

**Panel on Health Services**

**List of issues suggested to be considered**  
(position as at 11 October 2016)

	<b>Subject</b>	<b>Proposed timing for discussion</b>
<b>1.</b>	<b>Preparation for winter surge</b>  Item proposed by the Administration.  The Administration intends to brief the Panel on its preparatory work to tackle the coming winter surge.	November 2016
<b>2.</b>	<b>Pilot programme for enhancing price transparency for private hospitals</b>  Item proposed by the Administration.  The Administration, together with the Hong Kong Private Hospitals Association, rolled out a pilot programme for price transparency for private hospitals in October 2016. Under the pilot programme, private hospitals in Hong Kong have been trying out three price transparency measures on a voluntary basis. The experience gained in the pilot programme will be useful in formulating the revamped regulatory regime for private healthcare facilities. The Administration will brief the Panel on details of the pilot programme.	November 2016
<b>3.</b>	<b>Proposed regulatory framework for medical devices</b>  The Panel was briefed on the proposed regulatory framework for medical devices on 8 November 2010. 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.	December 2016

At the meeting on 16 March 2015, in the context of discussing the Administration's response to the research study conducted by the Legislative Council Secretariat 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 and November 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, the Department of Health ("DH") kicked off the consultancy study on 21 September 2015. The consultancy study was originally expected to complete by the first quarter of 2016. The Administration advised in October 2016 that the consultancy study had been completed in September 2016. It would brief the Panel on the subject in December 2016.

#### **4. Mental health policy and services**

2<sup>nd</sup> half of 2016

The Review Committee on Mental Health was set up 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 concluded its review.

At the informal meeting between the Chairman and Deputy Chairman of the Panel and the Secretary for Food and Health ("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 (i.e. children and adolescents, adults, and elders) in the session.

At the meeting on 28 April 2014, the Panel was briefed on the progress of the review and proposals for

strengthening mental health services provided by the Hospital Authority ("HA") for adults. The Panel received views from 22 deputations on mental health policy and services 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. At the informal meeting between the Chairman and Deputy Chairman of the Panel and SFH to discuss the Panel's work plan for the 2014-2015 session on 5 November 2014, it was agreed that the subject be scheduled for discussion in the first half of 2015.

Separately, the Administration advised in May 2014 that it would brief the Panel on the mental health services for children and adolescents and that for the elderly in the second half of 2014. The proposed timing for discussion of the two subjects was revised to the first half of 2015 in November 2014. 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 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. The Administration's proposed timing for discussion of the subject was the first half of 2016.

At the meeting on 18 January 2016, in the context of discussing the policy initiatives in respect of health matters, members were advised that the review on mental health would be completed in 2016. In May 2016, the Administration advised that the Review Committee had completed its work and it was expected that the report would be published around the end of June 2016. Its latest plan was to brief the Panel on the subject in the second half of 2016.

**5. Voluntary accredited registers scheme for healthcare personnel who are currently not subject to statutory regulation** 4<sup>th</sup> quarter 2016/  
1<sup>st</sup> quarter 2017

At the meeting on 16 May 2016, the Administration briefed the Panel on the proposed regulatory framework of the voluntary accredited registers scheme for healthcare personnel who are currently not subject to statutory regulation. Members noted that a pilot scheme would be launched before end of 2016 to test the feasibility of the voluntary accredited registers scheme. The Administration was requested to revert to the Panel on the implementation of the pilot scheme in the 2016-2017 legislative session. Hon CHEUNG Kwok-che and Dr Hon KWOK Ka-ki suggested that the Panel should receive views from the stakeholders on the pilot scheme.

**6. Amendments to the Chinese Medicine Ordinance (Cap. 549)** January 2017

Item proposed by the Administration.

