

Motion on
“Establishing an independent statutory
Office of the Health Service Ombudsman”
moved by Hon Andrew CHENG Kar-foo
as amended by Hon CHAN Hak-kan
at the Legislative Council Meeting on 14 January 2009

Progress Report

Purpose

This reports sets out the actions taken by the Administration in respect of the captioned Motion. The Motion carried by the Legislative Council is enclosed at **Annex**.

Progress

2. The Government has always attached great importance to the quality of medical services and patient safety. An effective mechanism for handling medical incidents and medical complaints is an important part of quality patient care. Currently, patients have various channels to express their dissatisfaction with medical services. These channels include lodging complaints directly to the medical institutions, regulatory bodies of the professions concerned and to The Ombudsman. Patients can also take legal actions.

3. In Hong Kong, the medical and health care professions are regulated by the respective independent statutory bodies. The regulation covers registration, practising qualifications, practising conduct, professional ethics and disciplinary matters of the health care professions. These statutory bodies are also responsible for handling complaint cases.

4. In addition, to improve service quality and reduce the risk to patients, the Hospital Authority (“HA”) has put in a place a mechanism and guidelines for medical and health staff to report medical incidents and take follow-up actions properly. HA has also established a two-tier complaint system, with checks and balances, for the proper handling of complaints. All initial complaints and views will be handled and responded to directly by the hospitals and clinics concerned. Complainants who wish to put forward further views or are not satisfied with the handling or outcome of his complaint could appeal to the HA’s Public Complaints Committee (PCC) for a review. The PCC is responsible for considering and deciding on all appeal cases

independently.

5. Besides, private hospitals should report to Department of Health (DH) on certain specified incidents within 24 hours, and submit a detailed report on the incident to DH in four weeks. DH also requires private hospitals to put in place a mechanism for handling complaints and submit a summary of complaints to DH on a monthly basis. Upon receipt of a complaint against a private hospital, DH will investigate into the case and request the management of the hospital concerned to provide explanation and give an account of its handling of the complaint.

6. To maintain the quality and professional standard of medical services, the Medical Council of Hong Kong (the Medical Council) has implemented a number of administrative measures to enhance the credibility, transparency and user-friendliness of its complaint handling mechanism. The Medical Council has proposed to increase the number of Lay Members to strengthen the support to the Preliminary Investigation Committee and the subsequent disciplinary inquiry. We are considering the way forward on the implementation of the proposal.

7. In addition, in order to enhance the quality of medical services and patient safety, HA is now working on a pilot scheme on hospital accreditation for public hospitals. The pilot scheme aims at aligning the services provided by public hospitals with international standards, so as to improve hospital management and service quality. HA has issued a tender to select an accreditation body for the pilot scheme and is reviewing the tenders received. We will also invite private hospitals to participate in the hospital accreditation programme.

8. HA will also proactively and systematically assess patients' views and personal experience on HA's services through the Patient Satisfaction Survey. The Survey will allow HA to identify areas for service improvement for follow up. HA is now in the process of identifying a suitable agency to undertake the Survey. It is envisaged that the Survey will commence in mid 2009.

Food and Health Bureau
March 2009

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as amended by Hon CHAN Hak-kan
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That medical incidents have occurred frequently in recent years, but there is a current lack of a uniform, credible and highly transparent mechanism for handling health service complaints from members of the public, causing the public to feel helpless; this Council urges the Administration to, without violating the principle of professional autonomy, establish an independent statutory Office of the Health Service Ombudsman to receive complaints concerning health service from the public, investigate and conciliate complaints as well as handle compensation matters under a uniform mechanism, also inform complainants of the investigation outcome within a reasonable time frame and regularly announce to the community the situation regarding handling of medical complaints, so as to ensure that complaints targeting at health service are properly handled and transparency in the handling of complaints is enhanced, and thereby improving the quality of health service.