

**Panel on Health Services**

**List of outstanding items for discussion**  
(position as at 18 December 2015)

	<b>Subject</b>	<b>Proposed timing for discussion</b>
<b>1.</b>	<b>An update on public hospital development</b>  Item proposed by the Administration.  The Administration proposes to update the Panel on public hospital development pursuant to members' earlier request for the Administration to revert to the Panel on the "Public and private hospital development under the dual-track healthcare system" as listed under item 9 below.	January 2016
<b>2.</b>	<b>Progress of the Elderly Health Assessment Pilot Programme</b>  Item proposed by the Administration in the 2014-2015 legislative session.  At the meeting on 18 February 2013, the Panel was briefed on the Elderly Health Assessment Pilot Programme to be launched in mid-2013 over a two-year pilot period. Members were advised that the Department of Health ("DH") would review the pilot programme upon its completion. In June 2015, the Administration advised that its latest plan was to brief the Panel on the subject in the fourth quarter of 2015.	1 <sup>st</sup> quarter 2016
<b>3.</b>	<b>Redevelopment of Kwong Wah Hospital</b>  Item proposed by the Administration.  Kwong Wah Hospital ("KWH") is a major acute hospital offering comprehensive acute care services for the Kowloon West Cluster of the Hospital Authority	1 <sup>st</sup> quarter 2016

("HA"). Established decades ago, the space provision and facilities of KWH have become inadequate to meet the rising demand and the services requirement nowadays. The Administration plans to consult the Panel on the proposed redevelopment project of KWH.

#### **4. Review on the Hospital Authority**

1<sup>st</sup> half of  
2016

On 16 January 2013, the Chief Executive announced in his Policy Address that in view of the ageing population and the changing public needs for healthcare services, a steering committee would be set up to conduct a comprehensive review of the operation of HA to explore viable measures for enhancing the cost-effectiveness and quality of its services. The Steering Committee on Review of HA was set up in August 2013.

At the meeting on 10 October 2013, Dr Hon KWOK Ka-ki and Dr Hon Helena WONG suggested the Panel to have a discussion with the incoming HA Chairman, who would assume office on 1 December 2013, on issues relating to the operation of HA.

At the meeting on 20 July 2015, the Panel was briefed on the Report of the Steering Committee. Members agreed that the Administration and HA should report the progress on the implementation of the recommendations put forth in the Report to the Panel on a yearly basis. Separately, Dr Hon Helena WONG suggested that the Panel should hold a special meeting to invite views from deputations on the recommendations.

HA released its action plan for the implementation of the recommendations of the Steering Committee on 22 October 2015. The action plan together with an information paper provided by the Administration on the subject were issued to members vide LC Paper No. CB(2)97/15-16(01) on the same day.

At the informal meeting between the Chairman of the Panel and the Secretary for Food and Health ("SFH") to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed that the item be scheduled for discussion in January 2016.

**5. Regulation of electronic cigarettes**

1<sup>st</sup> half of 2016

At the meeting on 18 May 2015, the Panel was briefed on the legislative proposals to strengthen tobacco control, which included, among others, the policy direction of the legislative proposal to regulate electronic cigarettes. A special meeting was held on 6 July 2015 to receive public views on the proposals. The Administration was requested to revert to the Panel on how it would take forward the proposals.

At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed that the item be scheduled for discussion in January 2016.

Hon Alice MAK Mei-kuen and Hon KWOK Wai-keung proposed vide their joint letter dated 11 November 2015 (LC Paper No. CB(2)266/15-16(01)) that the Panel should discuss issues relating to the regulation of electronic cigarettes.

**6. Provision of obstetric services in the Tseung Kwan O Hospital**

1<sup>st</sup> half of 2016

At the meeting on 13 June 2011, the Administration advised that HA would monitor closely the manpower situation with regard to obstetric and paediatric services and would review in 2012-2013 the appropriate timing for the commissioning of the obstetric and Neonatal Intensive Care Unit services in the Tseung Kwan O Hospital ("TKOH"). Before such services were provided in TKOH, the relevant demand in the Kowloon East region could continue to be catered for by the United Christian Hospital.

