

立法會
Legislative Council

LC Paper No. CB(2)1105/15-16(02)

Ref : CB2/PS/3/14

**Subcommittee on Issues Relating to
the Future Development of Elderly Services Schemes**

**Updated background brief prepared by the Legislative Council
Secretariat for the meeting on 22 March 2016**

Residential care services for the elderly

Purpose

This paper summarizes the major concerns raised at meetings of the Council and its committees on the Administration's policies and measures on residential care services ("RCS") for the elderly.

Background

2. According to the Administration, the Government upholds the principle of "ageing in place as the core, institutional care as back-up" in elderly care services. Moreover, the Chief Executive ("CE") announced in his 2014 Policy Address that the Elderly Commission ("EC") would be commissioned to draw up the Elderly Services Programme Plan ("the Programme Plan") within two years with an aim to enhance the medium to long-term planning for elderly services.

3. While most elderly persons prefer ageing in place, some frail elderly persons would need institutional care for health or family reasons. Subsidized residential care places are provided in subvented residential care homes for the elderly ("RCHEs") run by non-governmental organizations, contract RCHEs and private RCHEs participating in the Enhanced Bought Place Scheme ("EBPS") as well as self-financing nursing homes ("NHs") under the Nursing Home Place Purchase Scheme. The provision of subsidized places by service type and the number of elderly persons on the waiting lists as at end-November 2015 are set out in **Appendix I**.

4. Given that subsidized residential care places are in huge demand, access to subsidized RCHE places since November 2003 is subject to care need assessments under the Standardized Care Need Assessment Mechanism for Elderly Services. However, there is no means test for subsidized residential care places. Eligible elderly persons will be put on the Central Waiting List for subsidized care and attention ("C&A") places and NH places ("CWL").

Deliberations by Members

Provision of RCS places

5. While supporting the Government's elderly care policy of ageing in place, Members and many deputations expressed concern about the inadequate provision of both RCS and community care services ("CCS") for the elderly to meet the increasing demand arising from the ageing population. According to the Administration, as at April 2014, there were some 30 000 elderly applicants on CWL. The average waiting time for subsidized RCS places was less than three years. For NH places, C&A home places and residential care places under the Bought Place Schemes, the average waiting time was 31 months, 21 months and seven months respectively. In the past five years, an average of about 5 000 elderly persons on CWL passed away each year before service places were allocated to them. Members considered it necessary for the Administration to step up its efforts in enhancing RCS and relieving the waitlisting situation.

6. Regarding the planned provision of RCS, the Administration advised that it would continue to adopt a multi-pronged approach to provide some 1 700 new subsidized residential care places from 2014-2015 to 2017-2018. The Social Welfare Department ("SWD") had also earmarked a total of 13 sites for construction of RCHEs and would continue to identify sites for such construction. This apart, EC was formulating the Programme Plan under which the feasibility of introducing the RCS Voucher Scheme would be explored. If EC considered it viable to launch the RCS Voucher Scheme, the Administration would provide about 5 000 additional subsidized RCS places within the current term Government, taking into account the 3 000 vouchers to be offered under the Scheme from 2015-2016 to 2017-2018. Moreover, the Administration had received preliminary proposals from 43 welfare organizations under the Special Scheme on Privately Owned Sites for Welfare Uses ("the Special Scheme"), involving 63 in-situ expansion, redevelopment or development projects.

If all the proposals received under the Special Scheme could be implemented smoothly, about 9 000 additional elderly service places (including 7 000 RCS places) would be provided.

7. At its meeting on 13 April 2015, the Panel on Welfare Services ("the Panel") passed a motion expressing support for the use of public funding for the Special Scheme with a view to an early development of urgently needed welfare services, and urging that such services should be dominated by publicly funded ones and supplemented by self-financing ones, with a ratio of 8:2 as the benchmark, so as to ensure that public resources were put to use for needy groups in an equitable manner, rather than placing more emphasis on those who could afford the charges.

