

# Public consultation on End-of-Life Care legislative proposals launched

The Food and Health Bureau (FHB) today (September 6) launched a public consultation to solicit public views on end-of-life care legislative proposals regarding advance directives and dying in place on or before December 16.

The Secretary for Food and Health, Professor Sophia Chan, said, "Given the trend of an ageing population, the Government, the Hospital Authority (HA) and various non-governmental organisations have all along spared no efforts to improve end-of-life care in Hong Kong. During the course of end-of-life care planning, it is of utmost importance to uphold patient self-determination.

"I hope that through this consultation, we can improve the quality of life of patients right up to the last moments, and the well-being of their families even beyond the patients' departure."

End-of-life care is usually used to describe palliative care delivered at a later stage, when a patient is approaching end-of-life.

An advance directive is usually a statement in writing, in which a person in a mentally competent state indicates the medical treatment he or she would refuse at a future time when he or she is no longer mentally competent. Making an advance directive is entirely voluntary.

Dying in place means spending the final days at the place of choice of the patient, be it at home, in a residential care home for the elderly and not necessarily in a hospital.

The consultation document aims to consult the public on the Government's proposals to:

- codify the current common law position in respect of an advance directive and to increase the safeguards attached to it;
- remove legislative impediments to implementation of advance directives by emergency rescue personnel; and
- amend the relevant provisions to facilitate dying in place in residential care homes for the elderly.

Advance directives and dying in place are important measures that respect the choice of a person who is approaching end-of-life. The Government has made reference to case scenarios from HA and multiple overseas practices when formulating the proposals.

The consultation document covers the current legal barriers for advance directives and dying in place, including the Fire Services Ordinance, Mental Health Ordinance and Coroners Ordinance, with recommendations for new provisions and amendments.

The consultation document and feedback form have been uploaded to the FHB website [www.fhb.gov.hk/en/press\\_and\\_publications/consultation/190900\\_eolcare/index.html](http://www.fhb.gov.hk/en/press_and_publications/consultation/190900_eolcare/index.html) for downloading.

Members of the public are invited to send their views and suggestions to the Health Branch of the Food and Health Bureau on or before December 16, 2019 by email ([eolcare@fhd.gov.hk](mailto:eolcare@fhd.gov.hk)), fax (2840 0467), or by post (19/F, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong).