

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1613/20-21  
(These minutes have been  
seen by the Administration)

Ref : CB2/PL/WS

**Panel on Welfare Services**

**Minutes of meeting**  
**held on Monday, 13 September 2021, at 10:45 am**  
**in Conference Room 1 of the Legislative Council Complex**

**Members present** : Dr Hon CHIANG Lai-wan, SBS, JP (Chairman)  
Hon YIU Si-wing, SBS (Deputy Chairman)  
Hon Starry LEE Wai-king, SBS, JP  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon KWOK Wai-keung, JP  
Hon POON Siu-ping, BBS, MH  
Hon Holden CHOW Ho-ding  
Hon Wilson OR Chong-shing, MH  
Dr Hon Pierre CHAN  
Hon LUK Chung-hung, JP  
Hon LAU Kwok-fan, MH, JP  
Hon Vincent CHENG Wing-shun, MH, JP

**Member attending** : Hon Elizabeth QUAT, BBS, JP

**Public Officers attending** : Item III

Dr LAW Chi-kwong, GBS, JP  
Secretary for Labour and Welfare

Mr David LEUNG, JP  
Deputy Secretary for Labour and Welfare (Welfare)1

Ms Elaine MAK Tse-ling  
Principal Assistant Secretary for Food and Health  
(Health)<sup>2</sup>

Mr CHENG Ming-keung  
Principal Assistant Secretary (School  
Administration\_Special Duties)

Mr KOK Che-leung  
Deputy Director (Services)  
Social Welfare Department

Item IV

Mr HO Kai-ming, JP  
Under Secretary for Labour and Welfare

Ms Linda LAW Lai-tan  
Principal Assistant Secretary for Labour and Welfare  
(Welfare)<sup>3</sup>

Mr TAN Tick-yee  
Assistant Director (Elderly)  
Social Welfare Department

Item V

Dr K H LAU  
Chief Manager (Quality & Standards)  
Hospital Authority

Dr Birgitta WONG Yee-hang  
Chairman (Coordinating Committee in  
Otorhinolaryngology/Chief of Service (Ear, Nose  
and Throat Department), Queen Mary Hospital  
Hospital Authority

Mr Eddie WONG Chi-ming  
Kowloon Central Cluster Coordinator  
(Audiology)/Scientific Officer (Ear, Nose &  
Throat Department), Queen Elizabeth Hospital  
Hospital Authority

Mrs Gloria LI  
Principal Education Officer (Special Education)  
Education Bureau

Ms Emily MA  
Senior Specialist (Educational Audiology Service)  
Education Bureau

Mr CHOW Cheung-pong  
Chief Social Work Officer (Rehabilitation and  
Medical Social Services)<sup>2</sup>  
Social Welfare Department

**Clerk in attendance** : Ms Maisie LAM  
Chief Council Secretary (2) 3

**Staff in attendance** : Ms Catherina YU  
Senior Council Secretary (2) 3

Mr Roger CHUNG  
Council Secretary (2) 3

Miss Alison HUI  
Legislative Assistant (2) 3

Ms CHAU Kwan-bing  
Legislative Assistant (2) 7

---

Action

**I. Information paper(s) issued since the last meeting**  
[LC Paper Nos. CB(2)1453/20-21(01) and CB(2)1460/20-21(01)]

Members noted that the following papers had been issued since the last meeting:

- (a) letter dated 7 September 2021 from Ms Elizabeth QUAT regarding the progress of "Further Study on the Phenomenon of Divorce in Hong Kong" commissioned by the Family Council; and
- (b) the Administration's response to the above letter from Ms Elizabeth QUAT.

**II. Items for discussion at the next meeting**

[LC Paper Nos. CB(2)1454/20-21(01) and (02)]

2 Members agreed to receive a briefing from the Secretary for Labour and Welfare ("SLW") and the Secretary for Home Affairs on the Chief Executive's 2021 Policy Address in respect of the relevant policy initiatives, and discuss the subjects "Registration of social workers" and "Consultancy study for developing a central databank on children" at the policy briefing-cum-meeting scheduled for 11 October 2021 at 10:45 am. Members also agreed that the meeting should end at 1:15 pm to allow sufficient time for discussion.

