

To <beStrong@fhb.gov.hk>

cc

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"A Tang

Subject My View on the Health Care Reform

Urgent

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13/06/2008 00:51

Please respond to

Dear Sirs,

1. I do support that a Health Care Reform should be carried out on an urgent basis. In particular, the number of elderly in the HK population ratio has continued to increase rapidly. We do need a long-term and effective scheme/ system to continuously encourage our young generation to take up this social responsibility.

2. I believe both the Insurance Industry (from private sectors) and certain Medical Trust Funds (to be launched by the Government) shall play a crucial role to effectively finance our new Health Care System, which aims to provide adequate medical protection for each of us in HK. In the absence of strong self-financing means from private sectors, no Health Care System can survive and be successful.

3. I believe the existing legal frameworks of (a) the Mandatory Third Party liability Motor Insurance and (b) Mandatory Employees Compensation Insurance are "adoptable to a significant extent" as the basic framework in forming our new Health Care System.

4. All motor owners (individual/ corporate) are mandatory to purchase their own Third Party Liability Insurance to protect any third party who is injured as a result of any car accident. Should a motor owner fail to purchase such mandatory motor policy, criminal sanction will be imposed against the offender. In the event that there was no motor insurance in force, Motor Insurers Bureau (MIB) shall directly compensate the victim of a car accident. Meanwhile, MIB shall be entitled to commence civil legal proceedings against the offender to recover compensation monies and legal costs so incurred against offenders. This framework has proved to be effective in the past years. The Insurance Companies in the private sector has provided a strong financial backup to provide compensations to traffic victims, out of insurance premiums received from motor owners. Criminal sanctions and civil legal proceedings effectively deter most motor owners from NOT buying the motor insurance. The amounts of insurance premiums paid by all motor owners have provided adequate profits margin for insurance companies in the private sectors to continuously issue such mandatory motor policies at competitive premium rates. Richer motor owners can freely choose to purchase comprehensive motor policies for much better protection.

5. Similar to mandatory motor insurance scheme, under mandatory employees compensation insurance scheme, all employers are required to purchase employee

compensation insurances (EC Policies) to protect their employees in the event they sustain injuries in the course of and arising from employment. Therefore, when an employee is injured, the Insurance Companies shall directly compensate the injured employee (even if the employer has no monies to compensate the injured employee). Similarly, criminal sanctions will be imposed against offending employers. In the event that there was no such EC Policies, EC Fund Board will compensate the injured employee directly, and shall be entitled to commence civil legal actions against the offending employers for recovery of the compensation monies paid to the employees and legal costs so incurred.

6. By analogy, I believe a new piece of legislation should be enacted to create a mandatory medical insurance scheme (like what we already have in the motor/ EC schemes aforesaid). Under this new mandatory medical insurance scheme, each person shall purchase their own medical insurance (which shall satisfy the minimum standard of medical protection to be prescribed under the new legislation, subject to negotiation/ consultation with the Insurance Industry), unless he/she is exempted from doing so on certain grounds/ reasons, e.g. he/she is an infant, unemployed, retired, under-waged, disable, a single parent taking care of infants and etc.. When whosoever has fallen into the statutory exemption, the insurance premium of his/her medical policies shall then be paid out of a Medical Trust Fund (to be launched and monitored by the Government), in order to maintain his/her medical insurances in force, ensuring him/her the minimum medical protection. I verily believe that once all 7 million populations are required to purchase mandatory medical insurance, the insurance premium would then be significantly reduced and be much LOWER than existing rates. In the event, anyone is found to be deliberately violating the new law and did not purchase any medical insurance, criminal sanction (including imprisonment) should be imposed. In the event that an offender is sick and requires medical services, Medical Trust Fund should still pay for his/her medical expenses in advance. Certainly, such a Medical Trust Fund Board/Bureau is still entitled to commence legal proceedings against such offenders for recovery of those medical expenses so incurred and legal costs so incurred.

I hope the above proposal could be taken into account prior to the implementation of our new Health Care Reform.

Yours faithfully,
TANG, Tsz Pun Albert
Solicitor

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