

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

The Government has today (November 27) gazetted the specifications under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J), which during a period of 14 days from November 28 to December 11, 2020 empower a registered medical practitioner to require any person whom he clinically suspects has contracted COVID-19 to undergo a test.

A spokesman for the Food and Health Bureau said, "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 deteriorating rapidly, the Government considers it necessary to solicit help from medical practitioners in identifying possibly infected persons as soon as possible."

During the period of 14 days from November 28 to December 11, 2020, 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 such testing 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 one of the Government designated collection points set up at 13 clinics of the Department of Health (DH) and 47 General Out-patient Clinics of the Hospital Authority by the testing deadline (see the specimen collection points and time at www.chp.gov.hk/files/pdf/list_of_collection_points_en.pdf and gia.info.gov.hk/general/202011/19/P2020111900497_354653_1_1605778457666.pdf). 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 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.

The spokesman said, "Persons who are subject to testing are suspected to be infected and should not attend the Community Testing Centres for testing. To reduce transmission risk, persons who underwent testing are advised to stay at home and avoid going out when waiting for test results. 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 seek medical consultation and undergo testing promptly for early and effective identification of possible infections."

Failure to comply with the direction is an offence and the offender would be liable to a fine of \$2,000 and would be served with a compulsory testing order. Failure to comply with a compulsory testing order is also an offence and the offender would be liable to a fine at level 4 (\$25,000) and imprisonment for six months.