8. The Administration explained that in considering the proportion of subvented services and self-financing services to be provided by projects under the Special Scheme, SWD would adhere to the established rules and procedures for projects funded by the Lotteries Fund and take into account the need for different types of services in the community in the long run, the choices for service users as well as the maturity of the relevant services in the market. SWD would also discuss with the applicant organizations regarding the proportion of subvented services and self-financing services to be provided under their projects by making reference to the existing ratio, say, of 6:4 for contract homes. There were cases in which the relevant ratio had been increased to suit the special circumstances surrounding those cases. The Administration would brief the Panel on the implementation progress of the Special Scheme at its meeting on 11 July 2016.

9. Some Members held the view that in drawing up the service provision plan, the Administration should project the age at which an elderly person would normally require RCS and the percentage of such persons in the total number of applicants for RCS. As the provision of RCHEs was constrained by land supply, some Members suggested that the Administration should formulate policies on providing RCHEs in both new and existing public rental housing ("PRH") estates. The use of ground-level vacant bays of domestic blocks under new PRH development projects for RCHEs should also be considered. The Administration should consider detaching DCUs from RCHEs so that it could have more flexibility in finding suitable premises for DCUs.

10. The Administration advised that welfare facilities would be provided under all new PRH development projects. SWD would discuss with the Housing Department to secure more floor area in PRH estates for RCHEs. In addition to providing RCHEs with DCUs, the Administration would find

suitable premises in PRH estates for stand-alone DEs. In formulating the Programme Plan, EC would look into the medium and long-term development of elderly services up to 2030. The consultant team engaged by EC would examine the impact of the growing elderly population on the existing services and explore measures for a sustainable development. It would also look into the demand for and supply of long-term care ("LTC") services, taking into account the welfare facilities to be provided under the Special Scheme. The Programme Plan was expected to be ready in 2016. In the interim, the Administration would continue to bid for resources to enhance the provision of LTC services.

RCS Voucher Scheme

11. In his 2014 Policy Address, CE had announced that in addition to the preparation of the Programme Plan, EC had also been tasked to explore, within one year, the feasibility of introducing an RCS Voucher Scheme. Some Members expressed concern about the participation rate and the service quality of the RCS Voucher Scheme if the service under the Scheme would be provided mainly by RCHEs which met the standards of EBPS. Whilst the RCS Voucher Scheme could improve the unit subsidy and occupancy rate of participating RCHEs, these Members took the view that it was not an effective solution to the problem of acute shortage of RCS. They also considered that users of the RCS Voucher Scheme should not be subject to a means test. These Members were worried that the Scheme under which a means test was suggested for users on an individual basis would pave the way for the introduction of a means test to the existing subsidized RCS and CCS in future.

12. The Administration advised that the RCS Voucher Scheme aimed to enable elderly persons, particularly those who were admitted to private RCHEs and were receiving Comprehensive Social Security Assistance, to receive better services. It also sought to reduce the waiting time for RCS by making use of places offered by self-financing RCHEs and private RCHEs. Since the "money-following-the-user" approach as well as the co-payment and top-up arrangements would be helpful to the sustainability of and the Administration's long-term commitment to the provision of RCS, the RCS Voucher Scheme would test the viability of this new funding mode. The Scheme would also provide an input to EC in drawing up the Programme Plan. The Administration stressed that the conduct of the feasibility study on the RCS Voucher Scheme would not affect the Administration's present commitment to providing subsidized RCS for elderly persons.

13. At its special meeting on 28 March 2015, the Panel passed a motion urging the Administration to, among others, temporarily suspend the implementation of the RCS Voucher Scheme in view of the objection raised by the social services sector and many elderly people, and reinstate in-depth discussions with various stakeholders.

