

Government gazetted compulsory testing notice and specifications under Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation

The Government has exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) and gazetted a compulsory testing notice and specifications, which require any person who had been present at the specified premises during the specified period to undergo a COVID-19 nucleic acid test, and continue to empower a registered medical practitioner to require any person whom he clinically suspects has contracted COVID-19 to undergo a test during a period of 14 days from December 26, 2020 to January 8, 2021.

A spokesman for the Food and Health Bureau (FHB) said, "Upon contact tracing by the Centre for Health Protection (CHP), a number of confirmed cases not epidemiologically linked to each other were recently found in certain places within a short period of time. Members of the public who had been to the relevant places might be subject to higher infection risks. The Government has published a compulsory testing notice under Cap. 599J, which requires persons who had been to the specified premises during the specified period to undergo testing immediately."

"Furthermore, according to expert advice, compulsory testing for symptomatic patients can effectively slow down the transmission of the virus by early identification, early isolation and early treatment. As the recent epidemic situation is at the peak, the Government considers it necessary to continue to solicit help from medical practitioners in identifying possibly infected persons as soon as possible."

Details are as follows:

Compulsory testing notice

Any person who had been present at Ping Shing House of Ping Tin Estate, 18 On Tin Street, Lam Tin for more than two hours at any time during the period from December 1 to December 23, 2020 (including but not limited to visitors, residents and workers) have to undergo testing by December 28, 2020

Persons subject to testing under the compulsory testing notice may choose to undergo testing as below:

1. To obtain a deep throat saliva specimen collection pack from any of the 121 post offices, vending machines set up at 20 MTR stations or 47 designated

general outpatient clinics (GOPCs) of the Hospital Authority and return the specimen to the designated specimen collection points (see the distribution points and time, and the specimen collection points and time at www.coronavirus.gov.hk/eng/early-testing.html);

2. To self-arrange testing provided by private laboratories recognised by the Department of Health (DH) (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf);

3. To attend any community testing centres (see the list at www.communitytest.gov.hk/en/);

4. To visit any mobile specimen collection stations (see the list and target groups (if applicable) at www.coronavirus.gov.hk/eng/early-testing.html) for testing;

5. To undergo testing at any healthcare facilities of the Hospital Authority (including GOPCs and accident and emergency departments) as instructed by a medical professional of the Hospital Authority; or

6. To use a specimen bottle distributed to the above specified premises by the CHP, and return the specimen bottle with the sample collected as per the relevant guidelines.

"If persons who are subject to testing under the compulsory testing notice have symptoms, they should seek medical attention immediately and undergo testing as instructed by a medical professional. They should not attend the community testing centres."

Persons who are subject to testing under the compulsory testing notice and opt for testing routes (1) to (5) above must keep the SMS (mobile phone text message) notification containing the result of the test, the Attendance Certificate, the Discharge Note, or the test report for checking by a law enforcement officer when the officer requires the persons to provide information about their undergoing the specified test. If they opt for testing route (6) above, they must provide personal particulars (including name, identification document number and residential address) when required by a law enforcement officer for checking by the officer with the CHP. Furthermore, persons who are subject to testing under the compulsory testing notice should, as far as reasonably practicable, take appropriate personal disease prevention measures including wearing a mask and maintaining hand hygiene; and unless for the purpose of undergoing the specified test, stay at their place of residence and avoid going out until the test result is ascertained as far as possible.

If persons who are subject to testing under the compulsory testing notice have previously undergone the above mentioned test between December 19 and December 23, they would be taken to have complied with the requirements set out in the compulsory testing notice.

Any enquiries on compulsory testing arrangements may be addressed to the hotline at 6275 6901 which operates daily from 9am to 6pm. If persons who are

subject to testing under the compulsory testing notice plan to conduct testing at any of the community testing centres, they can check the centre's appointment status in advance. The hotlines of the community testing centres are at www.communitytest.gov.hk/en/info/.

Relevant specifications for compulsory testing for persons clinically suspected to have contracted COVID-19

During the period of 14 days from December 26, 2020 to January 8, 2021, registered medical practitioners may, by a written direction, require a person whom the medical practitioner attends to in the course of professional practice and clinically suspects to have contracted COVID-19 to undergo a COVID-19 nucleic acid test. Persons who receive the written direction should undergo a test within two days after the issue date of the written direction (the testing deadline).

Persons who are subject to testing under written directions may choose to undergo a test as below:

(1) To use the specimen bottle provided by the registered medical practitioner who issued the written direction to collect a deep throat saliva specimen and submit the specimen bottle to designated specimen collection points by the testing deadline (see the specimen collection points and time at www.coronavirus.gov.hk/eng/early-testing.html). Having reported the case to the DH, the registered medical practitioner who issued the written direction will be notified of the test result; or

(2) To self-arrange testing provided by private laboratories recognised by the DH (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf) by the testing deadline and submit the test result to the medical practitioner who issued the written direction or his clinic staff by electronic mail, fax, or by hardcopy within four days after the testing deadline.

For example, if the written direction is issued on Monday, the person subject to testing under the written direction should undergo a test via one of the above options on or before Wednesday, the testing deadline. If the test result of the specimen is preliminary positive, the specimen will be referred to the Public Health Laboratory Services Branch of the DH for a confirmatory test. Confirmed cases will be followed up and announced by the Centre for Health Protection of the DH.

"Persons who are subject to testing under written directions are suspected to be infected and should not attend the community testing centres for testing. To reduce transmission risk, relevant persons who underwent testing are advised to stay at home and avoid going out when waiting for test results."

Any person who fails to comply with the testing notice or directions commits an offence and may be fined a fixed penalty of \$5,000. The person would also be issued with a compulsory testing order requiring him/her to

undergo testing within a specified timeframe. Failure to comply with the order is an offence and the offender would be liable to a fine at level 4 (\$25,000) and imprisonment for six months.

The spokesman said, "The Government urges all individuals who are in doubt about their own health conditions, or individuals with infection risks (such as individuals who visited places with epidemic outbreaks or contacted confirmed cases) to undergo testing promptly for early identification of infected persons. The FHB will publish compulsory testing notices regarding particular groups when necessary taking into account the epidemic development and the testing participation rate."