

LegCo Panel on Health Services

Insurance Coverage for HA employees who contracted an infectious disease at work

Purpose

This is to brief Members of the insurance coverage for employees of the Hospital Authority (HA) who contracted an infectious disease at work.

Background

2. The Employees' Compensation Ordinance (ECO) (Cap 282) establishes a no-fault, non-contributory employee compensation system for work injuries. An employer is liable to pay compensation in respect of injuries sustained by his employees as a result of an accident arising out of and in the course of employment, or in respect of prescribed occupational diseases suffered by the employees. To ensure that employers have sufficient cover for such liabilities, the ECO stipulates that an employer must be in possession of a valid employees' compensation insurance policy to cover his liabilities both under the Ordinance and at common law for the work injuries for his employees.

Insurance coverage for HA employees

3. The Hospital Authority (HA) has always procured the necessary employees' compensation insurance for all of its employees, in compliance with the full requirements of the ECO. HA employees who contracted an infectious disease at work would be covered by the policy, if the infectious disease is a personal injury by accident arising out of and in the course of employment.

4. The HA has recently renewed its employees' compensation insurance policy for 12 months starting 1 July 2004.

SARS-related employees' compensation claims by HA employees

5. The HA has reported a total 325 cases that may involve a

potential claim for employees' compensation by HA employees who contracted SARS last year to the Labour Department.

Advice sought

6. Members are invited to note the contents of this paper.

**Health, Welfare and Food Bureau
July 2004**