

立法會
Legislative Council

LC Paper No. CB(2)1936/18-19

(These minutes have been
seen by the Administration)

Ref : CB2/PL/HS

Panel on Health Services

Minutes of meeting
held on Monday, 18 February 2019, at 4:30 pm
in Conference Room 3 of the Legislative Council Complex

- Members present** :
- Dr Hon Pierre CHAN (Chairman)
 - Prof Hon Joseph LEE Kok-long, SBS, JP (Deputy Chairman)
 - Hon Tommy CHEUNG Yu-yan, GBS, JP
 - Hon WONG Ting-kwong, GBS, JP
 - Hon CHAN Kin-por, GBS, JP
 - Hon Mrs Regina IP LAU Suk-yee, GBS, JP
 - Hon YIU Si-wing, BBS
 - Hon Charles Peter MOK, JP
 - Hon CHAN Chi-chuen
 - Hon Alice MAK Mei-kuen, BBS, JP
 - Dr Hon KWOK Ka-ki
 - Dr Hon Fernando CHEUNG Chiu-hung
 - Dr Hon Helena WONG Pik-wan
 - Dr Hon Elizabeth QUAT, BBS, JP
 - Hon POON Siu-ping, BBS, MH
 - Dr Hon CHIANG Lai-wan, SBS, JP
 - Hon CHU Hoi-dick
 - Hon SHIU Ka-fai
 - Hon SHIU Ka-chun
 - Hon KWONG Chun-yu
 - Hon CHAN Hoi-yan
- Member absent** :
- Hon CHAN Han-pan, BBS, JP

Staff in attendance : Miss Kay CHU
Senior Council Secretary (2) 5

Ms Priscilla LAU
Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 5

Action

I. Information paper(s) issued since the last meeting

[LC Paper Nos. CB(2)713/18-19(01) and CB(2)766/18-19(01)]

Members noted that the following papers had been issued since the last meeting:

- (a) Referral from the Subcommittee on Private Healthcare Facilities Ordinance (Specification of Date for Section 135(1)(a)) Notice and Private Healthcare Facilities Ordinance (Specification of Date for Section 136(1)(a)) Notice concerning the full implementation of the new regulatory regime for private healthcare facilities; and
- (b) Administration's response to the issues raised in the letter dated 9 January 2019 from Dr Hon Elizabeth QUAT relating to pertussis vaccination for pregnant women.

II. Items for discussion at the next meeting

[LC Paper Nos. CB(2)769/18-19(01) and (02)]

Items for discussion at future meetings

2. Dr KWOK Ka-ki opined that the Panel should discuss the corporate governance of the Hospital Authority ("HA"). Mr SHIU Ka-fai concurred. Dr Helena WONG said that the Panel should receive views from members of the public on the manpower situation of public hospitals, which the Democratic Party was highly concerned about. Mr Tommy CHEUNG was particularly concerned about issues relating to the admission of non-locally trained medical practitioners. Mrs Regina LAU opined that a consultancy study should be conducted to examine HA's inadequacies in various aspects. Mr SHIU Ka-chun expressed concern about the factors contributed to the overload of the public healthcare system. Prof Joseph LEE suggested that the Panel should a special meeting to receive views from members of the public on the above issues. Making a similar

Action

suggestion, Dr CHIANG Lai-wan added that non-Panel Members should be invited to join the discussion. The Chairman undertook to liaise with the Administration in this regard.

(Post-meeting note: The special meeting of the Panel for the above purpose has been scheduled for 19 March 2019 at 5:00 pm.)

3. Mr SHIU Ka-fai expressed grave concern that the Administration's legislative direction for electronic cigarettes ("e-cigarettes") and other new smoking products had changed from regulating these products as put forth for consultation of the Panel in June 2018 to prohibiting the import, manufacture, sale, distribution and advertisement of these products as announced in the Chief Executive's 2018 Policy Address in October 2018. Noting that the Smoking (Public Health) (Amendment) Bill 2019 had been published in the Gazette on 15 February 2019 and would receive its First Reading at the Legislative Council ("LegCo") meeting of 20 February 2019, he held the view that the Panel should be consulted on the Administration's latest legislative proposal. Mr SHIU Ka-chun raised a similar concern.

4. At the invitation of the Chairman, Permanent Secretary for Food and Health (Health) ("PSFH(H)") advised that due regard had been made to, among others, the motion passed by the Panel on 19 June 2018 urging for a total ban on sale of e-cigarettes and other new smoking products in the formulation of the latest legislative proposal. Given the latest development, the Chairman sought members' agreement to remove from the Panel's list of outstanding items for discussion the subject "Legislative proposal in relation to electronic cigarettes and other new smoking products" (item no. 43 referred). Members raised no objection.

