have recourse to him. That would be unethical advertising.’

3.8 Depreciation of other registered chiropractors

The depreciation of the professional skill, knowledge, services, chiropractic techniques or qualifications of another registered chiropractor or other registered chiropractors may lead to disciplinary proceedings.

3.9 Canvassing

Canvassing for the purpose of obtaining patients, either by himself, his servants, agents or others whether directly or indirectly, and association with or employment by persons or organizations which canvass, may lead to disciplinary proceedings. Except in emergency the Council does not consider it permissible for a registered chiropractor to call upon or communicate with any person who is not already a patient of his practice with a view to providing advice or treatment unless expressly requested to do so by that person or by a parent or guardian of that person. Moreover, the Council does not consider it permissible for a registered chiropractor to canvass by means of the distribution of visiting cards, announcement cards or business cards to individuals other than as a result of a request for a card by that individual.

Association by registered chiropractors with nursing homes, medical benefit societies, insurance companies, etc., which advertise clinical and diagnostic services but which allow a free choice of practitioners does not violate ethical codes, but registered chiropractors are warned that association with any such institutions, companies, etc., which advertise clinical or diagnostic services to the general public and direct patients to particular registered chiropractors may be regarded as canvassing. This does not preclude any practitioner or panel of practitioners from being employed by an organisation, company, school, etc., which does not advertise clinical or diagnostic services provided that the names of such practitioners are supplied only to bona fide employees, scholars and their families by the management.

3.10 Misleading and unapproved descriptions and announcements

General :

The Council warns registered chiropractors specifically against the use of descriptive wording which indicates or implies superiority other than such as have been specifically accepted by the Hong Kong Chiropractors Council (such as academic degrees recognized by the Hong Kong Government and/or acceptable to the Hong Kong Chiropractors Council). Reference to unapproved titles or positions held, employment, honorary appointments, or experience and qualifications which are not registrable by the Chiropractors Council, on signboards, stationery, visiting cards, letterheads, envelopes, prescription slips, notices etc, may amount to misconduct. Any registered chiropractor who uses any title or description which may reasonably suggest that he possesses any professional status or qualifications, other than those which he in fact possesses and which are indicated by the particulars entered against his name in the register, may also be guilty of misconduct.

The name of every registered chiropractor regularly attending patients should be shown in the sign exhibited at the premises where he practises. The names of persons other than chiropractors employed in the practice, such as assistants, may not appear on signs outside the premises or in any other form of advertisement.

Registered chiropractors who operate as part of a multi-disciplinary clinic must ensure that any advertising by that clinic, where the services of the registered chiropractor would be deemed to be a part, must not offend the Chiropractors Council's Code of Practice.

In general the Council considers that any act or omission by a registered chiropractor in connection with his practice which may mislead the public may be held to constitute misconduct.

Detailed advice on the use of acceptable descriptions :

Registered chiropractors are warned that the use of any chiropractic qualification in Chinese characters immediately before or after the registered chiropractor's name is not allowed. The prefix or suffix in Chinese allowed to be used with the registered chiropractor's name is “脊醫／註冊脊醫／脊骨神經科醫生” (See Note below) or other chiropractic titles acceptable to the Chiropractors Council. Chiropractic qualifications in Chinese or in English which are acceptable to the Chiropractors Council may be indicated but such qualifications when used for such purpose must be uniform dimensions. (amended on 31.8.2011)

The Council does not approve of a chiropractor carrying on a practice in a name other than in his name as it appears in the Chiropractors Register or of signs indicating that a chiropractor is in regular attendance at a practice when he is not. If the chiropractor ceases to practise at that location, the sign should then be removed within a reasonable time which should not exceed one year.

A chiropractor can retain his name or sign in his own clinic (owner of the lease or the premises) when he is not practising, while taking leave, etc., for a period of no more than three years. When a chiropractor is working as an associate or employee in a chiropractic clinic, upon termination of the contract, the associate or employee chiropractor has the right to have his name removed from the premises or signs of that particular clinic.

[Note : The terms ‘Registered Chiropractor’, ‘Doctor of Chiropractic’, ‘脊醫’, ‘註冊脊醫’ and ‘脊骨神經科醫生’ can be used interchangeably, provided that it is not used in circumstances which may mislead others to believe that the chiropractor is a medical doctor.] (amended on 31.8.2011)

Group Practices :

Signs should not be designed to draw public attention to the services of one practice at the expense of others. In selecting a name, and particularly a collective title for a group or partnership, it is desirable to avoid a name which could be interpreted as implying that the services being provided have received some official recognition not extended to other local chiropractors. For this reason terms which might imply that chiropractic practised therein enjoys some special status in a particular place or area should not be used.

Conclusion :

The Chiropractors Council holds the view that the prior advice of the Hong Kong Chiropractors Council should be sought if any chiropractor wishes to practise in a name other than his own, or if in company with other chiropractors it is considered necessary to identify the practice by the use of a collective title.