At the meeting on 16 October 2012, Dr Hon Elizabeth QUAT proposed to discuss the subject at a future meeting.

At the meeting on 21 January 2013, the Administration advised that while the birth projection for the Sai Kung

District did not justify the provision of obstetric services in TKOH in the next three years, HA recognized there might be a need for such services in the longer term. With due regard to manpower constraint and the safety issue in connection with the provision of delivery and neonatal intensive care units services, HA would continue to make plan for the provision of manpower to prepare for the opening of such services in TKOH at an opportune time as and when sufficient manpower was available and safety standard could be assured. The Administration would revert to the Panel on the progress.

Dr Hon Elizabeth QUAT proposed vide her letter dated 22 August 2014 (LC Paper No. CB(2)2234/13-14(03)) that the Panel should discuss the subject in the 2014-2015 legislative session. In November 2014, the Administration advised that it would brief the Panel on the subject in the third quarter of 2015. In October 2015, the Administration advised that its latest plan was to brief the Panel on the subject in the fourth quarter of 2015.

**7. Policy on rare diseases**

1<sup>st</sup> half of 2016

At the meeting on 17 March 2014, in the context of discussing the HA Drug Formulary and the Samaritan Fund, members agreed that the subject on policy on rare diseases should be discussed at a future meeting. In October 2015, the Administration advised that it would brief the Panel on the subject in the fourth quarter of 2015.

**8. Handling of public requests for emergency medical needs within the vicinity of public hospitals**

1<sup>st</sup> half of 2016

Hon Alice MAK Mei-kuen proposed vide her letter dated 10 August 2015 (LC Paper No. CB(2)2004/14-15(01)) that the Panel should discuss issues relating to the handling of emergency medical requests by public hospitals arising from a recent North Lantau Hospital incident.

The Chairman instructed that the subject of handling of public requests for emergency medical needs within vicinity of public hospitals be included in the Panel's list of outstanding items for discussion. In October 2015, the Administration advised that it would brief the Panel on the subject in the fourth quarter of 2015.

**9. Public and private hospital development under the dual-track healthcare system**

1<sup>st</sup> half of 2016

At the meeting on 13 October 2011, concern was raised over the infrastructure support of the healthcare system, including the service capacity of the public and private healthcare sectors to meet the increasing demand for healthcare services. The Administration was requested to brief the Panel on its plans for the development or redevelopment of public hospitals, as well as the development of the medical services industry, including the disposal of the four pieces of land reserved for private hospital development (at Wong Chuk Hang, Tseung Kwan O, Lantau and Tai Po respectively), as highlighted in the 2011-2012 Policy Address.

The invitation of tenders for the development of private hospitals at the two identified sites at Wong Chuk Hang and Tai Po opened on 13 April and ended on 27 July 2012. The Panel held a special meeting on 7 May 2012 to discuss and receive views from deputation on the land disposal arrangement of these two sites.

At the meeting on 18 December 2012, members requested the Administration to revert to the Panel on the blueprint to develop the medical services, including the service capacity of public and private hospitals.

The Administration announced the tender result for the development of private hospitals at two reserved sites at Wong Chuk Hang and Tai Po on 13 March 2013. The Panel discussed private hospital development at the meeting on 15 April 2013. In the course of discussion, members were advised of the expansion or redevelopment projects of existing private hospitals, and the individual proposals for developing private hospitals put forward by various organizations.

As regards public hospital development, the Panel was briefed on the redevelopment and expansion plans of public hospitals at the meeting on 15 July 2013. The Administration also advised that the Food and Health Bureau decided to return the reserved site at Tai Po for private hospital development to the Development Bureau for other development purposes.

At the meeting on 10 October 2013, members considered the suggestion of the Administration to remove the item from the list and were of the view that the Administration should revert to the Panel on its blueprint for the long-term development of public and private hospitals under the dual-track healthcare system.

The Chief Executive announced in his 2014 Policy Address that the Government had decided to reserve a site in Tseung Kwan O, originally earmarked for private hospital development, to set up a Chinese medicine hospital.