In the judgment of a judicial review handed down by the Court of First Instance on 21 May 2015, it has concluded that there was no lawful power for the Director of Health ("DoH") to instruct a proprietary Chinese medicine ("pCm") wholesaler to recall unregistered pCms in March 2014 and thus ultra vires. Use of unregistered pCms may pose threats to public health as their safety, quality and efficacy are not proven. The threats could be minimized by way of rapid and complete recall by the supplier from various levels.

In view of the foregoing lacuna in the law, it is necessary to amend the Chinese Medicine Ordinance to strengthen the legislative control by conferring statutory power on DoH to order any relevant person to recall from the market any product or substance presented as pCm or Chinese herbal medicine which may pose threats to public health.

**7. Regulation of electronic cigarettes**

1<sup>st</sup> half of 2017

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 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. The Administration's proposed timing for discussion of the subject was revised to the first half of 2016 in December 2015, and to the second half of 2016 in May 2016.

**8. Complaint handling mechanism of the Medical Council of Hong Kong ("the Medical Council")**

1<sup>st</sup> half of 2017

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 (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 the Medical Council for handling matters in relation to

the professional conduct of registered medical practitioners. The Administration proposed in November 2014 to discuss the subject in the first half of 2015, and 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 inquiry mechanism of the Medical Council was 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.

At the meeting on 29 February 2016, in the context of receiving the briefing from the Administration on the Medical Registration (Amendment) Bill 2016, members were advised that the legislative proposals were aimed to, among others, improve the complaint investigation and disciplinary inquiry mechanism of the Medical Council. The Administration introduced into the Legislative Council the Bill on 2 March 2016. A Bills Committee was set up to scrutinize the Bill.

At the meeting on 16 May 2016, members considered the proposal of Hon Alice MAK to discuss issues relating to the resources requirement for the Medical Council to handle complaints (LC Paper No. CB(2)1526/15-16(01)) and agreed that the subject should be discussed at a future meeting of the Panel. Members further agreed that the scope of the discussion should cover also that of other healthcare professional regulatory bodies covered under the review of the Steering Committee.

Upon the completion of the scrutiny of the Bill by the Bills Committee, the Administration resumed the Second Reading debate on the Bill at the Council meeting of 29 June 2016. The Bill lapsed at the end of the term of office of the Legislative Council under section 9(4) of the Legislative Council Ordinance (Cap. 542).

The Administration has undertaken to set up a tripartite platform, comprising doctors, patients (including the

Consumer Council) and Legislative Council Members, on the composition of the Medical Council and its complaint handling and disciplinary inquiry mechanism. The Administration will report to the Panel on the discussion of the tripartite platform.

**9. Review on HA**

1<sup>st</sup> half of 2017

At the meeting on 20 July 2015, the Panel was briefed on the Report of the Steering Committee on Review of HA. It was noted that HA planned to implement the recommendations of the Steering Committee within three years. Members agreed that the Administration and HA should report the progress on the implementation of the recommendations to the Panel on a yearly basis.

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 meeting on 20 June 2016, the Panel was briefed on the first progress report of HA on the implementation of the recommendations of the Steering Committee.

**10. 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 DoH, copied to Panel members, the item was withdrawn, pending further consultation with GDA.

*[Note: The Administration suggests removing this item from the list.]*

**11. Voluntary Health Insurance Scheme (previously known as Health Protection Scheme)** To be confirmed

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.

The Panel respectively appointed a subcommittee in the Fourth and the Fifth Legislative Council to study issues relating to the implementation of the proposed HPS. On 15 December 2014, the Government published the Consultation Document on Voluntary Health Insurance Scheme ("VHIS") (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 appointed by the Panel.

At the last meeting of the Subcommittee on 19 April 2016, members noted the latest progress of the Administration in taking forward VHIS, including the Administration's plan to iron out the way forward and release the Consultation Report on VHIS in around mid-2016. The report of the Subcommittee was submitted to the Panel on 15 July 2016.

**12. Provision of obstetric services in the Tseung Kwan O Hospital** To be confirmed

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 21 January 2013, the Administration advised that HA would continue to make plan 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. The proposed timing for discussion was further revised to the first half of 2016 in November 2015, and to the second half of 2016 in May 2016.

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

(See note)

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 Panel discussed private hospital development at the meeting on 15 April 2013. 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.

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.

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 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.

*[Note: At the meeting on 18 January 2016, SFH briefed the Panel on the public hospital development plan for the coming 10 years as announced by the Chief Executive in his 2016 Policy Address.]*

**14. Policy on rare diseases and drug for rare diseases** To be confirmed

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.

The Administration has proposed to brief the Panel on the "Subsidy on drug for rare diseases and non-drug items under the Samaritan Fund" at the regular meeting

in May 2016 but subsequently deferred the proposed timing for discussion of the item to a future meeting.

**15. 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".]*

**16. 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.

**17. 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.

**18. Handling of public requests for emergency medical needs within the vicinity of public hospitals** To be confirmed

Hon Alice MAK 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. The proposed timing for discussion was further revised to the first half of 2016 in November 2015, and to the second half of 2016 in May 2016.

**19. 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.

**20. 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.

**21. 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".]*

**22. 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.

**23. Public health measures for the lead in drinking water incidents** (See note)

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.

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 second quarter of 2016.

*[Note: The Administration suggests removing this item from the list.]*

**24. Healthcare referral mechanism between DH and HA** To be confirmed

Dr Hon KWOK Ka-ki proposed vide his 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.

**25. 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.

At the meeting on 20 June 2016, in the context of discussing the "Review of Elderly Health Assessment Pilot Programme", members were advised that a comprehensive review of the Scheme was in progress. The strategic directions of the elderly health assessment service provided by DH would be reviewed taking into account the findings of the study.

**26. HA's private patient services** (See note)

At the meeting on 21 December 2015, HA advised that the priority areas identified by the Private Service Review Working Group for improving the administration of private patient services and the processing of related revenue in the two teaching hospitals would be considered by the Teaching Hospital Committee. The Administration was requested to revert to the Panel on the way forward for implementing the recommendations of the Working Group.

In January 2016, the Administration advised that it would provide a written response on the matter in due course.

*[Note: The response provided by the Administration was circulated to members vide LC Paper No. CB(2) 1893/15-16 on 11 July 2016. The Administration suggests removing this item from the list.]*

- 27. Review of the implementation of the smoking ban at the bus interchanges at the eight tunnel portal areas** To be confirmed

The item was referred to the Panel for follow-up by the Subcommittee on Smoking (Public Health) Ordinance (Amendment of Schedule 2) Order 2015.

During the scrutiny of the Amendment Order, the Administration has advised that it would review the smoking ban at the eight bus interchanges concerned after 12 months of implementation and consider the way forward for further expanding the non-smoking areas to other facilities or areas. The Subcommittee agreed to refer the outcome of the review to the Panel for follow-up.

- 28. Review of the Human Reproductive Technology Ordinance (Cap. 561)** To be confirmed

The item was referred to the Panel for follow-up by the Bills Committee on Human Reproductive Technology (Amendment) Bill 2015.

During the scrutiny of the Bill, the Administration has advised that it would work with the Council on Human Reproductive Technology ("CHRT") to look into the need to amend the Human Reproductive Technology Ordinance comprehensively having regard to the stakeholders' feedback and the operating experience of CHRT. The Administration undertook to keep the Panel informed of the progress.

- 29. Provision of alternative therapy** To be confirmed

At the meeting on 16 May 2016, members considered the proposal of Dr Hon KWOK Ka-ki to discuss issues relating to the provision of alternative therapy (LC Paper No. CB(2) 1479/15-16(01)) and agreed that the subject should be discussed at a future meeting of the Panel.



**30. 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, whether and how necessary changes should be introduced to the Mental Health Ordinance (Cap. 136) including LRC's recommendations in relation to the definition of "mentally incapacitated persons".