3.11 Improper financial transactions (fees sharing)

Sharing fees with any person who has not taken a COMMENSURATE part in the service for which the fees are charged is considered to be an unethical practice, as also is the receipt of rebates from diagnostic laboratories, etc., and may lead to disciplinary action.

3.12 Untrue or misleading certificates and other professional documents

Registered chiropractors are required to issue certificates for a variety of purposes (e.g. incapacity to work through illness, injury certificates, medico-legal reports, progress reports, etc.) on the assumption that the truth of the certificates can be accepted without question. In some cases the certificates are required to include a statement that a patient has been examined and/or treated on a particular date. Registered chiropractors are expected to exercise care in issuing certificates and kindred documents, and should not include in them statements which the registered chiropractor has not taken appropriate steps to verify. Any registered chiropractor who in his professional capacity gives any certificate or similar document containing statements which are untrue, misleading or otherwise improper, renders himself liable to disciplinary proceedings. In particular, registered chiropractors are warned that the signing of blank certificates is prohibited by the Council.

3.13 Covering

The Council considers that a registered chiropractor should in no way countenance, help, encourage or assist, either wilfully or by neglect, the practice of chiropractic by an unregistered person.

3.14 Improper delegation of professional duties

A registered chiropractor who improperly delegates to a person who is not a registered chiropractor duties or functions in connection with chiropractic treatment on a patient for whom the registered chiropractor is responsible or who assists such a person to treat patients as though that person were a registered chiropractor is liable to disciplinary proceeding. The proper employment of *bona fide chiropractic students or ancillary personnel trained to perform specialized functions relevant or supplementary to chiropractic is entirely acceptable provided the registered chiropractor concerned exercises effective personal supervision over any person so employed and retains personal responsibility for the treatment of the patients. Such personnel are required to complete and return the forms as set out at Appendix VI and Appendix VII, as appropriate, before beginning and after terminating such assistantship.

A registered chiropractor, as a Primary-Portal-of-Entry Physician, is expected to refer any patient whom he considers would be better served by such a referral to another health professional.

[Note : Some of the accredited chiropractic institutions may require their students to spend a stipulated number of hours of study and observation in a registered chiropractor's office as part of their clinical training curriculum.]

* A bona-fide chiropractic student is a person who is undergoing or has completed internship at an institution recognized by the Council.

APPENDIX I

NOTICE

(NAME) *has/have commenced practice as (a) Registered Chiropractor(s)
at
Consulting Hours
Telephone No.
Dated

.....
Registered Chiropractor(s)

* Delete as necessary

Note :- This form of notice may be used upon first registration only.

APPENDIX II

NOTICE OF RECOMMENCEMENT OF PRACTICE

(NAME) *has/have re-commenced practice as (a) Registered Chiropractor(s)
at
Consulting Hours
Telephone No.
Dated

.....
Registered Chiropractor(s)

* Delete as necessary

APPENDIX III

NOTICE OF REMOVAL

The chiropractic practice now carried on by (Name of registered chiropractor)..... will
as from 20..... be
carried on at
Consulting Hours
Telephone No.
Dated

.....
Registered Chiropractor(s)

APPENDIX IV

NOTICE OF OPENING OF A BRANCH OFFICE

As from the day of
20..... (Name of Registered Chiropractor) will open a
branch office at
Consulting Hours
Telephone No.

.....
Registered Chiropractor(s)

* Delete as necessary

APPENDIX V

NOTICE OF CLOSING OF BRANCH OFFICE

As from the day of
20..... , (Name of Registered Chiropractor)
will no longer carry on chiropractic practice at *his/her/their branch office
at
.....

.....
Registered Chiropractor(s)

* Delete as necessary

APPENDIX VI

NOTICE OF *PARTNERSHIP/ASSISTANTSHIP

As from the day of 20.....
*Dr./Mr./Mrs./Ms./Miss will carry on chiropractic
practice at
as *partner/assistant to (Name of
Chiropractor).

The practice will hereafter be known
as

Consulting Hours

Telephone No.

.....
Registered Chiropractor(s)

* Delete as necessary

APPENDIX VII

NOTICE OF TERMINATION OF PARTNERSHIP/ASSISTANTSHIP

As from the day of 20

*Dr./Mr./Mrs./Ms./Miss

will no longer be associated with the undersigned in the chiropractic practice carried on at

be known as

.....
Registered Chiropractor(s)

* Delete as necessary

APPENDIX VIII

NOTICE OF CHANGE OF TELEPHONE NUMBER

As from the day of 20.....

the telephone number of the chiropractic practice carried on by the undersigned *will be/has been changed from to

.....
Registered Chiropractor(s)

* Delete as necessary

APPENDIX IX

NOTICE

As from the day of 20.....
*Dr./Mr./Mrs./Ms./Miss..... will
carry on chiropractic practice at
..... as locum-tenens for the undersigned.

Consulting Hours
Telephone No.

.....
Registered Chiropractor(s)

* Delete as necessary