Dr Hon Elizabeth QUAT proposed vide her letter dated 19 August 2014 (LC Paper No. CB(2)2234/13-14(02)) that the Panel should discuss the implementation of the phase two expansion project of the Prince of Wales Hospital ("PWH") in the 2014-2015 legislative session.

At the meeting on 19 January 2015, in the context of discussing the policy initiatives in respect of health matters, members were advised that the Administration would update the Panel on the latest redevelopment and expansion plans of public hospitals as and when appropriate.

At the meeting on 15 October 2015, Dr Hon Helena WONG suggested that the Administration should brief the Panel on the planning progress of the development of a new acute general hospital in the Kai Tak Development Area and the redevelopment of the Queen Elizabeth Hospital in the 2015-2016 session.

At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed

that the item be scheduled for discussion in the first quarter of 2016.

In December 2015, the Administration proposed to update the Panel on public hospital development at the regular meeting in January 2016.

**10. Mental health policy and services**

1<sup>st</sup> half of 2016

At the meeting on 25 February 2013, the Administration advised that it planned to set up a committee to review the existing mental health service provision with a view to promoting mental health, and strengthening support for persons with mental problems. Hon CHEUNG Kwok-che requested the Administration to revert to the Panel on the work of the review committee by stages before the completion of the whole review.

The Review Committee on Mental Health was subsequently set up in May 2013. At the informal meeting between the Chairman and Deputy Chairman of the Panel and the SFH to discuss the Panel's work plan for the 2013-2014 legislative session on 16 October 2013, it was agreed that the Panel would follow up on the mental health service needs of different age groups in the session.

At the meeting on 28 April 2014, the Panel was briefed on the progress of the mental health review being conducted by the Administration and proposals for strengthening mental health services provided by HA for adults. Members agreed that the Panel should receive views from relevant stakeholders on the subject.

The Panel received views from 22 deputations on the subject at the meeting on 16 June 2014. Members agreed that the Administration should provide a consolidated written response to views expressed by the deputations, and the Panel should revisit the subject in the 2014-2015 legislative session. In June 2015, the Administration advised that it planned to brief the Panel on the mental health policy and services in the second half of 2015.

At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed that a joint meeting of the Panel and the Panel on Welfare Services could be held to discuss the mental health review.

**11. Mental health services for children and adolescents**

1<sup>st</sup> half of 2016

Pursuant to the establishment of the Review Committee on Mental Health in May 2013, Dr Hon KWOK Ka-ki and Dr Hon Elizabeth QUAT respectively suggested at the meeting on 10 October 2013 that medical support to children with learning disabilities and mental health services for adolescents should be separately discussed by the Panel before the Review Committee on Mental Health concluded its review.

At the informal meeting between the Chairman and Deputy Chairman of the Panel and SFH to discuss the Panel's work plan for the 2013-2014 legislative session on 16 October 2013, it was agreed that the Panel would follow up on the mental health service needs of different age groups in the session. In May 2014, the Administration advised that it planned to brief the Panel on the mental health services for children and adolescents in the second half of 2014. In November 2014, the Administration further revised its proposed timing for discussion of the subject to the first half of 2015. At the meeting on 20 April 2015, Dr Hon KWOK Ka-ki urged the Administration to revert to the Panel on the progress of the review on the mental services for children and adolescents as early as possible. In June 2015, the Administration advised that its latest plan was to brief the Panel on the subject in the second half of 2015.

At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed that a joint meeting of the Panel and the Panel on Welfare Services could be held to discuss the mental health review.



**12. Mental health services for the elderly**

1<sup>st</sup> half of 2016

At the informal meeting between the Chairman and Deputy Chairman of the Panel and SFH to discuss the Panel's work plan for the 2013-2014 legislative session on 16 October 2013, it was agreed that the Panel would follow up on the mental health service needs of different age groups in the session. In May 2014, the Administration advised that it would brief the Panel on the mental health services for the elderly in the second half of 2014. In November 2014, the Administration further revised its proposed timing for discussion of the subject to the first half of 2015. In June 2015, the Administration advised that its latest plan was to brief the Panel on the subject in the second half of 2015.

At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed that a joint meeting of the Panel and the Panel on Welfare Services could be held to discuss the mental health review.