### **III. Proposed mandatory reporting requirement for suspected child abuse cases**

[LC Paper Nos. CB(2)1436/20-21(01), CB(2)1454/20-21(03) and CB(2)1462/20-21(01)]

3 At the invitation of the Chairman, SLW briefed members on the preliminary views of the cross-bureaux working group ("Working Group") on the key parameters essential for considering a mandatory reporting mechanism for suspected child abuse and neglect cases ("the proposed mandatory reporting mechanism") in Hong Kong, details of which were set out in the Administration's paper (LC Paper No. CB(2)1436/20-21(01)).

4 Members noted the updated background brief prepared by the Legislative Council ("LegCo") Secretariat (LC Paper No. CB(2)1454/20-21(03)) and the letter from Dr Pierre CHAN (LC Paper No. CB(2)1462/20-21(01)) on the subject under discussion.

#### Persons to be protected under the mandatory reporting mechanism

5 Expressing appreciation that the Administration had taken a step forward in considering the introduction of the proposed mandatory reporting mechanism, Mr Michael TIEN enquired whether the Administration would consider including vulnerable persons aged 16 years or above in the mechanism. He noted that in some jurisdictions such as New Zealand and the United Kingdom, vulnerable adults were included in the scope of victims of the offence relating to abuse and neglect. It was also recommended in the report on Causing or Allowing the Death or Serious Harm of a Child or Vulnerable Adult released by the Law Reform Commission of Hong Kong ("LRC") that the scope of victim of the new proposed offence of "Failure to protect a child or vulnerable person where the child's or vulnerable person's death or serious harm results from an unlawful act or neglect" ("the new proposed offence") should include

vulnerable persons aged 16 or above whose ability to protect himself or herself from an unlawful act or neglect is significantly impaired for any reason, including but not limited to, physical or mental disability, illness or infirmity. SLW advised that in the light of the diverse views on establishing the proposed mandatory reporting mechanism, the Administration's initial view was that the imposition of the mandatory reporting duty to child abuse cases should be a matter of priority, so as to avoid diffusing its efforts and prolonging the consultation and legislative process.

6 Ms Elizabeth QUAT expressed support for the new proposed offence and the proposed mandatory reporting mechanism. Pointing out that a child meant a person below the age of 18 under the United Nations Convention on the Rights of the Child, she enquired the reason why the proposed mandatory reporting mechanism only covered children under the age of 16. SLW advised that the Working Group considered it appropriate to make reference to the age threshold of child (i.e. under the age of 16) in the offence of ill-treatment or neglect by those in charge of child or young person under section 27 of the Offences against the Person Ordinance (Cap. 212). The Administration would study the suggestion of raising the age limit of children under the proposed mandatory reporting mechanism.

Persons who had the statutory duty to report suspected child abuse cases

7 Mr LEUNG Che-cheung supported the introduction of the proposed mandatory reporting mechanism. Noting that the initial view of the Working Group was that the reporting obligations should cover only those professionals who had frequent contacts with children, he considered that the reporting obligations should also apply to persons who directly took care of children. SLW advised that some carers who had frequent contact with children were not professionals and might lack the necessary expertise to identify substantiated abuse cases for reporting. This apart, some of the personnel's work was of a voluntary nature. These persons might incline not to undertake any caring work if they would be subject to a mandatory reporting requirement. Mr KWOK Wai-keung believed that there would be no objection to the new proposed offence and the proposed mandatory reporting mechanism in order to protect children from abuses and neglect. Pointing out that there would hardly be universal consensus on the scope of persons who should be required to make reports, he held the view that the reporting obligations could start with those professionals suggested by the Working Group in order not to delay the implementation of the proposed mandatory reporting mechanism.

8 The Deputy Chairman said that he inclined to support introducing the

proposed mandatory reporting mechanism in order to protect children from abuses and neglect. Given that a victim could have frequent contact with different professionals who had the reporting obligations as suggested by the Working Group, he asked whether these professionals would be subject to the same reporting duty and same level of penalty for failure to report. SLW advised that all persons who had the reporting obligations should make the report once they knew or had reasonable grounds to believe that there was a child abuse case.

9 Making reference to the practices of certain states of Australia and the United States, Mr Michael TIEN considered that law enforcement officers should be mandated to report suspected child abuse cases that came to their knowledge when discharging their duties. Mr LUK Chung-hung considered it necessary to enhance the reporting requirement of suspected child abuse cases. He opined that police officers and certain frontline staff of government departments, in particular those who had to pay home visits such as staff of the Housing Department, should also have a statutory duty to report suspected child abuse cases. Alternatively, they should be required to report through administrative measures.

