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Panel on Welfare Services

**Subcommittee on Residential and Community Care Services
for Persons with Disabilities and the Elderly**

**Minutes of the ninth meeting
held on Friday, 10 December 2010, at 10:45 am
in the Chamber of the Legislative Council Building**

Members present : Hon CHEUNG Kwok-che (Chairman)
Hon LEUNG Yiu-chung
Hon Ronny TONG Ka-wah, SC
Hon IP Wai-ming, MH
Hon Alan LEONG Kah-kit, SC

Members absent : Hon LEE Cheuk-yan
Hon TAM Yiu-chung, GBS, JP
Hon WONG Sing-chi
Dr Hon PAN Pey-chyou
Hon LEUNG Kwok-hung

Public Officers attending : Item I

Ms Betty HO
Principal Assistant Secretary for Labour and Welfare
(Welfare)

Mrs Kathy NG, JP
Assistant Director of Social Welfare (Elderly)

Mr LAM Ding-fung
Chief Social Work Officer (Licensing)

**Attendance by : Item I
invitation**

Hong Kong Association of Gerontology

Dr Edward LEUNG
President

The Against Elderly Abuse of Hong Kong

Mr FOO Wai-lok
Principal Consultant (Elderly Services)

The Hong Kong Council of Social Service

Miss Grace CHAN
Chief Officer (Elderly Service)

Mr NG Ting-shan
Member of Specialized Committee on Elderly Service

Monitoring Alliance on Elderly Policies

Mr FUNG Hing

Mr LEE Siu-kow

爭取資助院舍聯席

Ms HO Bo-ching

Department of Social Work, Hong Kong Baptist University

Dr Mark LI

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 4

Staff in attendance : Ms Yvonne YU
Senior Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Regulation of residential care homes for the elderly
[LC Paper Nos. CB(2)449/10-11(01) to (02)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Subcommittee received views from six deputations on the regulation of residential care homes for the elderly ("RCHEs"). The major views of the deputations are detailed in the **Annex**.

3. Members shared the concerns of the deputations about the service standards and quality of private RCHEs and the effectiveness of the inspections of the Licensing Office of Residential Care Homes for the Elderly ("LORCHE") of the Social Welfare Department ("SWD") to ensure that RCHEs complied with the licensing requirements. Members also urged the Administration to conduct a review of the Code of Practice for Residential Care Homes (Elderly Persons) ("CoP") which set out the detailed requirements on the operation and management of RCHEs, formulate the long-term strategy and set specific targets for the provision of subsidised residential care places to meet the ever-increasing demand arising from the ageing population.

4. In the light of the views of deputations and members, Principal Assistant Secretary for Labour and Welfare (Welfare)3 ("PAS(W)3") advised that the Administration attached great importance to the proper care of elders residing in RCHEs. It had put in place a licensing system to regulate RCHEs under the Residential Care Homes (Elderly Persons) Ordinance and its subsidiary regulations, complemented by the CoP issued by the Director of Social Welfare under section 22(1) of the Ordinance, as well as other supporting measures to upkeep the quality of RCHEs in Hong Kong, details of which were set out in the Administration's paper. PAS(W)3 further advised that SWD would review and update CoP from time to time to cater for the changing needs of RCHE residents. LORCHE had continuously conducted on average seven surprise inspections on each private RCHE per year, and would adjust the frequency of inspections based on the risk level of individual RCHEs. Upon receiving a complaint, SWD would not only take follow-up action such as inspecting the RCHE concerned, issuing to it advisory or warning letters and monitoring its

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remedial measures, but would also issue relevant guidelines where appropriate to help the entire sector improve service quality. Assistant Director of Social Welfare (Elderly) ("ADSW(E)") added that a working group would be formed in mid-2011 to review the CoP.

