

# Academy accused of discrimination

Mariana Wan

**T**he Hong Kong Academy of Medicine has been accused of acting illegally and discriminating against properly qualified specialists.

A solicitors' firm, Carey and Lui, acting on behalf of a group of doctors, warned that the academy would be working against the public interest if it went ahead with proposed rules for the compilation of a specialist register.

The proposal requires doctors to undergo five or six years of specialist training before they can be qualified as specialists.

But for those who have been practising for nine years or more as a specialist, the requirement is waived.

It also proposes doctors must have three years' specialist training after they have sat for a specialist examination.

The doctors, who would not reveal their identities, claimed the new rules could drive some doctors currently practising as specialists out of business.

A letter from Carey and Lui to the academy president, Professor David Todd, claims the rules discriminate against specialists who have been wholly or partly trained overseas.

The academy, which will undertake and supervise specialist medical training and accreditation, has admitted as foundation fellows a number of specialists who the group of doctors claim have less specialist training than those who may be denied admission under the new criteria.

Only those doctors admitted as fellows of the academy will be included in the register. Once the specialist register is in force, information about the speciality of medical practitioners will be made available to the public.

The doctors warn certain admission rules "would be declared unlawful" on an application to court or upon judicial review.

Todd last week confirmed that the academy had received the letter, adding the academy council would "deal with the problem as soon as possible".

He said he did not agree with the doctors but refused to elaborate.

The rules include the so-called grandfather clause, which takes into account the experience of a specialist in private practice for nine years or more.

In these cases the normal requirement that specialists must have undergone five or six years of training is waived, so that only three years of training is required for their admission as fellows.

A number of specialists have been admitted as foundation fellows under this rule.

The doctors argue that, no matter how long a doctor may have engaged in private practice, it could not be equated with time spent in supervised training or on courses.

Another rule that the doctors said would be declared unlawful upon judicial review proposed that a doctor would be admitted only when he had completed three years of specialist training after passing a specialist examination.

The doctors said the three-year rule "unfairly discriminates" against doctors trained overseas, who, instead of sitting an examination in the middle of their training, sat for one after five or six years of supervised training.

"Accordingly, training undergone by overseas doctors at some of the world's most respected teaching hospitals will, effectively, be ignored in assessing their suitability for inclusion on the specialist register," they said.