5. The Chairman suggested and members agreed to remove also from the Panel's list of outstanding items for discussion the subject "Regulation and development of beauty services" (item no. 23 referred), as the Joint Subcommittee on Issues Relating to the Regulation of Devices and Development of the Beauty Industry formed under the Panel and the Panel on Commerce and Industry had commenced work.

Regular meeting in March 2019

6. Members agreed to discuss the subjects "Four hospital projects under 10-year Hospital Development Plan" and "Implementation of the Elderly Health Care Voucher Scheme" as proposed by the Administration, as well as the subject "Proposed Member's Bill on rare diseases" proposed by

Action

Dr Fernando CHEUNG at the next regular meeting of the Panel scheduled for 18 March 2019.

III. Re-organization of the Department of Health

[LC Paper Nos. CB(2)481/18-19(01) to (02) and CB(2)769/18-19(03)]

7. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure, they should disclose the nature of any direct or indirect pecuniary interests relating to this funding proposal before they spoke on the subject.

8. PSFH(H) briefed members on the Administration's proposals on creation of additional directorate posts and the re-organization of the Department of Health ("DH") ("the staffing proposal"), details of which were set out in the Administration's paper (LC Paper No. CB(2)769/18-19(03)).

9. Members noted two submissions from The Government Doctors' Association on the subject under discussion (LC Paper Nos. CB(2)481/18-19(01) and (02)).

Staff establishment of DH

10. Dr Helena WONG sought elaboration about the justifications for the creation of seven directorate posts in DH and regularization of one directorate post in the Food and Health Bureau ("FHB") under the staffing proposal. Prof Joseph LEE was concerned about whether issues of heavy workload and directorate succession of DH could be effectively addressed after its re-organization.

11. PSFH(H) advised that there was an urgent need to augment the directorate support for Director of Health ("DoH") and to re-shuffle certain duties amongst the senior directorate to steer and take forward the various new and expanded initiatives of DH, in particular the expansion of the statutory and regulatory functions in various health-related issues such as the implementation of the new private healthcare facilities regulatory regime. At the request of Mr SHIU Ka-chun, DoH agreed to provide in writing the respective numbers of prosecution cases instituted in the past three years by the Police or DH against parties involved in private healthcare facilities, and suspected illegal practice of Western medicine and dentistry.

Admin

Action

12. Mr SHIU Ka-fai asked whether the Administration had engaged staff of DH in the formulation of the staffing proposal. Mr POON Siu-ping was worried that the proposed creation of new directorate posts in DH, many of which would likely be taken up by doctors, might drain the already limited healthcare manpower of HA. DoH advised that staff representatives and staff members of relevant grades of DH had been consulted on various occasions. They in general supported and welcomed the creation of additional directorate posts and the staffing proposal. She added that DH would enhance the non-directorate support in tandem with the re-organization of DH. The proposed directorate posts to be held by medical officer rank, dental officer rank and pharmacist rank respectively were promotion posts. PSFH(H) added that in the past decade, the number of directorate posts and non-directorate posts in DH had been increased by 12% (i.e. 57 to 64) and 24% (i.e. 5 313 to 6 570) respectively, representing an increase of 24% (i.e. 5 370 to 6 634) in DH's overall establishment.

Admin

13. In response to Prof Joseph LEE's enquiry about the establishment of Forensic Pathology Service which would be one of the services supervised by the newly created Controller, Regulatory Affairs post, DoH advised that the establishment of the Forensic Pathology Service would remain the same after re-organization. Prof Joseph LEE opined that information provided in the Administration's paper was not clear and sufficient enough to facilitate members' consideration of the staffing proposal. DoH agreed to provide after the meeting supplementary information in table form the respective changes (if any) in the number of directorate and non-directorate posts, as well as the number of promotion posts, in each Branch, Division, Office, Service or Unit of DH under the staffing proposal.

Proposed creation of a Chief Pharmacist post in Chinese Medicine Division

14. Dr Helena WONG asked about how the proposed creation of a permanent Chief Pharmacist (D1) post in the Chinese Medicine Division of DH would help enhancing the effectiveness of the Division in regulating proprietary Chinese medicines ("pCm") and health food products. The Chairman remarked that the plan of the Administration was to brief the Panel on the review of the Chinese Medicine Ordinance (Cap. 549) and the regulation of health food products in the third quarter of 2019. Mrs Regina IP opined that the progress for pCm to obtain the Certificate of Registration ("HKC") status was currently too slow. Mrs Regina IP and Mr SHIU Ka-fai said that to their understanding, the Chinese medicine industry was supportive of the above staffing proposal.