5. PAS(W)3 said that the Administration was striving to enhance the service quality and standards of RCHEs. Apart from monitoring of RCHEs, SWD, in collaboration with the Hospital Authority, had been organising training programmes for enrolled nurses specially for the welfare sector since 2006 to alleviate the shortage of nurses. ADSW(E) added that training was provided for RCHE staff to enhance their knowledge and skills in taking care of elderly residents. LORCHE, the Department of Health, and the Hospital Authority had been organising training workshops for RCHE staff. In addition, SWD had been purchasing places from private RCHEs under the Enhanced Bought Place Scheme ("EBPS") since 1988, with a view to upgrading the service standards of these homes through enhanced service requirements in terms of staffing and space standards.

6. On the provision of residential care places for the elderly, PAS(W)3 said that the Administration was mindful of the waitlisting situation for subsidised residential care places. Focus would be put on increasing the provision of nursing home ("NH") places and long-term care places offering a continuum of care having regard to the relatively long waiting time for subsidised NH places and the limited supply of such places in the private market. The Government would increase the proportion of NH places in existing contract RCHEs from 50% on average to 90% upon contract renewal or re-tendering. In addition, six new contract RCHEs would come on stream in the next four years. A total of 1 095 additional NH places would be provided by these new contract RCHEs and other relevant initiatives. ADSW(E) said that EBPS also helped to increase the supply of subsidised Care and Attention ("C&A") places so as to reduce elders' waiting time for such places. Where the elders had no specific preference for RCHEs, the average waiting time for subsidised C&A places provided under EBPS was eight months.

7. Mr LEUNG Yiu-chung said that to better understand the service standards of private RCHEs and the inspections on private RCHEs by LORCHE, the Subcommittee might consider arranging a visit to accompany LORCHE staff for the surprise inspections. The Chairman said that the proposed visit to private RCHEs would be arranged as far as practicable, after taking into account the operational constraints.

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II. Any other business

8. The Chairman suggested and members agreed that the Subcommittee would discuss the progress of expansion of the service mode of Integrated Community Centre for Mental Wellness at the next meeting to be held on 24 January 2011 at 2:30 pm.
9. There being no other business, the meeting ended at 12:50 pm.

Council Business Division 2
Legislative Council Secretariat
17 March 2011

**Proceedings of the ninth meeting of the
Subcommittee on Residential and Community Care Services
for Persons with Disabilities and the Elderly
on Friday, 10 December 2010, at 10:45 am
in the Chamber of the Legislative Council Building**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Regulation of residential care homes for the elderly</i>			
000000 - 000643	Chairman	Opening remarks	
000644 - 001428	Chairman Administration	Briefing by the Administration on the regulation mechanism for residential care homes for the elderly ("RCHEs") in Hong Kong and other measures undertaken by the Government to enhance the quality of RCHEs [LC Paper No. CB(2)449/10-11(01)]	
001429 - 001505	Chairman	Invitation of views from deputations	
001506 - 002145	Chairman Hong Kong Association of Gerontology	View that given the Residential Care Homes (Elderly Persons) Ordinance ("the RCHE Ordinance") (Cap. 459) had come into operation since 1 June 1996, it was an opportune time for the Administration to conduct a review of the RCHE Ordinance and the Code of Practice for RCHEs ("CoP") as to whether the licensing requirements and standards could cope with the present day needs of RCHE residents. The following areas of concern ought to be addressed in the review – (a) minimum staffing requirement for professional and ancillary healthcare staff in RCHEs; (b) planning for manpower supply and training for RCHE staff; (c) introduction of a registration system and continuing training for health workers of RCHEs; (d) requirement of private RCHE residents to undergo medical assessment prior to admission to RCHEs for receiving care services of the appropriate level; (e) higher spatial requirement for high-level-care RCHEs; and (f) putting in place a review mechanism for private RCHEs participating in the Enhanced Bought Place Scheme ("EBPS")	
002146 - 002653	Chairman	View that -	

