

Mapping of Care Policies in Asia: Taiwan

I. Background on Care Demands

1. In 2022, young people under 15 years old and those aged 15-64 represented 12.12% and 70.32% of the total Taiwan population respectively and the ratios continues to decline; while the ratio of Taiwanese aged 65 or above was 17.56% and it is still rising. It is estimated that the figure will exceed 30% in 2039 and will reach 43.6% in 2070.¹
2. Dependency ratio in Taiwan started to increase from 2012. The figure was 42.2 in 2022, while the aged dependency ratio was 24.97 and the child dependency ratio was 17.23. It is estimated that the overall dependency ratio would exceed 100 in 2060 and would reach 109.1 in 2070, when the aged dependency ratio would be 91.3, and the ratio of aged population to the total population would be 43.6%.²
3. There is a huge and growing demand for long-term care services. According to statistics from the Ministry of Health and Welfare, 829,000 people needed long-term care in 2022, and the figure will reach 1,000,300 in 2026. Long-term care users include disabled senior citizens aged 65 or above, disabled indigenous peoples aged 55 or above, dementia sufferers aged 50 or above, and individuals of any age with a disability card or other proof of mental or physical disability.³
4. Since 2000, birth rate in Taiwan has been around 1.0 – 1.2. There are less than 200,000 new births a year. According to official statistics, there are about 1 million children aged 0-6, a merely 4.3% of the total population.⁴

II. Care Policies

1. National childcare policy – Raising Children Aged 0-6
 - 1.1. The state provides nursery subsidies, helping parents with babysitting. Statistics shows that, in 2021, 82,000 infants aged 0-3 went to nurseries or community nannies⁵, and 572,000 children aged 2-6 attended kindergartens⁶.
 - 1.2. The state provides childrearing allowance for full-time home childrearing parents. Parents can only apply for either nursery subsidy or childrearing allowance.
 - 1.3. Workers can apply for no-pay parental leave for childrearing before their children reach 3 years old, maximum for 2 years. When covered by employment insurance for a year or more, parents can apply for allowance for parental leave without pay; the state subsidies 80% of wages, maximum for 6 months.
 - 1.4. The above policies are only applicable to Taiwan citizens.

¹ National Development Council (2022). Population by broad age groups.

² National Development Council (2022). Demographic indicators.

³ Ministry of Health and Welfare (2021). Ten-year Plan on Long-term Care

⁴ Ministry of the Interior, National Development Council (2022). Fertility indicators.

⁵ Social and Family Affairs Administration, Ministry of Health and Welfare (2021) Number of nurseries and nursery babies, Number of infants cared by registered childcare providers.

⁶ Ministry of Education (2021), Summary data on gender indicators - student

2. Long-term care policies

- 2.1 The Long-term Care Plan 2.0 policy aims to develop a community-based integrated care service model, and to subsidize care recipients according to disability levels. There are 3 types of care services under the policy: home-based care, institutional care, and community care. Home-based care services are provided by long-term care institutions, where home carers are dispatched to service recipients' private households, offering care services on an hourly basis. Community-based long-time care institutions can be categorized into day care centers for the elderly with dementia, day care centers for the disabled elderly, and community care service stations. Persons with disabilities can receive care in these institutions during day time, enabling their family members to work. Residential care institutions provide all-day care services and accommodations for the elderly with mental or physical disabilities, and destitute aged persons.
- 2.2 According to statistics by the Ministry of Health and Welfare, there were 286,000 Long-term Care Plan 2.0 service recipients in 2021⁷. An estimate of another 50,000 people lived in residential care institutions⁸, and about 17,000 persons with disabilities settled in care institutions⁹.
- 2.3 Family caregivers who are unable to seek employment owing to their caregiving duties can apply for low- or middle-income elderly care allowance. Some local governments offer allowance to full-time family caregivers who are not using public care services.

3. The Care Workforce

- 3.1 For childcare services, there were approximately 11,000 workers in nurseries, and about 27,000 nannies in 2011¹⁰. While there were 16,000 workers in kindergartens, the total number of childcare workers were 54,000.¹¹
- 3.2 Long-term care
- 3.2.1 there were about 74,000 long-term carers employed by various institutions, namely home-based, community-based, residential, and integrated long-term care institutions established according to the Long-term Care Services Act, as well as welfare centers for the elderly, nursery homes, and care centers for the disabled established under various laws and regulations¹².
- 3.2.2 Private carers are hired by natural persons, providing all day or half day care services. There is no open or official figure about such workers.

⁷ Ministry of Health and Welfare, National Health Research Institute (2022). Number of long-term care service users in 2021: 250,377 home-based users, 22,967-day care users, 10,073 small-size multi-function service users; through institutions established pursuant to the Long-term Care Services Act, there were 1,879 users in residential institutions, 1,411 users receiving home-care, and 232 users in group homes.

⁸ Social and Family Affairs Administration, Ministry of Health and Welfare (2023).

⁹ Social and Family Affairs Administration, Ministry of Health and Welfare (2023).

¹⁰ Social and Family Affairs Administration, Ministry of Health and Welfare (2021).

¹¹ Ministry of Education (2021).

¹² Ministry of Health and Welfare (2021).

3.3 For family caregivers, there are also no official figures. According to a 2007 report compiled by the Taiwan Association of Family Caregivers, about half of the people in need of long-term care were looked after by family members, and 45% infants under 2 were cared by parents. Figures from Directorate General of Budget, Accounting and Statistics shows that, in 2021, the number of non-labor force was 435,000, who were family caregivers and unable to seek employment owing to caregiving responsibilities, within the working age between 15-65¹³.

4. Migrant care workers

4.1 There are approximately 16,000 care workers employed by various residential institutions¹⁴.

4.2 Persons with severe disabilities in some specific categories, and disabled aged or seriously ill persons with medical diagnosis proof indicating a need for all-day care can employ migrant domestic caretakers. Until March 2023, the estimated number of migrant domestic caretakers is 220,000.¹⁵

4.3 In principle, migrant workers cannot be employed as nannies in Taiwan. Exceptions includes, a) parents having more than 3 children aged 6 or under, or b) more than 4 children aged 12 or below, amongst whom 2 children aged 6 or below. These families can employ migrant workers as “family assistants”. There are about 1,500 migrant family assistants at the moment¹⁶.

III. Institutional Support for Workers who are also Family Caregivers

1. Protection on working hours and family care leaves

1.1 As stipulated in the Act of Gender Equality in Employment, for parents raising children aged below 3, employees hired by employers with more than 30 employees may request to reduce working time by 1 hour per day or to reschedule working hours. For the reduced working hours, no compensation shall be paid.

1.2 Also stipulated in the Act of Gender Equality in Employment, employees may request family care leaves, maximum 7 days a year. The number of such days off shall be incorporated into leave with personal cause and not exceed 14 days. Employers have no legal duty to pay their employees during family care leaves.

2. Parental leave without pay and corresponding allowance

2.1 Each parent may apply for parental leave without pay before any of their children reach the age of 3 years old, for maximum of 2 years.

2.2 Taiwan nationals can apply for parental leave without pay allowance for 6 months. The allowance is counted as 60% of the average monthly insured salary for the 6-month period. The state would subsidize an additional 20% of the average salary.

3. Compared with working parents with childcare responsibilities, equivalent social protections are generally lacking for workers who are caring for disabled or old aged family members.

¹³ The Central News Agency (2021).

¹⁴ Ministry of Labor (2022).

¹⁵ Ministry of Labor (2023).

¹⁶ Ministry of Labor (2023).

IV. Analysis on the working conditions of long-term care workers

1. Job duties

1.1 Care attendants of residential institutions: they are employed by residential care homes or welfare institutions for persons with disabilities, providing 24-hour care services on shift.

1.2 Home carers: they are hired by institutions under the Long-term Care Plan 2.0 policy, and are dispatched to the private households of the users, offering care services on an hourly basis.

1.3 Private carers, who are Taiwan nationals, provide 24- or 12-hour care and support at home or in the hospital.

1.4 Migrant domestic workers come from southeast Asian countries, offering 24-hour care services in private households or in the hospital. According to the laws and regulations in Taiwan, migrant domestic workers can be sub-categorized into “domestic caretakers” and “family assistants”. Migrant domestic caretakers are responsible for looking after persons with specific illness or disabilities and their daily lives, while migrant family assistants are responsible for cleaning, cooking, daily lives of the family members and other common household duties. The differences between the two mirror the differences between direct and indirect care, however, the same set of labor-related laws and regulations is applicable to both sub-categories.

2. Comparisons on working conditions of long-term care practitioners

2.1 The Labor Standards Act is applicable to all care workers employed by care institutions in Taiwan, whether they are working within the institutional premises, or their jobs are performed on an hourly basis.

2.2 The Labor Standards Act is not applicable to workers employed by natural persons. Private carers and migrant domestic workers are within such group of workers. However, as the demand for long-term care is enormous in Taiwan, private carers could earn more than double of the basic wages¹⁷. For migrant domestic workers, their salaries are far below the basic wages. Since they are not allowed to switch employers, migrant domestic workers have little bargaining power. Further, their remunerations and working conditions are determined solely by the standardized employment contracts negotiated by the Taiwan government and governments of the countries of origin, which are far worse than the basic wage and employment benefits available to Taiwan nationals.

Category	Nationality	Ways of Employment	Accommodation	Protected by the Labor	Covered by compulsory	Working condition	
						Salary/Wages	Working hours

¹⁷ Care72 Platform (2023)

				Standards Act?	labor insurance		
Care attendant	Taiwanese	institutional	Live-out	yes	yes	Monthly; on average, more than 1.7 times the basic wage ¹⁸	Normally, 8 hours per day, 40 hours per week, 1 day leave for every 7 days
	foreigner	institutional	Dormitory	yes	yes	Monthly; mostly the basic wage	Normally, 8 hours per day, 40 hours per week, 1 day-off for every 7 days
Home carer	Taiwanese	institutional	Live-out	yes	yes	Hourly paid; on average, more than 1.6 times the basic wage ¹⁹	Normally, 8 hours per day, 40 hours per week, 1 day-off for every 7 days
Private carer	Taiwanese	Hired by natural person	Live-in	no	no	Daily; average monthly salary approximately 2 times the basic wages	12 hours/ 24 hours

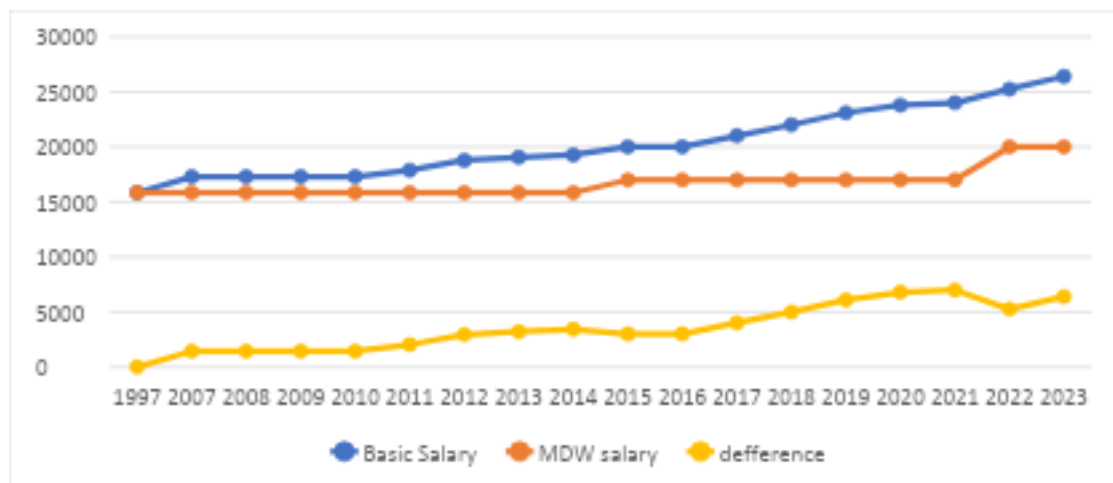
¹⁸ Ministry of Health and Welfare (2019). Basic wage for hourly paid jobs was NTWD\$22,000 per month in 2018.

¹⁹ Ministry of Health and Welfare (2019). Basic wage for hourly paid jobs was NTWD\$140 per hour in 2018.

Migrant domestic worker	foreign	Hired by natural person	Live-in	no	no	Lower than the basic wages	24 hours
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3. Extremely poor working conditions of migrant domestic workers

3.1 As the Labor Standards Act excludes domestic workers, basic wage in Taiwan is also not applicable to migrant domestic workers. Their statutory minimum wages for migrant domestic workers are based on the standardized recruitment contracts negotiated by the Taiwanese and various foreign governments concerned. While the basic wages have been slightly increasing annually since 2007²⁰, the salary of migrant domestic workers only increased in 2015 and 2022 respectively²¹. Their wages have long been lower than that of other occupations, and the difference also had been widened annually.



3.2 Lack of rest: a 2022 Ministry of Labor study showed that migrant domestic workers worked 10 hours a day on average²². Yet, the actual situation is that the 10 hours are not necessarily consecutive. Most migrant domestic workers do not have fixed rest time, while they are either at work or on call 24 hours a day. Since migrant domestic workers are often asked to stay in the same room with the persons being cared for, they also assist the care recipient to go to the toilet during night time, resulting in sleep deprivation. The constant lack of sleep causes chronic fatigue, which may lead to long-term health problems.