10 SLW advised that according to the Civil Service Code, civil servants should report promptly to the Police suspected criminal act encountered in discharging their duties. The Administration would study whether those law enforcement officers who were not responsible for receiving reports of child abuse but came across suspected abuse cases in other areas of work should be mandated to report.

#### Types of suspected cases to be reported

11 Mr LEUNG Che-cheung asked how the Administration could prevent reporting of unsubstantiated cases in order not to burden the law enforcement agencies. SLW advised that resources intended for handling substantiated child abuse cases might be diverted if all suspected cases irrespective of their risk levels were to be reported. In this connection, the Working Group considered that the threshold of reporting "imminent risk of serious harm" should be adopted. It should be noted that the codes of practice for some professions had already set out similar reporting threshold. Mr KWOK Wai-keung expressed concern about the above reporting threshold as some abuse cases not meeting the threshold might exacerbate for not being reported and handled in a timely manner. In his view, the level of risk of all suspected cases should first be assessed by professionals to ensure swifter preventative and protective action before deciding whether the situation would cause imminent risk of serious harm to the child and warranted a mandated report. Mr Michael TIEN shared the view that a

stringent approach should be adopted to avoid overlooking any deserving cases.

12 SLW advised that if the proposed mandatory reporting mechanism was to be implemented, members of the public should, as being advocated under the current policy, bring cases of suspected child abuse promptly to the attention of any child protection agencies for investigation and risk assessment. The Chairman remarked that the Administration should make reference to the experience of those jurisdictions where mandatory reporting systems were in place. SLW advised that Australia and the United States had put in place mandatory reporting legislation, whereas New Zealand and the United Kingdom had decided not to enact mandatory reporting laws because of the perceived danger of over reporting of unsubstantiated cases, which was seen as adversely affecting the interests of children and families, and as diverting scarce resources intended to support deserving cases.

Level of penalty for non-compliance of mandatory reporting requirement

13 Mr Michael TIEN noted that the maximum sentences recommended by LRC for fatal and non-fatal cases under the new proposed offence were 20 years' imprisonment and 15 years' imprisonment respectively, whereas the initial view of the Working Group was that a penalty of three years' imprisonment would be a more appropriate basis for non-compliance of the mandatory reporting requirements. Holding the view that the latter was too lenient for severe cases of child abuse, he suggested imposing a maximum penalty of an imprisonment of five to six years for failure to report. Mr POON Siu-ping sought elaboration about the consideration of the level of penalty for non-compliance with the mandatory reporting requirement.

14 SLW advised that common law relied on a system of case precedents. A case in 2021 whereby the step-grandmother who had a duty of protect the five-year-old victim, whose death was due to the abusive acts of the parents and there was no evidence to suggest that she was responsible for the fatal injuries, was sentenced to five years' imprisonment for counts of neglect could be a case law for liability under the new proposed offence. It should be noted that the purposes of the new proposed offence and the proposed mandatory reporting mechanism were different. While reporting an abuse case could constitute one of the reasonable steps that a person, who owed a duty of care to the victim or was a member of the same household as the victim and in frequent contact with the victim, should take to protect the victim (when the person knew, or had reasonable grounds to believe, that there was a risk of serious harm) under the new proposed offence, whether a designated professional who had frequent contacts with the victim would be liable under the proposed mandatory reporting mechanism and, if so, the

length of the imprisonment would be based on another set of considerations.

15 Pointing out that the professionals having the reporting obligations might not be aware of inapparent child abuse cases or might genuinely believe that the abuse would not result in imminent risk of serious harm to the children concerned, the Deputy Chairman enquired whether the Working Group had considered imposing a fine for a criminal conviction if the failure to report was, in the circumstances, not so serious. SLW advised that the question of the sentencing principles would be looked into in the formulation of the legislative proposal and it might ultimately be a matter for the court to decide.

#### Safeguard reporters' interest

16 The Deputy Chairman noted that the view of the Working Group was that if a mandatory reporting system was to be introduced, safeguards to provide a guarantee of protection of the reporter's identity and confer the reporter with immunity from any civil, criminal or administrative liability arising from a report made in good faith should be made. He enquired whether the person who disclosed the reporter's identity would be held criminally liable. SLW replied in the positive.

