

**Bills Committee on Private Healthcare Facilities Bill**

**List of follow-up actions required of the Administration  
arising from the discussion at the meeting on 12 January 2018**

The Administration was requested to:

- (a) in respect of its proposal to exclude from the Bill any facility which was managed or controlled by The University of Hong Kong ("HKU") or The Chinese University of Hong Kong ("CUHK"); a day procedure centre, clinic or health services establishment; and primarily used for teaching or research relating to medicine or dentistry, provide further information, which should include, among others, sample consent forms for participation in teaching or research for completion by patients of each facility, to substantiate the Administration's view that the 14 existing facilities as set out in the Annex to LC Paper No. CB(2)196/17-18(02) would meet the proposed criterion of being primarily used for teaching or research relating to medicine or dentistry;
- (b) in respect of its advice that patient safety was a matter of prime concern in formulating the regulatory regime for private healthcare facilities, and that HKU and CUHK had already put in place for the relevant facilities under their aegis a three-tier complaints management system at the service delivery, the Faculty and the university levels respectively, as well as medical incident reporting and handling systems,
  - (i) provide the supporting documents on these systems issued by HKU and CUHK respectively;
  - (ii) advise whether any appeal channels were in place to hear appeals from any parties aggrieved by the decisions made in this regard;
  - (iii) provide the membership of the committee(s), if any, formed under these systems; and
  - (iv) provide the name and contact information (e.g. phone number and mailing address) of the parties responsible for receiving complaints against and handling medical incidents of the relevant facilities;

- (c) provide response to the following suggestions raised by a member:
- (i) by making reference to the licensing requirements for banks as specified in the Banking Ordinance (Cap. 155), specifying in the Bill that the licensee of a private healthcare facility ("PHF"), if being a legal person, had to be subject to a minimum capital requirement so as to ensure that a PHF would have enough capital base to cover civil liability claims by patients; or
  - (ii) requiring that the licensees of PHFs other than a hospital had to be a natural person in order to deter serious non-compliance under the new regulatory regime as they would be personally held liable. Under the Bill, the applicant for a licence to be issued for a PHF other than a hospital or a scheduled clinic could be either a legal person or a natural person;
- (d) in respect of its advice that depending on the circumstances, the administration of local anaesthetics to a person for the purpose of pain control was an act of practising Western medicine which was regulated under the Medical Registration Ordinance (Cap. 161) and members' concern as to whether in such cases beauty service providers had to engage registered medical practitioners to administer local anaesthetics before the performance of tattooing for cosmetic purposes (e.g. eyebrow tattooing), advise whether any prosecutions had been made against the beauty service providers in this regard. Under the Bill, premises involving the practice of registered medical practitioners were proposed to be regulated; and
- (e) provide response to the suggestion raised by the Hong Kong College of Pathologists in its submission (LC Paper No. CB(2)628/17-18(01)) that medical laboratories should be subject to regulation under the Bill.