

**LEGISLATIVE COUNCIL  
PANEL ON WELFARE SERVICES**

**Progress Report on the Introduction of  
A Licensing Scheme for Residential Care Homes for Persons with Disabilities**

**Purpose**

This paper updates Members on the progress of the Voluntary Registration Scheme (VRS) and a licensing scheme to regulate the operation of residential care homes for persons with disabilities (RCHDs).

**Background**

2. At the Legislative Council Panel on Welfare Services meeting held on 21 March 2006, the Administration undertook to introduce a licensing scheme to regulate the operation of RCHDs. In preparation for the licensing scheme, the Social Welfare Department (SWD) implemented a VRS for private RCHDs as an interim measure to encourage private RCHD operators to enhance their service quality. The Registration Office of Private Residential Care Homes for Persons with Disabilities (the Registration Office) was subsequently set up in September 2006 to take forward the VRS and to undertake the preparatory work required for the legislative proposal.

**Progress of the Voluntary Registration Scheme**

3. As at 1 April 2008, there were 40 private RCHDs known to SWD, providing a total of 2,293 residential places (with 69% enrolment rate). Of these private RCHDs, 26 (or 65%) have applied to join the VRS. Six of them have met the VRS requirements in general management, health care, fire safety and building safety after carrying out improvement works. These six have successfully joined the VRS. Ten have withdrawn their applications due to difficulties in complying with the VRS requirements. Ten others are carrying out / considering to carry out renovation works to meet the required standards. The remaining 14 (or 35%) private RCHDs have not yet applied to join the VRS for various reasons, such as non-compliance with the VRS requirements and tenancy issue.

4. Under the VRS, information on private RCHDs meeting the basic requirements is uploaded to SWD's homepage, together with the dates of the Registration Office's latest inspections to these RCHDs. In addition, SWD has also set up a dedicated VRS Hotline and published a booklet, namely "Tips for Selecting a Suitable Private Residential Care Home for the Disabled", and other pamphlets for the reference of persons with disabilities (PWDs) and their families. PWDs and their families are advised to visit the private RCHDs in person before selecting a suitable one for admission.

5. To monitor the standards of private RCHDs registered under the VRS and to update their information on the SWD's homepage, the Registration Office will continue to conduct unscheduled quarterly visits to these homes. The Registration Office will also continue to conduct quarterly visits to private RCHDs not on the VRS list and all self-financed RCHDs run by non-governmental organizations (NGOs), with a view to giving them guidance and advice as appropriate<sup>1</sup>. In addition, the Registration Office will continue to publicize the VRS and give advice to PWDs and their families through its VRS Hotline, its various publication, SWD's homepage, Medical Social Services Units situated in public hospitals and Specialist Out-patient Clinics and Integrated Family Service Centres, etc.

## **Survey of RCHDs**

6. In the course of reviewing the existing "Code of Practice for Residential Care Homes for Persons with Disabilities" (the Code) – see paragraph 11 below – and preparing for the licensing scheme, the Registration Office visited and conducted a survey on all 244 RCHDs known to SWD in the territory, including 40 existing private RCHDs, 187 subvented RCHDs and 17 self-financed RCHDs operated by NGOs. The survey covered building safety and related requirements (in terms of their means of escape, locking devices, structural requirement, lighting and ventilation, objectionable unauthorized building works, fire resisting construction separation, lifts and disabled toilets, etc.), and fire safety requirements (in terms of their automatic/manual fire alarm system, sprinkler system, emergency lighting and exit signs, etc.).

7. RCHDs not meeting the required standards are advised to carry out improvement works and/or to take other necessary measures in order to satisfy the stipulated requirements. The few private RCHDs that cannot meet relevant building requirements are considering alternative options, including identifying other suitable premises to continue their operation.

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<sup>1</sup> Currently, the service standards of all the subvented RCHDs are monitored under the Service Performance Monitoring System which has been put in place since 1999.

8. In tandem with the visits, SWD has sought the assistance of the private RCHD operators in providing data on the profile of their residents. As a result, 33 of the 40 existing private RCHDs have provided data on the profile of their 1,354 residents. Findings showing the position in December 2007 are summarized as follows:

(a) **Proportion of female and male residents**

There were 460 (34%) female residents and 894 (66%) male residents.

(b) **Distribution of residents of different age range**

33 residents (2%) were aged from 15 to 18; 603 (45%) aged from 19 to 44; and 627 (46%) aged from 45 to 59. Residents aged below 15 and 60 or over constituted 1% (12 persons) and 6% (79 persons) of the total number of residents respectively.

(c) **Types of disabilities**

50% (677 persons) of the residents were ex-mentally ill; 27% (362 persons) were with intellectual disability; 3% (39 persons) with physical disability; 19% (263 persons) were suffering from more than one type of disability; 0.2% (3 persons) being visually impaired; and 0.7% (10 persons) falling under the miscellaneous category, including some elders.

(d) **Comprehensive Social Security Assistance (CSSA) recipients**

Of the 1,354 residents, 1,217 were CSSA recipients (90%).

(e) **Fees charged**

The monthly fees charged by the private RCHDs for each resident ranged from \$2,500 (the lowest) to \$7,000 (the highest).

### **Service Enhancement Measures Taken by SWD**

9. On top of the VRS, SWD has taken additional measures to support private and self-financed RCHDs to enhance their service quality, knowledge and skills. By the end of April 2008, a total of 11 training sessions on drug management, physical restraints and infection control, as well as 22 fire safety talks cum evacuation drills have been organized for the staff and/or residents of self-financed and/or private RCHDs.

10. SWD will also continue to extend the community rehabilitation and support services, such as the Home-based Training and Support Service and Community Rehabilitation Day Services, etc. to PWDs residing in private RCHDs with a view to enhancing their self-care and social functioning as well as the caring capability of the private RCHDs' staff.

### **Revision of the Code of Practice for RCHDs**

11. The existing Code issued in March 2002 serves as a guide on the minimum standard of service for the existing RCHDs and a blueprint for formulating the requirements of the future licensing scheme. Between April and June 2007, SWD conducted four consultation sessions to collect views from groups of parents of PWDs, NGOs and private RCHD operators on the Code. Subsequently, a Working Group on RCHDs with representatives from parents' groups of PWDs, PWDs, subvented RCHDs, private RCHDs as well as the academia and the Hong Kong Council of Social Service was formed in July 2007 to review the Code. The Working Group convened six meetings during the period from July 2007 to January 2008, and organized two consultation sessions in December 2007 to gather further views from the rehabilitation sector and stakeholders.

12. Members of the Working Group generally agreed that the existing Code should be simplified by adopting, as far as possible, the standards as set out in the Code of Practice for Residential Care Homes for Elderly Persons (RCHEs), while in parallel, standards that are specific to the situations of RCHDs should be devised.

13. Other major issues identified during the consultation process include the definition of users of RCHDs, the definition and classification of RCHDs, health care support, minimum staffing requirement, the average floor area per resident, fire safety, building safety, as well as the barrier-free access requirements, etc. All views gathered in the consultations and deliberated by the Working Group will factor in the Administration's consideration when drawing up the legislative requirements.

### **Way Forward**

14. SWD is in the course of revising the Code, having regard to the comments and feedback from the sector and stakeholders.

15. It remains the Administration's aim to introduce a Residential Care Homes (Persons with Disabilities) Bill to the Legislative Council in the 2008-09 session, following discussion within the Administration, and consultation with the Working Group on RCHDs, the rehabilitation sector and stakeholders, the Rehabilitation Advisory Committee and this Panel.

### **Advice Sought**

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

Labour and Welfare Bureau  
Social Welfare Department  
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