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	The Against Elderly Abuse of Hong Kong	<p>(a) as the substandard services of most private RCHEs were the major concern of RCHE residents and their families, the Licensing Office of Residential Care Homes for the Elderly ("LORCHE") of the Social Welfare Department ("SWD") should increase the frequency of inspections of individual RCHEs to ensure compliance with the licensing requirements and take concrete follow-up action as appropriate; and</p> <p>(b) SWD should enhance the transparency of the actions taken against non-compliant RCHEs for public information</p>	
002654 - 003235	Chairman The Hong Kong Council of Social Service ("HKCSS")	<p>View that –</p> <p>(a) in anticipation of greater reliance on private RCHEs, the Administration should ensure that the nursing staff of private homes was adequate for taking care of elderly in accordance with the level of care services required;</p> <p>(b) the Administration would consider providing subsidy for subvented RCHEs based on the actual number of residents;</p> <p>(c) the Administration should require all RCHE residents to undergo pre-admission medical assessment to ensure that the elders were properly taken care of at different types of RCHEs according to their needs of care services;</p> <p>(d) consideration should be given to rationalizing the different regulatory regimes for RCHEs regulated under the RCHE Ordinance and registered nursing homes regulated under the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap. 165); and</p> <p>(e) to ensure the service standards of private RCHEs, the Administration should consider introducing an accreditation system for private RCHEs or requiring the latter to comply with the 16 Service Quality Standards ("SQSs") for subvented and EBPS RCHEs</p>	
003236 - 003612	Chairman Monitoring Alliance on Elderly Policies	<p>View that the Administration should –</p> <p>(a) allocate additional resources for enhancing the residential care services by districts</p>	

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		<p>according to the elderly population in individual districts; and</p> <p>(b) enhance the community care services for the elderly who were waiting for subvented RCHE places. Specifically, more resources should be allocated to day care centres providing services for demented elders, such as strengthening manpower of occupational therapists and physiotherapists of these centres. More importantly, the Administration should formulate a long-term strategy for providing a continuum nursing care services for the elderly to enable them to live in the community if they so wished</p>	
003613 - 004220	Chairman 爭取資助院舍聯席	<p>View that –</p> <p>(a) the provision of subsidised residential care places should be planned in the light of the demand in respective districts;</p> <p>(b) the Administration should regularly publicize the waitlisting situation of subsidised RCHE places by districts;</p> <p>(c) apart from providing a Dementia Supplement ("DS") to subvented RCHEs, the Administration should ensure that there was adequate staff in RCHEs to take care of nursing and rehabilitation needs of the demented elders. Moreover, the disbursement of DS to service providers should be expedited so as to provide timely assistance to the demented elders;</p> <p>(d) the Administration should encourage the formation of family carer groups to enhance the monitoring of RCHEs;</p> <p>(e) LORCHE should step up inspections on private RCHEs to ensure that private RCHEs complied with the licensing requirements, in particular the staffing requirement; and</p> <p>(f) the Administration should formulate long-term strategy and set specific targets for the provision of elderly services and manpower planning to cope with the changing demand and needs of the elderly population</p>	
004221 - 004751	Chairman Department of Social Work, Hong Kong	According to the findings of a survey conducted by the Hong Kong Baptist University in 2009 among some 300 elders who resided in some 50	

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	Baptist University	private RCHEs in West Kowloon for more than three years, it was revealed that the living space, quality of facilities, manpower and attitude of staff in RCHEs had fallen short of the needs and expectation of the residents. It was noteworthy that 40% of the respondents considered that life was meaningless. The Administration should enhance training for RCHE staff, step up regulation of RCHEs to ensure their service quality, and provide assistance to RCHEs for enhancing and upgrading service standards	
004752 - 010541	Chairman Administration	<p>The Administration's response –</p> <p>(a) it attached great importance to the proper care of elders residing in RCHEs. It had put in place a licensing system to regulate RCHEs as well as other supporting measures to upkeep the quality of RCHEs. To ensure that RCHEs complied with the licensing requirements, LORCHE conducted on average seven surprise inspections on each private RCHE per year, and would adjust the frequency of inspections based on the risk level of individual RCHEs. This apart, SWD would follow up each and every complaint case against the performance of RCHEs. RCHE residents and their families and carers could contact LORCHE directly in this respect;</p> <p>(b) SWD had been publicizing information relating to the performance of RCHEs on its website to enhance transparency. It also conducted promotional publicity to enhance public understanding on the choice of RCHEs;</p> <p>(c) to alleviate the shortage of nurses in the welfare sector, SWD, in collaboration with the Hospital Authority, had been organizing the Enrolled Nurse (General)/Enrolled Nurse (Psychiatric) Training Programme for the Welfare Sector (the Training Programme) since 2006. The tuition fees would be paid by the Government while the trainees were required to work in the welfare sector for not less than two years after graduation. A total of six classes had been organised. Over 90% of the 2008 graduates had remained in the welfare sector;</p> <p>(d) in view of the shortage of health workers in RCHEs, SWD had collaborated with other training organisations such as the Employees</p>	