Service standards and quality of RCHEs

14. The service standards and quality of RCHEs had been a subject of concern of Members. A written question was raised at the Council meeting of 8 January 2014 regarding the service quality of private RCHEs. According to the Administration, SWD would handle any suspected elderly abuse incidents in RCHEs seriously. Apart from referring the cases concerned to the Police for criminal investigation, SWD would collaborate with different disciplines of professionals to investigate and handle the cases in accordance with the "Procedural Guidelines for Handling Elder Abuse Cases" as well as to provide suitable support services for the elderly persons concerned. Depending on the nature and seriousness of the cases involved, the Licensing Office of Residential Care Homes for the Elderly ("LORCHE") of SWD would issue advice, warnings or directives to the RCHEs concerned. LORCHE would also conduct more frequent inspections of the RCHEs concerned and monitor whether the RCHEs concerned had implemented the remedial measures.

15. Some Members expressed concern about the continuous decline in the service quality of subvented RCHEs. They considered that the amount of government subvention was generally insufficient to cover the running costs of subvented RCHEs, of which about 40% had to be financed by non-subsidized services. In the face of inadequate resources, recruitment difficulty became more acute, thereby directly affecting the service quality of subvented RCHEs. The Administration should review the subvention level to improve the service quality of subvented RCHEs.

Inspection and licensing system for monitoring RCHEs

16. Noting from the sporadic media reports about elder abuse cases in private RCHEs and the recent incident at Tai Po Cambridge Nursing Home¹, some Members cast doubt on the effectiveness of the inspection and licensing system for monitoring RCHEs. They took the view that as no major amendments had been made to the Residential Care Homes

¹ According to a news report in May 2015, the Tai Po Cambridge Nursing Home made some of its elderly residents wait naked on an open podium before showers.

(Elderly Persons) Ordinance (Cap. 459) ("the Ordinance") since its enactment almost 20 years ago, some provisions of the Ordinance were outdated. At its meeting on 8 June 2015, the Panel passed a motion urging the Administration to immediately review the Ordinance and the Code of Practice for Residential Care Homes (Elderly Persons), and that during the transitional period SWD should strictly enforce the Ordinance and the Code of Practice to ensure that the service quality of both private and subvented RCHEs could reach a reasonable level.

17. The Administration advised that it would conduct a holistic review of elderly care services. Meanwhile, short, medium and long-term measures would be adopted to improve the inspection and licensing system for monitoring RCHEs within the existing legislative framework. In this connection, the Administration was planning to reorganize SWD's LORCHE and Licensing Office of Residential Care Homes for Persons with Disabilities in 2016-2017. The two Offices would be merged with additional manpower to comprehensively strengthen the inspection and monitoring of residential care homes for the elderly and those for persons with disabilities. SWD would also set up dedicated inspectorate teams; formulate strategies and step up inspection of RCHEs with unsatisfactory performance; conduct more follow-up inspections by inspectorates; and strengthen training for private RCHE managers and staff, prosecution of non-compliant RCHEs and transparency of service information of RCHEs in the territory. At the same time, SWD would set up a dedicated complaint handling team, etc.

18. Some Members called on the Administration to consider establishing an official accreditation system for the service quality of RCHEs and introducing a demerit point system for RCHEs. The Administration advised that it had all along been encouraging RCHEs to actively join independent service quality accreditation schemes. At present, the following accreditation services were available for voluntary participation by RCHEs: the Residential Aged Care Accreditation Scheme launched by the Hong Kong Association of Gerontology, the Quality Elderly Service Scheme launched by the Hong Kong Health Care Federation with the support of the Hong Kong Productivity Council, and the Service Quality Management Certification Scheme – Elderly Service launched by the Hong Kong Quality Assurance Agency. In selecting private RCHEs for participation in EBPS, SWD had accorded higher scores for those homes which had participated and been accredited under the relevant service quality accreditation schemes for management and service quality enhancement. The Administration also advised that it had taken note of suggestions from various sectors on how to strengthen the monitoring of

RCHEs, such as a demerit point system, and adopted an open mind in examining different options.