#### Facilitating compliance of statutory reporting requirement

17 Mr Wilson OR remarked that there was a need for the Administration to protect children under the age of 16 from harm. Given the divergent views in the community on the introduction of a mandatory reporting requirement for suspected child abuse cases, the Administration should further elaborate on issues including the definition of "serious harm", who had the statutory duty to report suspected child abuse cases and the types of suspected cases to be reported. To ease the concerns of some professionals including social workers and teachers that they might commit an offence inadvertently, clear guidelines should be issued to relevant professionals to facilitate their compliance with the mandatory reporting requirement. Ms Elizabeth QUAT said that some professionals were sometimes in a dilemma about whether to report suspected child abuse cases as they were worried that the reporting might damage the trust relationship or confidential communication with their clients. To prevent tragedies, she was of the view that the criteria for mandatory reporting of child abuse cases should be laid down clearly in the legislation and the professionals should be provided with relevant guidelines and training. Mr LUK Chung-hung considered that professionals should be provided with specific indicators for what would constitute causing imminent risk of serious harm to a child that warrant the abuses to be reported.



18 SLW advised that the Working Group would solicit stakeholders' views on introducing the mandatory reporting mechanism. If legislation was considered the appropriate way forward, the Working Group would proceed to work out a detailed legislative proposal for further consultation with stakeholders. The Administration would also need to draw up guidelines and beef up some of the current codes of practice of professional sectors to provide professional practitioners more specific indicators for the identification of targeted cases of abuse and neglect and to set out the limits of confidentiality to underpin the relevant legislation. There was also a need to enhance the professional training programmes for the professionals who were suggested to be covered by the mandatory reporting mechanism. Mr POON Siu-ping enquired about the amount of resources required for enhancing the training programmes for the relevant professionals. SLW advised that the details would be worked out at a later stage. On the enquiry of the Chairman and Mr POON Siu-ping about the legislative timetable, SLW advised that the above work was expected to take one to two years to complete.

#### Prevention of child abuse

19 The Chairman and Mr Wilson OR opined that the Administration should step up the promotion of prevention of child abuse. Mr LUK Chung-hung remarked that the provision of adequate support to parents to perform their parenting role could help preventing child abuse. Noting that the Education Bureau ("EDB") had provided a one-off subsidy to kindergartens in the 2021-2022 school year to kick start structured parent education programmes, he asked whether there were any other initiatives in place. SLW advised that the Administration had already implemented a number of improvement measures since 2018 to enable early detection of abuse cases, details of which were set out in paragraphs 17 and 18 of the Administration's paper. One of these measures was the development of the Parenting Capacity Assessment Framework by the Hospital Authority ("HA"), the Department of Health and the Social Welfare Department ("SWD"). Television Announcements in the Public Interest on prevention of child abuse had also been strengthened.

#### **IV. Progress report of Elderly Services Programme Plan**

[LC Paper Nos. CB(2)1435/20-21(01), CB(2)1436/20-21(02) and CB(2)1454/20-21(04)]

20 At the invitation of the Chairman, Under Secretary for Labour and Welfare ("USLW") briefed members on the Administration's follow-up work on the recommendations of the Elderly Services Programme Plan, details of which were set out in the Administration's paper (LC Paper No.

CB(2)1436/20-21(02)).

21 Members noted the updated background brief prepared by the LegCo Secretariat (LC Paper No. CB(2)1454/20-21(04)) and the submission from Concerning Home Care Service Alliance (LC Paper No. CB(2)1435/20-21(01)) on the subject under discussion.

Addressing shortage of care workers

22 Mr Michael TIEN said that to his understanding, there was currently a shortfall of around 6 000 care workers in elderly care service because many care workers had emigrated, retired prematurely during the coronavirus disease 2019 ("COVID-19") epidemic or taken up jobs in public hospitals which offered better career prospect after attaining Level 4 under the Qualifications Framework. In the light of the severe manpower shortage and the ageing population, the Administration should relax the manpower ratio of local workers to imported workers for the elderly care service sector under the Supplementary Labour Scheme. To provide flexibility, the imported care workers could be on time-limited employment. USLW advised that safeguarding local workers' priority for employment had all along been the policy principle. Increasing labour importation for the elderly care sector would only be considered when the supply of local workers could not meet the manpower needs.