**13. Complaint handling mechanism of the Medical Council of Hong Kong**

1<sup>st</sup> half of 2016

At the meeting on 28 April 2014, the Panel considered two submissions dated 28 March and 24 April 2014 respectively from a member of the public proposing discussion on matters relating to the complaint handling mechanism of the Medical Council of Hong Kong ("MCHK") (LC Paper Nos. CB(2)1251/13-14(01) and CB(2)1382/13-14(01)) and the response provided by the Administration in this regard (LC Paper No. CB(2)1364/13-14(01)). Members agreed that the subject should be discussed at a future meeting.

At the meeting on 9 October 2014, Hon Alice MAK considered that the Panel should discuss at the earliest opportunity in the 2014-2015 session the mechanism of MCHK for handling matters in relation to the professional conduct of registered medical practitioners. In November 2014, the Administration advised that it

would brief the Panel on the subject in the first half of 2015. The Administration subsequently revised the proposed timing for discussion to the second half of 2015 in June 2015.

At the meeting on 16 November 2015, in the context of discussing the proposed Member's Bill to amend the Medical Registration Ordinance (Cap. 161), the Administration advised that the complaint handling and disciplinary inquiries mechanisms of MCHK were covered, among others, in the strategic review being conducted by the Steering Committee on Healthcare Manpower Planning and Professional Development. It was expected that the strategic review would be completed in the first half of 2016.

**14. Proposed regulatory framework for medical devices** 2<sup>nd</sup> quarter 2016

The Panel was briefed on the proposed regulatory framework for medical devices, together with the assessment of the regulatory impact on the industry, on 8 November 2010. As requested by the Business Facilitation Advisory Committee, the Administration subsequently conducted another study between 2011 and 2013 to further assess the business impact of the proposed statutory regulatory regime on the trade.

At the meeting on 16 June 2014, the Panel was briefed on the outcome of the study on the impact on the trade and the refined proposed regulatory framework for medical devices. The Administration advised that it was in the process of engaging an external consultant to conduct a detailed study on the use control of medical devices commonly used in beauty procedures.

At the meeting on 16 March 2015, in the context of discussing the Administration's response to the research study on regulation of aesthetic practices in selected places, members were advised that the Administration would report to the Panel on the outcome of the consultancy study and the details of the legislative proposal upon the completion of the study in 2015.

In October 2015, the Administration advised that the tendering exercise for engaging an external consultant

to conduct a detailed study on the use control of selected medical devices, with invitation letters issued in August 2014, involved much longer time than expected. Eventually, DH kicked off the consultancy study on 21 September 2015. The consultancy study is expected to complete by the first quarter of 2016.

**15. Colorectal Cancer Screening Pilot Programme**

2<sup>nd</sup> quarter 2016

The Panel was briefed on the proposed Colorectal Cancer Screening Pilot Programme ("the Pilot Programme") at the meeting on 15 December 2014. Members were advised that the Pilot Programme, subject to further deliberation on the details, was tentatively scheduled for launching by the end of 2015. The Administration was requested to revert to the Panel on further details of the Pilot Programme prior to its commencement.

In October 2015, the Administration advised that while it has been working in full swing to prepare for the Pilot Programme, unfortunately all bids failed in the open tender for the provision of chemical pathology laboratory analysis services for the Fecal Immunochemical Tests. In December 2015, the Administration advised that it has been conducting a re-tender for the above services. Moreover, the Administration is in parallel conducting a re-tender for the histopathology service as there was no conforming bid in the tender exercise earlier as well. Hence, the launching of the Pilot Programme has been delayed to around mid-2016.

**16. Public health measures for the lead in drinking water incidents**

2<sup>nd</sup> quarter 2016

At the meeting on 15 October 2015, Dr Hon Helena WONG suggested that the Administration should revert to the Panel at the earliest opportunity in the 2015-2016 session on the public health measures for the lead in drinking water incidents, in particular measures to safeguard the quality of drinking water from the health perspective, analysis of blood lead testing results and

health impacts of lead consumption on affected persons not belonged to the three more easily affected groups.

