

Government gazetted compulsory testing notices 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 compulsory testing notices and specifications, which require any person who had been present at two specified premises during the specified periods 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 January 9 to January 22, 2021.

A spokesman for the Food and Health Bureau (FHB) said today (January 6), "To cut the transmission chain in the community as soon as possible, the Government has expanded the scope for 'compulsory testing on mandatory basis'. If confirmed cases not epidemiologically linked to each other were found in two or more units in the same building in the past 14 days, the building would be included in the compulsory testing notice under Cap. 599J. Persons who had been present at the relevant building in the past 14 days will have to undergo compulsory testing. One building fulfilling the above criteria is covered by the compulsory testing notice today."

"In addition, the Government published on December 28, 2020 a compulsory testing notice, requiring any person who had been present at Fung Chak House of Choi Wan (II) Estate, 55 Clear Water Bay Road, Wong Tai Sin for more than two hours during the specified period to undergo testing by December 31, 2020. As the sewage samples in Fung Chak House were still constantly tested positive, the relevant persons have to undergo a second test."

"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 remains serious, 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 notices

1. Any person who had been present at Chung Chi House of Chung On Estate, 632 Sai Sha Road, Ma On Shan for more than two hours at any time during the

period from December 24, 2020, to January 6, 2021 (including but not limited to visitors, residents and workers), have to undergo testing by January 9, 2021. If persons subject to compulsory testing have previously undergone testing between January 4 and January 6, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice;

2. Any person who had been present at Fung Chak House of Choi Wan (II) Estate, 55 Clear Water Bay Road, Wong Tai Sin for more than two hours at any time during the period from December 15 to December 28, 2020 (including but not limited to visitors, residents and workers), have to undergo testing during the period from January 6 to January 9, 2021.

Persons subject to compulsory testing under the compulsory testing notices may choose to undergo testing via the following routes:

1. To visit any of the mobile specimen collection stations (see the list and target groups (if applicable) at www.coronavirus.gov.hk/eng/early-testing.html) for testing;
2. To attend any of the community testing centres (see the list at www.communitytest.gov.hk/en/);
3. 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 one of the designated specimen collection points (see the distribution points and times, and the specimen collection points and times, at www.coronavirus.gov.hk/eng/early-testing.html);
4. To undergo testing at any of the GOPCs of the Hospital Authority as instructed by a medical professional of the Hospital Authority;
5. To self-arrange testing provided by private laboratories which are recognised by the Department of Health (DH) and can issue SMS (mobile phone text message) notifications in respect of test results (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories RTPCR.pdf); or
6. To use a specimen bottle distributed to the relevant specified premises by the Centre for Health Protection (if applicable), and return the specimen bottle with the sample collected as per the relevant guidelines.

The spokesman cautioned that testing received at accident and emergency departments of the Hospital Authority or during hospital stays, or testing provided by private laboratories which cannot issue SMS notifications in respect of test results, does not comply with the requirements of the aforementioned compulsory testing notices.

"If persons subject to compulsory testing have symptoms, they should seek medical attention immediately and undergo testing as instructed by a medical professional. They should not attend the mobile specimen collection stations or the community testing centres."

Persons subject to compulsory testing must keep the SMS notification containing the result of the test for checking by a law enforcement officer when the officer requires the persons to provide information about their undergoing the specified test. Furthermore, persons subject to testing 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. Any enquiries on compulsory testing arrangements may be addressed to the hotline at 6275 6901, which operates daily from 9am to 6pm. If persons subject to compulsory testing 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 January 9 to January 22, 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 (persons who are subject to testing under written directions) 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 testing via the following routes:

(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 mobile specimen collection stations or 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 notices 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."