23 Pointing out that some young people including trainees under the Navigation Scheme for Young Persons in Care Services ("Navigation Scheme") were unwilling to join or stay in the elderly care service sector due to lack of career prospect, Mr POON Siu-ping asked about further measures to be put in place by the Administration to encourage more young people to join the sector. He also enquired about the response to the Training Subsidy Scheme for Staff of Residential Care Homes.

24 Principal Assistant Secretary for Labour and Welfare (Welfare)3 ("PAS(W)3") advised that the Administration had adopted a multi-pronged approach to meet the manpower needs for elderly care services. There had been hundreds of graduates under the Navigation Scheme since its launch in 2015. Apart from taking up care work in the capacity of care workers or health workers, as the case might be, in the elderly or rehabilitation service units concerned during the two-year training period, many graduates continued to be employed in these service units. Operators of residential care homes were also encouraged to participate in the Employees Retraining Board's "First-Hire-Then-Train" Scheme, and consider adjusting the training and working hour arrangements under the Scheme to attract potential workforce to join the sector.

### Enhancing service quality of residential care homes

25 Noting that the Administration was drafting an amendment bill to improve the quality of services provided by residential care homes having regard to the recommendations made by the Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes, Mr POON Siu-ping enquired about the timetable for introducing the amendment bill into LegCo. USLW advised that the Administration planned to introduce the amendment bill into LegCo in 2022.

26 Noting that the revised Code of Practice for Residential Care Homes (Elderly Persons) ("Code of Practice for RCHEs") aimed at strengthening the monitoring of residential care homes for the elderly ("RCHEs") and enhancing their service quality, the Deputy Chairman asked whether the enhancement measures had entailed extra operating costs and hence, higher service fees for private RCHEs. He was concerned that if this was the case, whether there would be an increase in the number of waitlistees for subsidized RCHEs and whether the timing for introducing the amendment bill into LegCo would be affected.

27 PAS(W)3 advised that the revisions to the Code of Practice for RCHEs focused mainly on enhancing the work practices in RCHEs and thus had no direct cost implication. As regards those recommendations of the Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes which had to be implemented by way of legislative amendments (such as enhancing the statutory minimum staffing requirements and increasing statutory minimum area of floor space per resident in RCHEs), the Working Group had recommended to implement some of the improvement measures in phases. Stakeholders including the RCHE sector were consulted on the proposed legislative amendments on a number of occasions.

*(The Deputy Chairman took the chair at 12:12 pm in the absence of the Chairman.)*

### Standardised Care Need Assessment Mechanism for Elderly Services

28 Mr LEUNG Che-cheung enquired about the number of elderly persons who had been assessed by the updated Standardised Care Need Assessment Mechanism for Elderly Services ("SCNAMES") since its implementation in July 2021 and the timetable for reviewing the updated SCNAMES. Assistant Director (Elderly), SWD ("AD(E)) advised that the Administration would closely monitor the implementation of the updated SCNAMES. However, it needed time to collect more data and views before

a timetable for an overall consideration of whether any further review was required.

### Community home care services

29 Mr LUK Chung-hung noted with concern from the submission of Concerning Home Care Service Alliance that while 4 000 service places were provided under the Pilot Scheme on Home Care and Support for Elderly Persons with Mild Impairment ("Pilot Scheme"), only 3 496 elderly persons waitlisting for the Integrated Home Care Services ("IHCS") (Ordinary Cases) had received services under the Pilot Scheme as at end of December 2020 and 1 071 elderly persons had left the Pilot Scheme. It was pointed out in the same submission that the number of waitlistees for IHCS (Ordinary Cases) had increased from 3 998 in end-2016 to 4 353 in end-2020. However, the service quota had decreased from 18 664 to 16 779 in the corresponding period. He cautioned whether the threshold for joining the Pilot Scheme or the amount of co-payment was too high that low-income elderly persons waitlisting for IHCS (Ordinary Cases) were deterred from joining the Pilot Scheme.

