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THE GOVERNMENT OF THE HONG KONG
SPECIAL ADMINISTRATIVE REGION
DEPARTMENT OF HEALTH
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Dear Doctors,

Provision of Cosmetic Procedures in Medical Practice

Following the adverse incident in October 2012 resulting from invasive medical procedures provided by a beauty service company, the Government established the Working Group on Differentiation between Medical Procedures and Beauty Services (Working Group) under the Steering Committee on Review of Regulation of Private Healthcare Facilities (Steering Committee). By differentiating medical treatment from ordinary beauty services and making recommendations on procedures which should be performed by medical practitioners, the Working Group seeks to address health risks brought by beauty parlours improperly performing medical procedures under the cover of providing “medical beauty services”.

At its third meeting in July 2013, the Working Group has drawn up a list of recommendations, including the types of procedures that should be performed by registered medical practitioners. These recommendations have subsequently been endorsed by the Steering Committee. Depending on the facts and evidence of each case, enforcement action under the Medical Registration Ordinance (Cap 161) or Dentists Registration Ordinance (Cap 156) may be taken if procedures are carried out not in accordance with these recommendations.

The following are the procedures listed in the recommendations which should only be performed by registered medical practitioners/registered dentists -

1. procedures that involve injection of substances into the human body;
2. procedures that involve the mechanical/chemical exfoliation of the skin below the epidermis;
3. hyperbaric oxygen therapy (Note - this procedure should not be performed as a form of beauty procedure); and
4. dental bleaching or teeth whitening

While an “Advisory Note” outlining the above recommendations has been prepared and will be issued to beauty service providers for their compliance, I would also like to take this opportunity to remind you of the following matters when providing treatment to your patients, including those referred by beauty service providers/beauty centres -

- A doctor providing cosmetic procedures to his/her patient enters into a doctor-patient relationship. He/she should properly introduce himself/herself to the patient as part of this relationship.

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- A doctor assumes full responsibility towards the patient in the procedures or treatments (including the materials, drugs and devices used) he/she is providing. He/she has the professional obligation to conduct a proper medical consultation to assess whether a proposed treatment is medically appropriate for his/her patient including the balance of risks and benefits of the treatment to the patient. He/she should establish a proper clinical diagnosis before offering any treatment.
- A doctor must properly explain to the patient the nature, effect, benefit and risk of the proposed treatment, provide advice on alternative treatment options, and obtain informed consent from the patient. He/she must have the necessary competence before providing a particular treatment. In addition, he/she should maintain complete medical records relevant to the treatment.
- A doctor is not allowed to share with any person his/her professional fees for medical service. He/she cannot offer to, or accept from, any person or organizations (including beauty centres) any financial or other inducements such as “kick-back”, for referral of patients.
- In the course of investigation and treatment, all charges, to the doctors’ best knowledge, should be made known to patients on request before the provision of services. Besides, doctors are advised to give quotation to patients before providing services if substantial fees will be incurred, in order to avoid subsequent complaints and disputes.
- A doctor should exercise careful scrutiny and judgment of medical contracts and schemes of an organization with which he/she is associated to ensure that they are ethical and in the best interest of the patients. He/she should dissociate himself/herself from an organization if it provides substandard medical services, infringes patients’ rights, or imposes restrictions on the doctor’s independent professional judgment.

You may wish to refer to the following sections of the Code of the Professional Conduct issued by the Medical Council of Hong Kong which are of particular relevance -

- Section 2 on “Consent to medical treatment”
- Section 5 on “Professional communication and information dissemination”
- Section 8 on “Information about medical innovations”
- Section 9 on “Prescription and labelling of dispensed medicines”
- Section 12 on “Fees”
- Section 13 on “Financial relationship with health care organizations”
- Section 14 on “Improper financial transactions”
- Section 18 on “Relationship with health care and health products organizations”
- Section 22 on “New medical procedures”
- Section 24 on “Complementary/alternative treatment modalities”

Thank you for your attention.

Yours faithfully,



(Dr Teresa LI)
for Director of Health

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