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		<p>Retraining Board ("ERB") to organise the Health Workers Training Course, and the number of training places was increasing;</p> <p>(e) the Administration was aware of the relatively long waiting time for subsidised nursing home ("NH") places. Apart from providing additional contract RCHEs, it would increase the proportion of NH places in existing contract RCHEs from 50% on average to 90% upon contract renewal or re-tendering. It was worth noting that a total of 1 095 additional NH places would come on stream in the coming four years;</p> <p>(f) in order to help frail elders age at home, the Pilot Scheme on Home Care Services for Frail Elders, would be implemented in early 2011 in Kowloon to provide tailor-made service packages for elders waiting for subsidised NH places;</p> <p>(g) under section 22(1) of the RCHE Ordinance, the Director of Social Welfare was empowered to issue the CoP which set out the detailed requirements on the operation and management of RCHEs. SWD had reviewed and updated CoP from time to time to cater for the needs of RCHE residents;</p> <p>(h) private RCHE participating in EBPS were required to fulfill the 16 SQSs, which were set out in the relevant Purchase Agreements and would be reviewed every year;</p> <p>(i) the average waiting time for subvented C&A places was 34 months, while the average waiting time for subsidised C&A places under the EBPS was 8 months. The average waiting time for C&A place was 22 months. The provision of subsidised RCHE places and the waiting list were currently drawn up on a territory-wide basis. Where the elders had no specific preference for RCHEs, the waiting time could be reduced substantially;</p> <p>(j) Infirmary Care Supplement and DS were being provided to RCHEs for taking care of frail elders and demented elders respectively; and</p> <p>(k) ERB had organised training courses on management of RCHEs and relevant training programmes for health workers. To encourage active participation, LORCHE, the</p>	

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		Department of Health, and the Hospital Authority had also organised training workshops for RCHE staff in various districts	
010542 - 010841	Chairman Department of Social Work, Hong Kong Baptist University	Dr Mark LI's view that the elderly policy was premised on the wrong assumptions that the pace of ageing was slow and the current and next generations would be able to shoulder the expenses on RCHEs of the older generation	
010842 - 012221	Mr LEUNG Yiu-chung Administration Chairman	<p>Mr LEUNG Yiu-chung's concern about the service standards of private RCHEs as raised by some deputations and the effectiveness of the inspections of LORCHE to ensure that RCHEs complied with the licensing requirements. The Administration should set specific targets for the provision of RCHE places to meet an ever-increasing demand arising from the ageing population</p> <p>The Administration's advice that it attached great importance to the views of deputations and shared some of the observations, such as the need to enhance the services and relieve the waitlisting situation of RCHEs. As explained, it had been providing training for RCHE staff and increasing the provision of RCHE places, in particular NH places in coming years. Moreover, the launch of the Integrated Discharge Support Trial Programme for Elderly Patients had been proven effective in providing support to elderly hospital discharges and their carers so as to help the elders recuperate at home. In the light of the positive response, the Administration would extend the pilot Programme to all districts in two years' time</p> <p>The Administration's further advice that it would fully take into account views of deputations, for instance, the introduction of an accreditation system for RCHEs and the formation of family carers groups. It stressed that SWD would take appropriate follow-up action on individual cases upon receiving complaints against the performance of RCHEs</p> <p>Mr LEUNG Yiu-chung's proposal to conduct a surprise visit to private RCHEs by the Subcommittee to better understand the service standards of private RCHEs and inspections on RCHEs by LORCHE</p>	
012222 - 013623	Mr Alan LEONG Chairman Hong Kong Association of Gerontology	Mr Alan LEONG invited views of deputations on the priority for allocation of additional resources for enhancing the residential care services for the elderly	