15. DoH advised that about 18 200 applications for registration of pCm had been received since the commencement of application in December

Action

2003. Some 6 600 applications supported by three acceptable basic test reports (i.e. on heavy metals and toxic element, pesticide residues and microbial limit) and had met the requirements for transitional registration were issued with the "Notice of confirmation of transitional registration of pCm" ("HKP"). PSFH(H) and DoH advised that with the creation of the proposed Chief Pharmacist post, measures would be put in place to facilitate the transition from HKP to HKC within three years. DoH added that separately, the Administration planned to revise the definition of pCm under the Chinese Medicine Ordinance to cover also those products composing mainly of Chinese herbal medicines but added other materials or substances as active ingredients.

16. In response to Mrs Regina IP's question regarding the licensing of Chinese medicines traders, DoH advised that there were 4 800, 900, 1 000 and 270 traders holding the retailer licence in Chinese herbal medicines, wholesaler licence in Chinese herbal medicines, wholesaler licence in pCm and manufacturer licence in pCm respectively.

17. Dr Helena WONG asked whether the proposed Chief Pharmacist post holder would be responsible to oversee the safety of Chinese herbal medicines, such as regulation of limits of pesticide residues and heavy metals content in these medicines. DoH advised that the post holder would assist in, among others, overseeing the Government Chinese Medicines Testing Institute which specialized in the testing of, and scientific research on, Chinese medicines with a view to setting reference standards for the safety, quality and testing methods of Chinese medicines.

18. While expressing support for the creation of the Chief Pharmacist post, Ms Alice MAK was concerned about whether a mandatory qualification requirement for the post holder was to be expertise in Chinese medicines. Prof Joseph LEE asked whether any existing staff members of DH in the Pharmacist rank would meet the requirements of the proposed post. DoH advised that an appropriate degree of preference might be given to those candidates who had knowledge of Chinese medicines under the internal promotion exercise for the post. There were Senior Pharmacists and Acting Chief Pharmacists working in DH who held Chinese medicine-related academic qualifications and/or had relevant working experience.

Proposed creation of a supernumerary directorate post for the Special Oral Healthcare Programmes

19. Mr POON Siu-ping noted that DH originally proposed to create a permanent post for the Special Oral Healthcare Programmes, to be offset by the deletion of one frozen Dental Consultant post in the Hospital Dental

Action

Service. He asked whether the concern raised by the Government Doctors' Association in this regard, which was set out in its submission to the Panel (LC Paper No. CB(2)481/18-19(01)), had been fully addressed under the current staffing proposal. Dr KWOK Ka-ki said that he did not object to the proposed increase in the directorate posts in DH and FHB. However, he considered that the Administration should create a permanent post for the Special Oral Healthcare Programmes without deleting the frozen Dental Consultant post in the Hospital Dental Service. Expressing support for enhancing the staff establishment of DH to improve its quality of services, Dr Fernando CHEUNG raised a similar view. Ms Alice MAK urged the Administration to create a permanent post for the Special Oral Healthcare Programmes in the longer run to meet the service demand. The Chairman said that the subject "Review of dental care services" was one of the Panel's outstanding items for discussion.

20. PSFH(H) and DoH advised that having regard to the concern of the Dental Officer grade members working in Hospital Dental Service and the Government Doctors' Association, DH decided to withhold the permanent deletion of the frozen Dental Consultant post in Hospital Dental Service. To meet the needs of special dental care services, it was proposed that a supernumerary directorate post be created, to be held against one Dental Consultant post, for the Special Oral Healthcare Programmes. The above arrangement would be subject to review in one year. Meanwhile, DH would review the service needs and continue to communicate with staff on the issue of the long-term manpower arrangements for Special Oral Healthcare Programmes and Hospital Dental Service. DoH added that the number of dental officer and senior dental officer in the Oral Maxillofacial Surgery & Dental Units in seven public hospitals had been increased by two and four respectively in the past few years. DH would discuss with HA on how to enhance the service of these Units in tandem with the implementation of the 10-Year Hospital Development Plans.

