

立法會
Legislative Council

LC Paper No. LS 45/00-01

**Paper for the House Committee Meeting
of the Legislative Council
on 5 January 2001**

**Legal Service Division Report on
Resolution under Section 29 of the
Pharmacy and Poisons Ordinance (Cap. 138)**

The Secretary for Health and Welfare has given notice to move a motion at the Council meeting of 10 January 2001 to seek the Legislative Council's approval of the Pharmacy and Poisons (Amendment) Regulation 2001 made by the Pharmacy and Poisons Board ("the Board").

2. The Amendment Regulation seeks to revise with effect from 12 January 2001 the fees payable in relation to the examination, registration and certification of pharmacists. Particulars of the proposals are set out in the table below. According to the Administration, the proposed three items of increase will recover over 90% of the full cost while the reduction of fee is achieved through higher productivity of the Board. The fees were last revised in May 1997.

Item	Particulars	Existing Fee	Proposed Fee
1.	Examination in each subject prescribed by the Board	1,090	1,110
2.	Issue of a certificate of registration as a pharmacist	775	790
3.	Annual practising certificate for a registered pharmacist	585	520
4.	Issue of a certificate of good standing	395	415

3. The Secretary's draft speech makes reference to the composition of the Board. The Board is established under section 3 of the Pharmacy and Poisons Ordinance (Cap. 138) and consists of the Director of Health, the Government Chemist, the Chief Pharmacist and a medical officer of the Department of Health, 2 university teaching staff qualified in pharmacology, 3 registered pharmacists, 2 registered medical practitioners, a legal adviser and a secretary.
4. Members of the LegCo Panel on Health Services were consulted on 23 June 2000. An extract of the minutes of the meeting is at the Annex.
5. The proposed resolution and the Amendment Regulation are legally in order.

Encl

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22 December 2000

EXTRACT

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LC Paper No. CB(2)2561/99-00
(These minutes have been
seen by the Administration
and cleared with the Chairman)

Ref : CB2/PL/HS

LegCo Panel on Health Services

**Minutes of special meeting
held on Friday, 23 June 2000 at 8:30 am
in Conference Room A of the Legislative Council Building**

I. Revision of Government Fees and Charges Relating to Health Care Professionals and Institutions
(LC Paper No. CB(2)2444/99-00(01))

Fees related to health care professionals

Referring to the Administration's paper, Deputy Secretary for Health and Welfare 1 (DSHW1) pointed out that the proposed increases in fees for items relating to the registration of dentists, nurses, midwives, pharmacists, supplementary medical professionals and medical practitioners were rather small. He highlighted that the fee for the issue of annual practising certificate for registered pharmacists would be reduced from \$585 to \$520 due to decrease in operating costs. Principal Assistant Secretary for Health and Welfare (Medical) 1 said that the decrease was due to improvements made by the Department of Health (DH) to the relevant work procedures which had resulted in higher productivity of the Pharmacy and Poisons Board.

2. In response to the Chairman's question, DSHW1 explained the general guidelines on revision of various fees and charges with reference to their existing cost recovery rates. Details of the guidelines were set out in paragraph 3 of the Administration's paper.

3. In response to Dr LEONG Che-hung's comments, DSHW1 said that in the future the Administration might consider standardizing the validity period of the practising certificates of various health care professionals.

Adm 4. Dr YEUNG Sum said that the Democratic Party was opposed to setting the Government fees and charges of health care services on a full cost recovery basis. He requested the Administration to consult the professional bodies concerned in revising fees and charges for items relating to registration. DSHW1 said that the consultation would be undertaken this summer. He further informed members that the Administration would seek to lower the operating costs of various health care professional bodies by reviewing in collaboration with them their staffing levels and the staff costs involved. He said that the views of these bodies would be sought as to whether the existing staffing levels were appropriate and whether there was room to streamline the work procedures.

5. In response to Dr LEONG Che-hung's question, DSHW1 said that the proposed increases, if implemented, would be effected upon endorsement of the relevant legislative amendment by LegCo in the next session after completing consultation with the professional bodies concerned.

