

Hong Kong Primary Care Conference 2018
“Family Physician – Nexus of the New Era of Primary Care”
23 – 24 June 2018 (Saturday – Sunday)



Seminar B
Avoid Medical Mishaps: Patient Centred Care

Professor Albert Lee

MBBS (Lond); LLB (Hons-Lond); MPH LLM (Distinct-Arb & DR-City U.HK); MD (CUHK); FRCP (Lond & Ire); FCIArb FFPH (UK); FRACGP; FHKCFP; FHKAM (FamMed); US Nat. Acad. Med (Foreign Associate)

Professor in Public Health and Primary Care, The Chinese University of Hong Kong and Vice President (Child and Adolescent Public Health), UNESCO-Hong Kong Association

Professor Albert Lee is a Clinical Professor at the School of Public Health and Primary Care at the Chinese University of Hong Kong (CUHK) and the Founding Director of the Centre for Health Education and Health Promotion. He has served as Head of Division of Family Medicine (2002-07). He is also Fellow, Associate Dean of General Education and Chairman Health and Spiritual Committee of Wu Yee Sun College of CUHK, and Honorary Consultant in Family Medicine of NT East Cluster and Kwong Wah Hospital. He is Vice President (Child and Adolescent Public Health) of UNESCO-Hong Kong Association. He has served or is currently serving on Board or Council of various statutory bodies in Hong Kong and overseas as well as Examiner/Assessor for academic institutions in the field of Family Medicine and Public Health.

The judgement of the Supreme Court in *'Montgomery v Lanarkshire Health Board'* has caused change to the law on the duty of doctor on disclosure of information to patient regarding risks and now requires a doctor to take reasonable care to ensure that the patient is aware of any material risks involved in any recommended treatment, and of any reasonable alternative or variant treatments.

The Hong Kong Medical Council has endorsed the amendment of section 2.10.2 of the Code emphasizing the importance of the importance of proper dialogue and communication between doctor and patient taken into consideration of individuality of each and every patient in the light of *'Montgomery'* case. The explanation should be balanced and sufficient to enable the patient in making informed decision. Are doctors totally removed from the protective shield even if the practice is accepted by reasonable body of medical opinion previously laid down by *'Bolam'* with recent Supreme Court decision in *'Montgomery'* case? Is it changing of law or changing professional practice to fit in with the modern context of health care?

Australian Medical Council has also classified communication with patients and encouraging patient to be responsibility in managing their health as good medical practice. In modern health care, responsible bodies of medical opinion really means judicious use of the current best evidence in making decisions about care of patients, and also strong emphasis on patient-centred care. This would bridge not only the two different standards (professional v reasonable person) but also legal and medical perspectives regarding disclosure and consent.