

**Extract from the report of the Bills Committee on
Residential Care Homes (Persons with Disabilities) Bill**

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The draft Regulation

74. Clause 24 empowers SLW to make regulations for the purpose of the Bill. According to the Administration, it will table the Residential Care Homes (Persons with Disabilities) Regulation to provide for the requirements on the operation, management and supervision of RCHDs (including staffing and space requirements, health and safety requirements, penalties and fees, etc.) for negative vetting by LegCo after the passage of the Bill.

75. Members have examined the draft Regulation to be made by SLW after the enactment of the Bill. The Administration agrees to consider members' suggestions to improve the draft Regulation by spelling out explicitly in the proposed section 18 of the Regulation to provide that the home manager of a RCHD must report immediately to DSW a case of scheduled infectious disease under the Prevention and Control of Disease Ordinance (Cap. 599) if he "reasonably suspects" or knows of such a case. Regarding members' concern over the medical examination for residents, the Administration agrees to elaborate on the related arrangement in the CoP.

76. Members also note that the Administration will set out the level of minimum area of floor space of each resident and the criteria for determining the area in a RCHD for the purpose of spatial requirement (paragraph 57 above refers) in the proposed section 22 of the Regulation. Members will examine the provisions in the Regulation again as the draft Regulation will be revised having regard to the final version of the Bill. The revised Regulation will be tabled for negative vetting by the LegCo after enactment of the Bill.

77. In the course of deliberations on registration of health workers (Part 3 of the draft Regulation), some members have raised concern about the qualification of health workers. Members note that a health worker means any person who has completed training courses approved by DSW and whose name appears on the register maintained by DSW under the proposed Regulation. While the health workers are obliged to attend specified training courses approved by DSW for the purpose of the Regulation, the attainment of such qualification may not be recognised under the Hong Kong Qualifications Framework. To give recognition to the skills, knowledge and experience of

health workers, members consider that the interface between the training courses organised by the welfare sector and the quality-assured qualifications which are registered in the Qualifications Register should warrant further study from the policy perspective. The Bills Committee agrees that the issue should be referred to the Panel on Manpower for follow up.

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Follow-up actions

83. The Bills Committee has agreed to refer to the Panel on Manpower for follow up issues relating to the interface between the training courses organised by the welfare sector and the quality-assured qualifications which are registered in the Qualifications Register (paragraph 77 above refers).

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