30 AD(E) advised that there was no cause for such concern, as the amount of co-payment payable under Category I and Category II of the Pilot Scheme, which around 90% of the participants belonged to, was the same as the fee-charging rate of the traditional subsidized home care services. For the withdrawal cases, the main reasons for withdrawal included elderly persons having to receive hospitalized treatment or experiencing changes in family support such as being taken care of by family members or domestic helpers. As regards the number of IHCS (Ordinary Cases) service places, AD(E) clarified that the figures referred to in the submission were the number of persons receiving the services during the period. The drop in the utilization of IHCS in 2020 was mainly due to adjustments in certain services (e.g. home cleaning service and escort service) during the COVID-19 epidemic.

### Application of information technology in elderly service units

31 Noting that about 8 800 RCHE places and about 2 800 subsidized day care service places for the elderly were in the pipeline under various development projects, Mr LEUNG Che-cheung expressed concern that there might not be adequate manpower, particularly for contract RCHEs mainly comprising nursing home places which had a higher requirement on manning ratio, for provision of such services. Taking the view that the use of technology products would help alleviate the pressure on manpower needs, he called on the Administration to extend the Innovation and Technology Fund for Application in Elderly and Rehabilitation Care ("I&T

Fund") to cover private elderly service units. Mr LUK Chung-hung opined that the Administration should allocate more resources to assist elderly persons in using digital technology in the daily life and engage those community organizations having strong community network to provide training for elderly persons in this regard.

32 USLW and AD(E) advised that the Administration had been actively promoting the application of gerontechnology in elderly and rehabilitation service units. The suggestion to adjust the eligibility criteria of the I&T Fund would need careful consideration to ensure the prudent use of public fund. At present, all non-governmental organizations and private organizations currently receiving subsidies from SWD to provide elderly and rehabilitation services, including contract RCHEs and private RCHEs participated in the Enhanced Bought Place Scheme, could apply for the I&T Fund. As at the end of July 2021, four tranches of grants totaling about \$290 million had been approved under the I&T Fund. Vetting of the fifth tranche application was underway and the sixth tranche had been open for application from 6 September 2021.

**V. Support services for students with hearing impairment**

[LC Paper Nos. CB(2)1395/20-21(01), CB(2)1454/20-21(05) and (06)]

33 At the invitation of the Deputy Chairman, Chief Social Work Officer (Rehabilitation and Medical Social Services)<sup>2</sup>, SWD ("CSWO(RM)2") briefed members on the support services for students with hearing impairment, details of which were set out in the Administration's paper (LC Paper No. CB(2)1454/20-21(05)).

34 Members noted the background brief prepared by the LegCo Secretariat (LC Paper No. CB(2)1454/20-21(06)) and a submission from Association for the Rights of Hearing Impaired Students (LC Paper No. CB(2)1395/20-21(01)) on the subject under discussion.

Provision of cochlear implant and hearing aids

35 Noting that 45, 38 and 54 patients aged under 18 had received cochlear implant surgeries in the financial years of 2018-2019, 2019-2020 and 2020-2021 respectively, Mr POON Siu-ping asked whether there were any waitlistees and rejected cases for the surgery during the above period. Chief Manager (Quality & Standards), HA ("CM(QS), HA") advised that neonatal units of HA would provide universal newborn hearing screening programme to babies born in the public hospitals. Babies suspected to have

hearing impairment would be referred to ear, nose and throat specialist for further assessment and follow-up. For children confirmed to be suffering from profound hearing impairment, HA would assess whether cochlear implant would further improve their hearing ability. With the consents of the parents or guardians, HA would perform cochlear implant surgeries for all children whose assessment results were affirmative.

36 Given that the current supplier of cochlear implants of HA would only be responsible for repair and maintenance of the implant within the ten-year warranty period, Mr POON Siu-ping enquired about the number of implant malfunction cases in the past and the replacement arrangement after expiry of the warranty. Mr LUK Chung-hung considered that the Administration should provide students with hearing impairment free repair and maintenance after expiry of the ten-year warranty of the implant. As regards the external speech processor of cochlear implant, consideration should be given to providing these students a new set of external speech processor for replacement after the three-year warranty period.

37 Kowloon Central Cluster Coordinator (Audiology)/Scientific Officer (Ear, Nose & Throat Department), Queen Elizabeth Hospital advised that there were less than 30 cases of implant malfunction among the some 1 500 cochlear implant surgery cases in the past 20 years. CM(QS), HA advised that in case the implant malfunctioned after expiry of the 10-year warranty, since the implant had to be replaced together with the external speech processor, HA would provide the clinically eligible patients with a full set of cochlear implant at standard fees and charges. As regards repair and replacement of the external speech processor after expiry of the three-year warranty, needy patients could since April 2013 apply for the Samaritan Fund ("SF") for financial assistance. Apart from considering the patient's clinical and financial condition, SF might consider granting financial assistance on a discretionary basis if there were any special social factors or circumstances faced by the patient.