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	<p>爭取資助院舍聯席 HKCSS</p>	<p>Views of the Hong Kong Association of Gerontology that the primary concern of the regulation mechanism for RCHEs should be the safety and service quality aspects. The Association took the view that the provision of elderly services should be in line with the long-term objective of ageing in the community and avoiding unnecessary institutionalization. As such, subsidised RCHE places should be targeted for the needy elders. Given that there were 15 000 vacant RCHE places in the market, it was the opportune time for the Administration to weed out substandard private RCHEs by promoting the development of quality private homes so as to provide more choices for the affordable elderly residents and their families</p> <p>Views of 爭取資助院舍聯席 that priority should be given to enhancing the frequency and quality of services under the home-based care services as well as training for professionals in the welfare sector. To help enhance service quality, the Administration should expedite disbursement of funding to the relevant service providers to recruit frontline staff and activities organisers to enhance the service delivery</p> <p>Views of HKCSS that consideration should be given to reviewing the licensing standards and requirements under CoP, in particular the minimum staffing requirements for RCHE residents according to the level of care required</p>	
013624 - 015205	<p>Chairman Administration Mr LEUNG Yiu-chung</p>	<p>The Chairman's enquiry about the details of the inspections of private RCHEs</p> <p>The Administration's advice that LORCHE comprised four teams of staff who conducted on average seven surprise inspections on each private RCHE per year, including inspections by fire and building inspectors on each occasion, five times by social workers or nurses. The inspections were very comprehensive, covering aspects such as drug management, personal care services, infection control, handling of accidents, environmental hygiene, meals and staffing, etc. This apart, LORCHE staff would also solicit feedback from RCHE residents and their family members during the inspections</p> <p>The Chairman's further enquiry on (a) the entry qualifications, registration scheme and requirement of continuing training of health workers in RCHEs; (b) the viability of recruitment</p>	

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		<p>of associate degree holders on healthcare services to enter the RCHE field; and (c) plan for reviewing the existing CoP</p> <p>The Administration's response –</p> <p>(a) notwithstanding that it agreed that registered health workers might be required to undergo continuing training and education after working in the RCHE field, registered health workers must have completed Form 5 education and meet other relevant qualifications;</p> <p>(b) associate degree graduates with relevant experience were eligible to take up the duties of health workers. On the question of whether a new post specifically for associate degree holders should be created in RCHEs in addition to nurses and health workers, this would require more extensive discussion; and</p> <p>(c) a working group would be formed in mid-2011 to review the CoP for RCHEs. The scope of the review would be worked out by the working group</p>	
015206 - 015434	The Against Elderly Abuse of Hong Kong Administration Chairman	Concern about the monitoring of agencies in making referrals of RCHEs	
015435 - 020323	Mr LEUNG Yiu-chung Chairman Monitoring Alliance on Elderly Policies Administration	<p>Mr LEUNG Yiu-chung's reiteration on the need for increasing the number of EPBS places and setting specific targets for the provision of RCHE places in the light of the projection of the elderly population</p> <p>The Monitoring Alliance on Elderly Policies' concern about the acute waitlisting situation of the subsidised residential care places</p> <p>The Administration's elaboration on the long-term and short-term measures to alleviate the waitlisting situation of RCHE places and the Elderly Commission's consultancy study on the development of community care services for the elderly</p>	
020324 - 020422	Chairman	Date and discussion item of next meeting	