Proposed creation of a Principal Medical and Health Officer post to step up non-communicable diseases control

21. Casting doubt on the effectiveness of the measures set out in the "Towards 2025: Strategy and Action Plan to Prevent and Control Non-communicable Diseases in Hong Kong" to promote a healthy lifestyle in the community to achieve the target of reducing non-communicable diseases such as cardiovascular diseases, diabetes and chronic respiratory diseases, Mr SHIU Ka-chun asked if the proposed permanent Principal Medical and Health Officer (D1) post would be responsible for fostering collaboration with other relevant bureaux and government departments as well as other sectors to achieve such target.

Action

22. DoH advised that the Strategy and Action Plan referred to was formulated in line with the World Health Organization recommendations and having regard to the local situation. The proposed permanent Principal Medical and Health Officer post holder would be tasked to, among others, liaise with international authorities and overseas health authorities to keep abreast of the latest development of the international strategy on non-communicable disease prevention, as well as foster partnership with Social Welfare Department, Leisure and Cultural Services Department and multiple stakeholders in the local setting to increase public's health literacy and further the non-communicable disease prevention goals.

Proposed creation of a supernumerary Chief Systems Manager post

23. Mr Charles MOK noted that DH would set up a new Health Informatics and Technology Services Division by integrating three existing information technology ("IT") units in DH into two Sections, namely the Health Informatics Section and the Technology Services Section. Expressing support for the creation of the Chief Systems Manager (D1) post in DH to, among others, take charge of the Technology Services Section and serve as the Technical Lead in the implementation of the Strategic Plan to Re-engineer and Transform Public Services, he enquired about the non-directorate support and the role of HA's expertise in the Division.

24. DoH advised that at present, DH had engaged a total of about 230 IT personnel, with some 30 of them being employed on civil service term. DH planned to enhance its IT manpower to take forward the initiative on clinical services improvement under the Strategic Plan and HA would serve as the technical agency in this regard. Mr Charles MOK held the view that the proportion of IT personnel in DH employed on civil service term was too low.

25. Dr Fernando CHEUNG considered that the existing collaboration-referral mechanism between DH and HA in respect of dermatological services provided by DH and the non-connection of clinics of DH to the Electronic Health Record Sharing System, had hindered serious psoriasis patients from receiving biologic therapy for treatment and were not conducive to the treatment of patients with rare diseases. In his view, DH should address these issues under its re-organization.

26. DoH advised that under the collaboration-referral mechanism, the Social Hygiene Services of DH would follow the referral guidelines, which

Action

was formulated by dermatologists of DH and HA with reference to the international guidelines, to refer suitable serious psoriasis patients to two designated HA hospitals for detailed assessment and treatment with biologic agents being included in the Drug Formulary of HA. A total of 27 severe psoriasis patients had been referred so far, and 10 of them had started to receive biologic therapy. Regarding uncommon and genetic diseases, the Clinical Genetic Service under DH would move into the Hong Kong Children's Hospital in late 2019 in order to pool expertise from DH, HA and tertiary institutions to enhance the provision of one-stop services for the patients concerned.

Other issue of concern

27. In response to Mrs Regina IP's suggestion of providing evening outpatient services at the Yuen Chau Kok Chest Clinic under DH, DoH advised that the Yuen Chau Kok Chest Clinic would continue to provide services for clients with tuberculosis or other chest diseases during its existing service hours.

Conclusion

28. In closing, the Chairman concluded that the Panel did not object to the submission of the staffing proposal to the Establishment Subcommittee for consideration.

IV. Promotion of breastfeeding

[LC Paper Nos. CB(2)769/18-19(04) and (05)]

29. Under Secretary for Food and Health ("USFH") briefed members on the Administration's measures to promote, protect and support breastfeeding, details of which were set out in the Administration's paper (LC Paper No. CB(2)769/18-19(04)).

30. Members noted the background brief on the subject under discussion prepared by the LegCo Secretariat (LC Paper No. CB(2)769/18-19(05)).

Breastfeeding rate and support

31. Expressing appreciation for the efforts made by the Administration in promoting breastfeeding in recent years, Mr SHIU Ka-chun asked if the Administration had set any target for increasing the exclusive breastfeeding rate. USFH advised that there was no international standard in this regard. At present, the local breastfeeding rate was higher than that of some

Action
Admin

developed countries. He undertook to provide information on the exclusive breastfeeding rates in the past 10 years in writing after the meeting.