**17. Voluntary Health Insurance Scheme (previously known as Health Protection Scheme)**

To be confirmed, subject to the deliberations of the Subcommittee on Health Protection Scheme

On 6 October 2010, the Government published the Healthcare Reform Second Stage Public Consultation Document entitled "My Health My Choice" in which a voluntary and government-regulated Health Protection Scheme ("HPS") was proposed for public consultation. According to the Healthcare Reform Second Stage Public Consultation Report released on 11 July 2011, members of the public have expressed support for the introduction of HPS.

At the meeting on 11 July 2011, the Panel decided to appoint a subcommittee to follow up the subject of the proposed HPS. The subcommittee commenced work in February 2012 when a vacant slot became available to accommodate its activation. The subcommittee has completed its work and submitted a report to the Panel on 10 July 2012. The Panel supported the recommendations of the subcommittee which included, among others, the recommendation that the Panel should follow up the issue with the Administration in the fifth term of LegCo and appoint a subcommittee to assist its monitoring work in this regard if necessary.

On 26 October 2012, the Panel decided to appoint a subcommittee to follow up the issues relating to HPS. The Subcommittee on Health Protection Scheme has commenced work in December 2012.

On 15 December 2014, the Government published the Consultation Document on Voluntary Health Insurance Scheme (renamed from HPS) for public consultation. SFH gave a brief introduction on the Consultation Document at the meeting of the Panel held on the same day. A special meeting was held on 13 January 2015 to discuss, among others, the Consultation Document. Members agreed that the issue should be followed up by the Subcommittee on Health Protection Scheme.

**18. Redeployment of directorate posts in DH**

To be confirmed

Item proposed by the Administration in the 2008-2009 legislative session.

The Administration has advised that the discussion of the item was deferred due to the unavailability of time slot. Item was then planned to be incorporated in a composite proposal on creation of directorate posts for discussion on 12 April 2010. In the light of a letter dated 26 March 2010 from the Government Doctors' Association ("GDA") to the Director of Health, copied to Panel members, the item was withdrawn, pending further consultation with GDA.

**19. Prenatal screening for Down's syndrome under DH and HA**

(See note)

Dr Hon Elizabeth QUAT proposed in her letter dated 19 August 2014 (LC Paper No. CB(2)2234/13-14(01)) discussion on introduction of non-invasive prenatal test for Down's syndrome in public hospitals. The Chairman instructed that the subject of prenatal screening for Down's syndrome under DH and HA be included in the Panel's list of outstanding items for discussion.

At the meeting on 19 January 2015, in the context of discussing the policy initiatives in respect of health matters, members were advised that the Administration and HA were exploring the introduction of non-invasive prenatal test for Down's syndrome in the future Hong Kong Children's Hospital.

(Note: At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed that the subject would be discussed in the context of "Women's health".)

- 20. Healthcare and support services for patients with chronic diseases** To be confirmed

Hon CHAN Yuen-han and Hon Alice MAK proposed vide their joint letter dated 1 December 2014 (LC Paper No. CB(2)401/14-15(01)) that the Panel should discuss the provision of healthcare and support services for patients with chronic diseases. Members agreed at the meeting on 15 December 2014 that the subject be included in the Panel's list of outstanding items for discussion.

At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was noted that the Joint Subcommittee on Long-term Care Policy set up under the Panel and the Panel on Welfare Services had studied the relevant issues. The Joint Subcommittee had completed its work, and made a number of recommendations for the Administration's consideration. A motion to take note of the report of the Joint Subcommittee was moved by its Chairman at the Council meeting of 3 December 2014. The Administration has provided a progress report on the motion in May 2015.

- 21. General Outpatient Clinic Public-Private Partnership Programme** To be confirmed

At the meeting on 16 March 2015, the Panel was briefed on the progress of the General Outpatient Clinic Public-Private Partnership Programme. The Administration was requested to revert to the Panel on the findings of the interim review on the Programme to be carried out by HA in mid-2015. In October 2015, the Administration advised that the interim review is currently under way.

- 22. Procedure in organ transplant** To be confirmed

Hon CHAN Han-pan proposed vide his letter dated 28 August 2015 (LC Paper No. CB(2)2062/14-15(01))

that the Panel should discuss issues relating to a recent organ donation and transplantation incident in PWH whereby it was found that the donor had renal cell carcinoma after the carrying out of the heart and lungs transplantations.

