

## *Medical and Dental Services – 2008 Liberalization Measures*

### **1. What are the new liberalization measures for the Medical and Dental Services under Supplement V to CEPA?**

The further liberalization measures on medical and dental services introduced with effect from 1 January 2009 under the Supplement V to CEPA are as follows-

- Hong Kong service suppliers are allowed to set up wholly-owned outpatient clinics in Guangdong Province.<sup>1</sup>
- No restriction is imposed on the service suppliers of capital investment between Hong Kong and Mainland partners in setting up outpatient clinics in the form of equity joint venture or contractual joint venture in Guangdong Province.
- No requirement is imposed on the total investment in setting up outpatient clinics by Hong Kong service suppliers on a wholly-owned, equity joint venture or contractual joint venture basis in Guangdong Province.
- The health administrative department at provincial level of Guangdong Province is responsible for the project establishment and approval procedures for setting up outpatient clinics by Hong Kong service suppliers on a wholly-owned, equity joint venture or contractual joint venture basis in Guangdong Province.
- Qualified Hong Kong permanent residents with Chinese Citizenship are allowed to apply for and obtain the Mainland's "medical practitioner's qualification certificates" through accreditation.<sup>2</sup>

### **2. What is meant by outpatient clinics? What services do outpatient clinics cover?**

According to 《醫療機構管理條例實施細則》 (translated as the "Implementation details for the Management of Medical Institutions") promulgated in the website of Ministry of Health

<http://202.96.155.170/publicfiles/business/htmlfiles/mohyzs/s3577>

---

<sup>1</sup> Subject to the Mainland's requirements on setting up outpatient clinics. 具需符合內地設立門診部要求。

<sup>2</sup> Details of implementation to be promulgated by the Ministry of Health. 體實施辦法由衛生部頒布。

[/200804/18703.htm](#)

Outpatient clinics are further divided into several categories such as 綜合門診部 (translated as “Integrated outpatient clinics”) and 專科門診部 (translated as “Specialist outpatient clinics”). The Ministry of Health will later provide us with more details on the types of medical services that can be provided in outpatient clinics set up by the Hong Kong service providers.

**3. What relevant Mainland rules/regulations governing the existing regulation of medical and dental services are currently available for reference?**

Mainland rules and regulations for setting up medical institutions<sup>3</sup>

- 《中外合資、合作醫療機構管理暫行辦法》(衛生部、外經貿部令第11號)(2000年5月15日)  
<http://www.moh.gov.cn/open/uploadfile/200591154229478.doc>
- 《中外合資、合作醫療機構管理暫行辦法的補充規定》(衛生部、商務部令第57號)(2007年12月30日)  
<http://www.moh.gov.cn/newshtml/21024.htm>
- 《醫療機構管理條例》(國務院令第149號)(1994年2月26日)  
[http://www.gov.cn/banshi/2005-08/01/content\\_19113.htm](http://www.gov.cn/banshi/2005-08/01/content_19113.htm)
- 《醫療機構管理條例實施細則》(衛生部令第35號)(1994年8月29日)  
<http://www.moh.gov.cn/newshtml/16089.htm>
- 《衛生部關於修改〈醫療機構管理條例實施細則〉第三條有關內容的通知》(衛醫發[2006]432號)(2006年11月1日)  
[http://www.gov.cn/zwgk/2006-11/16/content\\_443920.htm](http://www.gov.cn/zwgk/2006-11/16/content_443920.htm)
- 《關於落實內地與香港、澳門〈關於建立更緊密經貿關係的安排補充協議四〉中有關醫療服務事項的通知》(衛醫發[2007]303號)(2007年12月26日)  
<http://www.moh.gov.cn/newshtml/20903.htm>

Rules and Regulations for HK Permanent Residents practising medicine in Mainland or taking the Mainland Medical

---

<sup>3</sup> Titles of the rules and regulations are available in Chinese only

## Practitioners' Qualifying Examination<sup>4</sup>

- 《關於落實〈內地與香港關於建立更緊密經貿關係的安排〉和〈內地與澳門關於建立更緊密經貿關係的安排〉中醫藥及牙醫服務有關問題的通知》(衛醫發[2003] 333 號)(2003 年11 月28 日)  
[http://www.law-lib.com/law/law\\_view.asp?id=81740](http://www.law-lib.com/law/law_view.asp?id=81740)
- 《中華人民共和國執業醫師法》(中華人民共和國主席令第5 號)(1998 年6 月26 日)  
<http://www.moh.gov.cn/newshtml/7446.htm>
- 《醫師資格考試暫行辦法》(衛生部令第4 號)(1999 年7 月16 日)  
[http://www.gov.cn/banshi/2005-08/02/content\\_19310.htm](http://www.gov.cn/banshi/2005-08/02/content_19310.htm)
- 《醫師資格考試報名資格規定(2006 版)》(衛醫發[2006] 125 號)(2006 年4 月4 日)  
<http://www.moh.gov.cn/newshtml/15470.htm>
- 《關於修訂醫師資格考試報名資格規定(2006 版)有關條款的通知》(衛辦醫發[2008] 64 號)(2008 年4 月10 日)  
<http://www.moh.gov.cn/newshtml/21576.htm>
- 《關於取得內地醫學專業學歷的台灣、香港、澳門居民申請參加中華人民共和國醫師資格考試有關問題的通知》(衛醫發[2001]249 號)(2001 年9 月3 日)  
<http://www.moh.gov.cn/newshtml/1622.htm>
- 《醫師執業註冊暫行辦法》(衛生部令第5 號)(1999 年7 月16 日)  
[http://www.gov.cn/banshi/2005-08/02/content\\_19342.htm](http://www.gov.cn/banshi/2005-08/02/content_19342.htm)
- 《衛生部關於取得內地〈醫師資格證書〉香港、澳門、台灣居民執業註冊有關問題的通知》(衛醫發[2005] 478 號)(2005 年12 月1 日)  
<http://www.moh.gov.cn/newshtml/14895.htm>
- 《外國醫師來華短期行醫暫行管理辦法》(衛生部令第24 號)(1992 年10 月7 日)  
[http://www.gov.cn/fwxx/bw/wsb/content\\_416839.htm](http://www.gov.cn/fwxx/bw/wsb/content_416839.htm)
- 《衛生部關於修改〈外國醫師來華短期行醫暫行管理辦法〉第十八條的通知》(衛醫發[2003] 331 號)(2003 年11 月28 日)  
[http://www.gov.cn/fwxx/bw/wsb/content\\_418102.htm](http://www.gov.cn/fwxx/bw/wsb/content_418102.htm)

---

<sup>4</sup> Titles of the rules and regulations are available in Chinese only