32. While recognizing the effectiveness of Administration's efforts in enhancing the breastfeeding rate in recent years, Dr Elizabeth QUAT was wary that there was increased pressure on those mothers who were unable to breastfeed for various reasons. USFH stressed that mothers had choices in the way to feed their babies. Mr SHIU Ka-chun urged the Administration to step up public education in this regard.

33. Dr Elizabeth QUAT suggested that the Administration should set up a round-the-clock breastfeeding hotline and enhance the scope of the frequently asked questions published to strengthen postnatal support for breastfeeding. Mr SHIU Ka-chun expressed a similar view. Taking note of the suggestions, Principal Medical & Health Officer (Family Health Service), DH ("PMO(FHS), DH") advised that various measures had been taken by DH to step up promotion of breastfeeding in recent years. These included production and dissemination of health education resources and audio-visual resources, organization of health talks and briefings, operation of a breastfeeding hotline, implementation of a breastfeeding peer support scheme, etc. Relevant information was available at the official website of the Family Health Service of DH for easy access by the public.

Provision of babycare rooms and lactation rooms

34. Complementing the facilities provided in the babycare rooms of the Queen Mary Hospital, Dr Elizabeth QUAT said that the Administration should refine the guidelines on the setting up of babycare rooms and lactation rooms in the public venues. The Chairman raised a similar view. USFH advised that guidelines in setting up breastfeeding-friendly premises and commercial buildings had been updated over the years and the Administration would continue this area of work as appropriate.

35. Mr SHIU Ka-chun said that 89% respondents of a survey conducted by the Hong Kong Breastfeeding Mothers' Association in 2018 indicated that the provision of facilities for breastfeeding in public venues was inadequate. Referring to the number of babycare rooms in premises of Government departments and organizations set out in the Annex to LC Paper No. CB(2)769/18-19(04), Mr CHAN Chi-chuen considered that the Administration should take the lead to set a target for enhancing such provision in order to enlist the private sector's support in this regard. Mr POON Siu-ping asked what the next steps for encouraging government premises and organizations to set up babycare rooms or lactation rooms were.

Action

Admin

36. USFH advised that the Administration would continue to take measures to encourage the setting up of baby care rooms or lactation rooms in more premises of government departments and organizations. However, some old premises might have infrastructural limitation. Starting from 2019, communal lactation rooms for staff and communal baby care rooms for use of the public would be provided in suitable new government premises. Mr CHAN Chi-chuen requested the Administration to provide in writing a breakdown by the 18 districts the respective numbers of baby care rooms in premises of government departments and organizations, as well as at MTR stations.

37. Referring to the Administration's measures set out in paragraph 7 of LC Paper No. CB(2)769/18-19(04) to promote "Breastfeeding Friendly Workplace" policy in the public and private sectors, Mr POON Siu-ping was particularly concerned about the latest number of non-governmental organizations which had adopted the policy and provided suitable facilities in the workplace to support their employees who were breastfeeding. PMO(FHS), DH advised that the Administration did not have the requisite information.

Hong Kong Code of Marketing of Formula Milk and Related Products and Food Products for Infants and Young Children

38. Pointing out that the local advertising expenditure on formula milk powder for infants and children amounted to \$2.87 billion, the Chairman asked whether the Administration would substantially increase the financial and manpower resources allocated to promotion of breastfeeding. PMO(FHS), DH advised that it was inappropriate to compare the amount of government expenditure on breastfeeding promotion with the amount of commercial advertising for formula milk and related products for infants and young children. The Administration had promulgated the voluntary Hong Kong Code of Marketing of Formula Milk and Related Products and Food Products for Infants and Young Children ("the HK Code") in 2017 with an aim to contribute to the provision of safe and adequate nutrition for infants and young children by protecting breastfeeding and ensuring the proper use of designated products, on the basis of adequate and unbiased information and through appropriate marketing.

39. The Chairman asked how the Administration would evaluate the effectiveness of the implementation of the voluntary HK Code. Mr SHIU Ka-chun asked if the Administration would implement the HK Code by legislative means. USFH advised that the Administration had commissioned in late 2018 a survey to examine marketing practice of

Action

formula milk with reference to the HK Code, which was expected to complete within 2019. The Administration would take into account the survey findings in mapping out the way forward of the HK Code.

V. Any other business

40. The Chairman suggested and members agreed that the starting time of the March regular meeting of the Panel would be advanced from 4:30 pm to 4:00 pm in order to allow sufficient time for discussion of all items on the agenda.

41. There being no other business, the meeting ended at 6:30 pm.

Council Business Division 2
Legislative Council Secretariat
24 September 2019