Pilot Residential Care Services Scheme in Guangdong

19. Some Members enquired about the reasons for the low participation rate of the Pilot Residential Care Services Scheme in Guangdong and the measures to be taken by the Administration to encourage more elderly persons to join the Scheme.

20. According to the Administration, since the launch of the Scheme, 26 and 11 elderly persons had chosen to reside in the residential care homes in Shenzhen and Zhaoqing respectively and 43 applications were under processing. The low participation rate was due to the elderly's wish to reside in RCHEs located near the homes of their family members and relatives, their worries about the quality of healthcare services, and the elderly's lack of social network in the Mainland. To provide more elderly persons with the option to reside in care homes in Guangdong, the Administration planned to allow elderly persons not on CWL to join the Scheme.

Relevant papers

21. A list of the relevant papers on the Legislative Council website is in **Appendix II**.

Council Business Division 2
Legislative Council Secretariat
18 March 2016

Appendix I

Provision of Subsidised Residential Care Places (as at end-November 2015)

Type of Residential Care Places	Number of Subsidised Places	Number of Elderly Persons on the Waiting List
Nursing Home Places (including Nursing Home Place Purchase Scheme)	3 610	6 179
Care-and-attention Places (overall)	22 760	26 793
➤ Subvented/Contract /Conversion Home Places	14 759	
➤ Enhanced Bought Place Scheme Places	8 001	
Self-care Hostel and Home-for-the-aged Places	846	N.A.
Total	27 216	32 972 (Note)

Note: Including about 3 216 elderly persons who were using subsidised community care services as at end-November 2015 while waiting for subsidised residential care services, but excluding 9 079 elderly persons with inactive status on the waiting list.

Source: Extract from the Administration's paper for the meeting of the Panel on Welfare Services held on 11 January 2016 (Annex I to LC Paper No. CB(2)574/15-16(05)).

Appendix II

Relevant papers on policies and measures on residential care services

Committee	Date of meeting	Paper
Panel on Manpower and Panel on Welfare Services	19 February 2013	Agenda Minutes
Panel on Welfare Services	11 March 2013 (Item V)	Agenda Minutes
	10 June 2013 (Item III)	Agenda Minutes
Panel on Welfare Services	23 January 2014 (Item II)	Agenda Minutes
	10 March 2014 (Item IV)	Agenda Minutes
Establishment Subcommittee of the Finance Committee	30 April 2014 (Item 3)	Agenda Minutes
Legislative Council	11 June 2014	Official Record of Proceedings Pages 6-76 Progress Report
Joint Subcommittee on Long-term Care Policy	24 July 2014	Report (issued on 30 July 2014)
Panel on Welfare Services	25 July 2014 (Item III)	Agenda Minutes
Panel on Welfare Services	20 January 2015 (Item I)	Agenda Minutes

Committee	Date of meeting	Paper
Panel on Welfare Services	26 January 2015 (Item I)	Agenda Minutes
Panel on Welfare Services	9 February 2015 (Item V)	Agenda Minutes
Finance Committee	2 April 2015	Administration's replies to members' written questions in examining the Estimates of Expenditure 2015-2016 Pages 146-147
Panel on Welfare Services	13 April 2015 (Item III)	Agenda Minutes
Panel on Welfare Services	11 May 2015 (Items III & V)	Agenda Minutes
Panel on Welfare Services	8 June 2015 (Item VI)	Agenda Minutes
Legislative Council	24 June 2015	Report of the Panel on Welfare Services
Panel on Welfare Services	23 July 2015 (Item III)	Agenda Minutes
House Committee	4 December 2015 (Item I)	Agenda
Panel on Welfare Services	11 January 2016 (Item III)	Agenda
Subcommittee on Issues Relating to the Future Development of Elderly Services Schemes	15 January 2016	Agenda

Committee	Date of meeting	Paper
Public Accounts Committee		<u>Extract of Public Accounts Committee Report No. 65 (Part 4)</u>

Council Business Division 2
Legislative Council Secretariat
18 March 2016