

**Bills Committee on Private Healthcare Facilities Bill**

**List of follow-up actions required of the Administration  
arising from the discussion at the meeting on 9 April 2018**

The Administration was requested to:

- (a) in respect of clause 14(3) of the Bill which provided that the applicant for a licence to be issued for a private healthcare facility other than a hospital or a scheduled clinic could be an individual, a partnership, a company, a body corporate other than a company, or a society; and a member's concern over the safeguarding of patients' interests if the licensee of such facility, which/who was required to be wholly responsible for the operation of the facility, was a limited company,
  - (i) advise whether, and if so, how the licensee (i.e. the limited company) and the director(s) and/or officer(s) in the management of the limited company concerned would be held liable for negligence claim arising from medical or dental incidents occurred in the facility;
  - (ii) consider the suggestion that the Bill should require those private healthcare facilities the licensee of which was a limited company to take out a liability insurance to ensure that their patients would be provided with adequate compensation in case of a medical or dental incident; and
  - (iii) whether the absence of regulation under the Bill over the possible act of a private healthcare facility to require its patients to sign a consent form for receiving medical or dental care which contained exemption of liability clause(s) that purported to exclude or restrict the facility's liability in the case of a medical or dental incident caused by negligence of the facility would undermine protection of the interests of patients; and
- (b) advise, when available, the outcomes of its discussion with the relevant stakeholders, including private hospitals and patient groups, on the existing common practice of private hospitals to impose different level of service charges (such as that for consumables, medicines, injections, investigations and doctors' fees, etc.) according to different types of ward.