Adm 6. The Chairman held the view that for non-Hong Kong residents taking part in any licensing examinations held in Hong Kong, the Government was not obliged to subsidize their examination fees. He requested the Administration to provide information on the existing arrangements in this regard. The Chairman considered that even for local residents, especially those who had failed several times in a licensing examination, the Government did not need to subsidize their examination fees. In response, DSHW1 said that the Government did not have a policy of subsidizing the entrance fees for examinations conducted by health care professional bodies. The existing situation where full costs of the examinations were not recovered was mainly due to historical reasons. He undertook to review the costs of the examinations to avoid unaffordable examination fees.

Adm 7. However, Mr HO Sai-chu held the view that Government subsidies of such examination fees might be important to some candidates who might not be able to afford the examination fees if they were charged on a full cost recovery basis. He therefore considered that the policy might help increase the supply of health care professionals to serve the community and enhance the service quality.

8. In response to Dr LEONG Che-hung, DSHW1 said that the Administration aimed at achieving full-cost recovery of the entrance fees for the examination under section 15A of the Supplementary Medical Professions Ordinance (item 10 of Annex E) within seven years.

Adm 9. As regards the fees of the licensing examination for medical practitioners set out in Annex F, DSHW1 undertook to review the relevant work procedures with a view to streamlining them and lowering the operating costs to avoid a great magnitude of fee increase in the future.

Adm 10. Dr LEONG Che-hung asked whether a medical intern who was required by his supervisor to extend his internship had to apply again for registration in Part II of the General Register. Assistant Director of Health (Health Administration & Planning) (AD(HA&P)) undertook to provide the information to Dr LEONG after the meeting.

Adm 11. Referring to the licensing examination fees as shown in Annex F, some members questioned why the operating costs for the "Examination in Professional Knowledge", the "Proficiency Test in Medical English" and issuing "Letter of Good Standing" were so high. In response, DSHW1 explained that the costs for the Examination in Professional Knowledge and the Proficiency Test in Medical English were high because the number of candidates who needed to undertake the test was small. The fees for issuing "certified copies of record of training" covered not only the direct cost for issuing such copies but also a share of indirect costs for supporting the daily operation of the relevant regulatory bodies. Such costs were not directly related to any fee items. He undertook to review the operating costs for these three items.

Fees related to hospitals, maternity homes and nursing homes

12. DSHW1 said the Administration proposed to increase the cost recovery rates of the registration fees for hospitals, maternity homes and nursing homes. He explained that as the existing registration fees for these institutions were set based on a costing exercise conducted in 1994-95, it was necessary to review the cost recovery rates of them now. AD(HA&P) also pointed out that with increasing complexity in the operation of private hospitals in recent years, the resources spent on inspecting these institutions had increased as well. She admitted that in the past, the approach for calculating the relevant operating costs was conservative and the Administration had in this exercise reflected the increasing resources spent on monitoring these institutions. In response to the Chairman's enquiry, DSHW1 clarified that the operating costs for the annual registration of these institutions mainly included the costs of inspection required for the purpose of licence renewal. The operating costs did not include costs incurred to DH for handling any medical incidents.

13. Members supported the Administration's suggestion of recovering 35% of costs for the first registration fees of hospitals, maternity homes and nursing homes. Members also supported to recover 50% of costs for the annual registration fees of hospitals and 35% of costs for the same fees of nursing homes/maternity homes. In response to members' comments, DSHW1 said that the Administration would consider using the number of beds as the basis for the calculation of the annual registration fees of nursing homes and maternity homes in the review. Members asked whether a lower percentage increase should be imposed on the registration fees of non-profit making dialysis centres. The Chairman further suggested the Administration to consider whether it was possible to exempt such centres and other non-profit making nursing homes from undergoing annual registration if the Administration could ensure their service quality by inspections.

Adm
Adm

Adm

14. In response to the Chairman's concern about the monitoring of private hospitals, DSHW1 said that the Administration was reviewing the licensing system of private hospitals with a view to improving service quality. He said that where necessary, amendments would be introduced to the relevant ordinances. AD(HA&P) added that DH targetted to complete its review of the licensing system and submit recommendations to the Health and Welfare Bureau before the end of 2000. It also targetted to complete a feasibility study on establishing an accreditation system for private hospitals by April 2001.

Adm

Adm

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Legislative Council Secretariat
25 August 2000