

Bills Committee on Private Healthcare Facilities Bill

Government's response to the follow-up issues raised at the Bills Committee meeting on 13 February 2018

Purpose

This paper sets out the Government's response to the follow-up issues raised at the meeting of the Bills Committee on Private Healthcare Facilities Bill (the Bill) held on 13 February 2018.

Codes of Practice for Day Procedure Centres and Clinics

2. Under the new regulatory regime, different types of private healthcare facilities will each be subject to a set of regulatory standards (promulgated in the form of codes of practice) commensurate with the risk of the services they provide. Clause 102 of the Bill empowers the Director of Health to issue a code of practice about the matters set out therein. To draw up standards for day procedure centres and to give advice on the standards for clinics, a Project Steering Committee on Standards for Ambulatory Facilities was set up by the Department of Health (DH) and the Hong Kong Academy of Medicine (HKAM) in mid-2015. The Project Steering Committee and its Task Forces comprise, among others, experts nominated by HKAM as well as other medical practitioners and dentists from public and private sectors. So far, a set of Core Standards (at http://www.dh.gov.hk/english/main/main_orphf/files/CS_DPC.pdf), which applies to all day procedure centres, was promulgated by HKAM and DH in late 2016. Moreover, a set of Procedure-specific Standards for day procedure centres providing surgery, anaesthesia and sedation (at http://www.dh.gov.hk/english/main/main_orphf/files/Procedure_Specific_Standards_for_Surgery_and_Anaesthesia.pdf) was promulgated by HKAM and DH in May 2017. Those for other specific classes of procedures (e.g. endoscopy and haemodialysis) are under preparation.

3. The draft Standards for Medical Clinics are devised with reference to the existing Code of Practice for Clinics Registered under the Medical Clinics Ordinance (Cap. 343) and relevant standards in overseas

jurisdictions. The latest draft of the Standards can be found at the following [link](http://www.dh.gov.hk/english/main/main_orphf/files/Draft_Standards_for_Medical_Clinics.pdf) - http://www.dh.gov.hk/english/main/main_orphf/files/Draft_Standards_for_Medical_Clinics.pdf.

4. The aforementioned Standards (or draft Standards) have been sent to the Clerk to the Bills Committee for distribution to Members via our letter of 15 February 2018.

Further Information on the Facilities under the Two Universities

Fee Setting Policies

5. In setting the fees and charges of services requiring payment by patients in respect of the 14 existing facilities as set out in the Annex to LC Paper No. CB(2)196/17-18(02), The University of Hong Kong (HKU) and The Chinese University of Hong Kong (CUHK) take into account factors including the following¹ –

- (a) cost of services;
- (b) prevailing market rates; and
- (c) affordability of patients, with an aim of ensuring that sufficient patients are available for the purpose of teaching and research.

Complaints Management and Medical Incidents Reporting and Handling Systems

6. In respect of facilities managed or controlled by the HKU Li Ka Shing Faculty of Medicine, at the Faculty level, each complaint will be reviewed by a committee chaired by the Clinical Director of the HKU Health System. The committee comprises staff members of the Li Ka Shing Faculty of Medicine and if necessary, a staff member of HKU. Depending on the nature of the complaint, the Clinical Director of the HKU Health System may appoint a panel of experts to examine the complaint before it is reviewed by the committee. At the University level, a panel of experts may be established to conduct investigation of a complaint. For medical incidents reporting and handling system, if an incident of severe

¹ Out of the 14 existing facilities, three of them are not fee-charging.

nature is reported, a panel of experts will be established to conduct a full root cause analysis.

7. Membership of the committee and panels mentioned in paragraph 6 above will be considered on a case-by-case basis. Similar arrangement is in place for the Faculty of Dentistry of HKU.

8. In CUHK, if a complaint or an incident report is received in respect of a facility managed or controlled by its Faculty of Medicine, there will be a designated panel to look into the case. In case the complaint / incident report is escalated to the Faculty / University level, if considered necessary, a new panel will be formed. Membership of the aforementioned panels will be considered on a case-by-case basis.

**Food and Health Bureau
Department of Health
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