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A Feasibility Study of Small-scale Private Long-term Care Organizations Transforming to Social Enterprise

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摘要

台灣將於2018年後步入「高齡社會」，屆時失能人口的遞增將導致長照需求的增加，實有必要設置各種公私立的長照服務機構。本研究稱「私立小型長照機構」係指床位在5~50之私人創設的長照機構，其所提供的佔床率已佔全國長照總床數的八成以上，顯見其重要性，而其定位與管理效能乃成為長照政策的核心議題之一。私立小型長照機構目前面臨多重困境，如機構轉型問題、人力財務資源不足、經營管理效率問題，其中最大者是機構轉型問題；《老人福利法》第36條要求必須轉型為財團法人，《長期照顧服務法（簡稱：長照法）》第22條則規定機構住宿式服務、其他經中央主管機關公告之服務類長照機構，應以財團法人或社團法人設立之，攸關機構轉型的兩大專法顯有衝突矛盾之處。

從「私立」定位的長照機構可能轉型為「公共化」的財團或社團法人嗎？果真這些機構都轉型為財團或社團法人，政府應如何進行有效的管理？當前不少公立財團法人往往淪為安插私人的「肥缺」，政府有何能力去管理人民團體？私立機構要轉型為財團或社團法人有一定的規範與要求，尤其在資金與人力資源部分，資源原本已處於不利的私立小型長照機構，未來應怎樣符合轉型的要求？此為本文主要探討的焦點。

本文檢視私立長照機構的經營目標，主張宜轉型為歐美國家甚為興盛的社會企業。本文從技術、資源、經濟、社會、政府等可行性角度進行評估，採文獻檢視與深度訪談，選擇若干桃園市的私人長照機構，詢問其對於未來長照機構定位與未來發展之看法，並分析是否有轉型為社會企業之可能？本研究探討轉型為財團或社團法人的困難度，並評析轉型為社會企業之可行性，期望為台灣小型私立照護機構的未來指出另外一條可行的道路。

關鍵詞：長期照顧服務法、長照機構、社會企業、高齡化社會

Abstract

Taiwan expects to become an aged society after 2018. Increasing disability population brings about the necessary to set up private and public long-term care organizations to fulfill the social needs. The definition of “small-scale private long-term care organization (SPLCO)” is defined as the capability of accommodation around 5~50 beds for those who requiring long term caring services. Nowadays, those private organizations play an important role in Taiwan’s long term caring market, as 90% of the occupied beds are supported by SPLCO. The legal status and efficiency of management has become a core issue to make policy-making for long-term care services.

However, operation of these private organizations is likely to face multiple difficulties right now, such as the inefficiency of management, shortage of resources and operation, especially significant is how to transform into foundations or non-profit corporations, as the Article 36 of the “Senior Citizens Welfare Act” and the Article 22 of the “Long-term Care Service Act” are stipulated. However, what kinds of difficulties the SPLCOs have to cope with? Is it possible from a private company transforming to social enterprises that emphasize economic and social goals.

The research method utilizes literature review and in-depth interviews to collect and analyze pros and cons on of the transformation of social enterprise. The paper will evaluate the feasibility of social enterprises from technical, economic, social perspective. Research findings show that the transformation of SPLCO from private organization to social enterprise is important to meet the social needs of long-term care service.

Keywords: Long-term Care Services Act, long-term care organization, social enterprise, aging society