38. On Mr LEUNG Che-cheung's suggestion of including bone anchored hearing aid ("BAHA") under the standard fees and charges of HA, CM(QS), HA advised that starting from January 2020, BAHA had been included in the non-drug items supported by SF. Finance assistance would be provided to needy patients who had met the specified clinical criteria, being referred by attending doctor or allied health professionals for SF assistance, and passed the means test conducted by medical social workers. At the request of Mr POON Siu-ping, CM(QS), HA undertook to advise in writing on the number of applications approved and the average amount of subsidy granted under SF for needy patients to meet the expenses for BAHA. Mr Holden CHOW called on the Administration to enhance

Admin

publicity about the financial assistance provided under SF. CM(QS), HA advised that most of the patients experiencing malfunctioning of the hearing aid would undergo assessment at HA. For patients in need of financial assistance, they would be referred for assistance by SF.

39 The Deputy Chairman expressed concern about whether the needs of new immigrant students with hearing impairment could be identified early and the support in place to assist these students to integrate into school life. CSWO(RM)2 advised that new immigrants would be provided with information about public services available in Hong Kong, including healthcare, education and welfare services. For instance, SWD would provide pre-school rehabilitation services for children from birth to the age of six who were assessed with hearing impairment and had not yet started primary school education, and the Child Assessment Service ("CAS") of the Department of Health would provide comprehensive assessment (including hearing assessment) for children under 12 years of age with special needs. CAS would also make referral according to the needs of the children to HA for further diagnosis and treatment. On the Deputy Chairman's enquiry about the fees and charges of implantable hearing device applicable to new immigrant students, CM(QS), HA advised that the arrangements in relation to the provision of cochlear implant and hearing aids as mentioned in the earlier part of the meeting also applied to these children.

40 Mr Holden CHOW noted that while 40% of the 380 parents enquired by EDB for their opinions on hearing aid fitting services had indicated support for the provision of the services by EDB, the Association for the Rights of Hearing Impaired Students suggested in its submission that the Administration should provide vouchers to students with hearing impairment such that they would have the flexibility to choose the hearing aids that best suited their needs. He asked whether EDB had assessed parents' level of satisfaction with the hearing aids provided by EDB. Principal Education Officer (Special Education), EDB ("PEO(SE)") advised that EDB had since April 2019 deployed educational audiologists to provide the hearing aid fitting services free of charge for students with hearing impairment direct if needed. In the past year or so, majority of the parents found the services satisfactory or very satisfactory.

41 In response to the Deputy Chairman's enquiry on whether there were other hearing aids other than cochlear implant and BAHA which were more advanced or with lower cost available in the market, CM(QS), HA advised that HA had all along been keeping up with international standards. The cochlear implant and BAHA currently provided was considered to be suitable to meet the needs of students with hearing impairment.

Support to students with hearing impairment in the education setting

42 Mr LUK Chung-hung called on the Administration to strengthen school-based support to facilitate the learning of students with hearing impairment and their integration into mainstream schools, as well as public education on needs of these students and skills to communicate with them. The above apart, the Administration should conduct a study on the problems encountered by students with hearing impairment studying in mainstream schools, in particular school bullying and difficulties in social interaction. Mr LEUNG Che-cheung was concerned about whether there was adequate dedicated support, including counselling service, for children with hearing impairment at ordinary schools and education to students in ordinary schools should on communicating with hearing impairment students. PEO(SE) advised that at present, teachers could receive training in special education with a view to enhancing their professional capacity in catering for students with special educational needs. A school for children with hearing impairment had conducted a variety of activities and invited ordinary school teachers and students to participate so as to promote an inclusive culture. Besides, EDB had commissioned the school to provide the Enhanced Support Service for Students with Hearing Impairment, under which resource teacher would render additional support on a need basis to students with hearing impairment for their better adaption to school life, and to share the experiences in teaching these students with teachers of ordinary schools.

**VI. Any other business**

43 There being no other business, the meeting ended at 12:51pm.