The Chairman instructed that the subject of procedure in organ transplant be included in the Panel's list of outstanding items for discussion.

**23. Monitoring of the unauthorized sale of pharmaceutical products** To be confirmed

Dr Hon KWOK Ka-ki proposed vide his letter dated 9 October 2015 (LC Paper No. CB(2)2229/14-15(01)) that the Panel should discuss issues relating to the monitoring of the unauthorized sale of pharmaceutical products and invited views from deputations on the subject.

The Chairman instructed that the subject be included in the Panel's list of outstanding items for discussion.

**24. Regulation and development of beauty services** (See note)

The subject was last discussed at the joint meeting of the Panel and the Panel on Commerce and Industry held on 23 June 2015. At the meeting on 15 October 2015, Dr Hon Helena WONG suggested that the Panel should follow up on issues relating to the regulation and development of beauty services in the 2015-2016 session.

(Note: At the informal meeting between the Chairman of the Panel and SFH to discuss the Panel's work plan for the 2015-2016 session on 26 October 2015, it was agreed that issues relating to the use control of medical devices commonly used in beauty procedures would be discussed under the subject "Proposed regulatory framework for medical devices".)

- 25. Women's health** To be confirmed
- Dr Hon Elizabeth QUAT proposed at the meeting on 15 October 2015 and vide her letter dated 20 October 2015 (LC Paper No. CB(2)117/15-16(01)) that the subject on women's health, including the prevention of breast and cervical cancers and provision of cervical cancer vaccination for the female population, should be discussed by the Panel in the 2015-2016 session.
- 26. Healthcare referral mechanism between DH and HA** To be confirmed
- Dr Hon KWOK Ka-ki proposed vide her letter dated 16 October 2015 (LC Paper No. CB(2)71/15-16(01)) that the Panel should discuss issues relating to the healthcare referral mechanism between DH and HA. He was particularly concerned about the referral arrangement for patients suffering from Psoriasis under the treatment of the dermatological clinics of DH.
- The Chairman instructed that the subject be included in the Panel's list of outstanding items for discussion.
- 27. Organ donation** To be confirmed
- Dr Hon Elizabeth QUAT proposed vide her letter dated 29 October 2015 (LC Paper No. CB(2)176/15-16(01)) that the Panel should discuss issues relating to organ donation.
- The Chairman instructed that the subject be included in the Panel's list of outstanding items for discussion.
- 28. Implementation of the Elderly Health Care Voucher Scheme** To be confirmed
- At the meeting on 16 November 2015, in the context of discussing the Administration's proposed supplementary provision to meet the estimated voucher expenditure of the Elderly Health Care Voucher Scheme in 2015-2016, members agreed that the Administration should revert



to the Panel on the implementation of the Scheme, including the pilot scheme launched at the University of Hong Kong – Shenzhen Hospital in October 2015, at a future meeting.

**29. Substitute decision-making and advance directives in relation to medical treatment**

To be confirmed

At the meeting on 8 December 2008, the Panel was briefed on the recommendations made by the Law Reform Commission ("LRC") on advance directives in its report entitled "Substitute Decision-making and Advance Directives in Relation to Medical Treatment" published in August 2006. Members were advised that taking into account that the concept of advance directives was not one with which the community was generally familiar, the Administration considered that it would be premature to attempt to formulate a statutory framework and to embark on any legislation process for advance directives at this stage. It would however consult and solicit inputs of the relevant professions and organizations on the information about advance directives to be provided to the public in the first quarter of 2009, with a view to enabling an informed choice by an individual who wished to make an advance directive.

The Administration has advised that having regard to the outcome of the consultation, it considered it more advisable to implement advance directives by way of legislation where there was a greater degree of awareness and consensus over the use of advance directives and that the community was ready for it. The Review Committee on Mental Health, which was set up in May 2013, would consider, among others, necessary changes to the Mental Health Ordinance (Cap. 136) including LRC's recommendations in relation to the definition of "mentally incapacitated persons".