3.3 Denial of weekly day offs: as there is no legal protection, it is legal for employers not to arrange any day offs for migrant domestic workers. Although it is stated in the employment contract that there shall be 1 day off every seven working days,

²⁰ Ministry of Labor (2022)

²¹ Ministry of Labor (2022)

²² Ministry of Labor (2023)

Taiwanese employers usually pay 1-day of wage to migrant domestic workers in lieu of the day off. A 2022 Ministry of Labor study shows that only 7.2% of all migrant domestic caretakers had regular day offs, while 42.2% workers had day offs occasionally²³. Nevertheless, the above figures do not reflect the real situation. For most migrant domestic workers, a 'day off' often means going out for 4 to 6 hours, or may be 12 to 16 hours occasionally, and a real 24-hour day off is very rare. It is very often that there is no overtime pay for the additional hours of services rendered during the nominal 'day offs.'

4. The policy that migrant workers are not allowed to change employer further exacerbates the poor working conditions of migrant domestic care workers.
- 4.1 Work permit and ban of employer switching: Taiwan implements a work permit system for recruiting blue-collar foreign workers. In principle, migrant workers are not allowed to switch to another employer, except when the original employer violated the employment contract and related laws. Migrant workers cannot legally resign from their original employers even if there are better job opportunities available. Migrant domestic workers are also prohibited from switching to another occupational category, not even to pursue employment opportunities of the same work nature in care institutions. Even if they have the permission to change employer, they are not allowed to seek alternative employment of a different occupational category, thus are practically denied any chance to be afforded protections under the Labor Standards Act. Migrant domestic workers are not considered a part of the long-term care workforce.
- 4.2 Migrant domestic workers have been introduced to Taiwan since 1992, and perennially fulfill more than 30% of the long-term care demands²⁴. However, Long-term Care Plan 2.0 set down in 2016 does not recognize migrant domestic workers as part of the long-term care workforce, nor includes them in the relevant manpower deployment strategy and training programs. The Taiwan government takes the view that, since migrant domestic workers were already present before the implementation of the Long-term Care Plan 2.0, the recruitment and management of migrant domestic workers are considered part of the overall national manpower policy.
- 4.3 Requirements for employers hiring migrant domestic workers: Care need is the government's only criterion in determining whether to allow a person to hire a migrant domestic worker, while potential employers are not subjected to any assessments on their ability to fulfill their duties in the employment relationship. Hence, it is possible for low to middle income families in Taiwan to employ migrant domestic workers, while these families may lack the ability to provide appropriate working conditions for the workers. Employers' inability to provide decent working conditions is commonly used as a justification for not granting basic wages and routine days off to migrant domestic workers. Exploitation of migrant domestic workers continues as a result.

²³ Ministry of Labor (2023)

²⁴ Taiwan association of family caregivers (2019)

5. Migrant domestic caretakers must qualify as intermediate skilled workers in order to obtain long-term work permit in Taiwan

5.1 The maximum duration for a migrant domestic caretakers to work in Taiwan is 14 years, and that for a migrant family assistant is 12 years. In April 2002, a new policy was implemented, for a migrant worker who has worked in Taiwan for an accumulated 6 years, the employer can apply for the worker to be re-designated as an intermediate skilled worker. When the application is granted, there is no limit to the number of years an intermediate skilled foreign worker can work in Taiwan.

5.2 The minimum salary for an intermediate skilled domestic caretaker is NTWD\$24,000 per month. It appears that the policy will benefit a migrant domestic caretaker who has worked in Taiwan for a long period by promising a salary increase. However, whether a migrant domestic caretaker can be recognized as an “intermediate skilled domestic caretaker” is entirely dependent on their employers’ goodwill. Employers have no legal duty to increase a migrant domestic caretaker’s salary regardless of how many years of care services the worker has provided in Taiwan.²⁵

V. Social security for domestic workers

1. Social insurance and occupational accident insurance protections

1.1 Most domestic workers are not covered by mandatory labor insurance because their employers hire less than 5 employees. Yet, Taiwan nationals being members of a trade union can be covered as insured persons without a specific employer.

1.2 Employment Insurance is not applicable to migrant workers or workers who are covered by the labor insurance through their trade unions. Hence, domestic workers are not eligible for unemployment benefits, nor the allowance available to workers taking parental leave without pay.

1.3 Since May 2002, Occupational Accident Insurance was separated from Labor Insurance. Migrant domestic caretakers are mandatorily covered by the Occupational Accident Insurance, while their employers are solely responsible for the premium. Nevertheless, any occupational accident or illness cases must be recognized by employers or diagnosed by medical professionals, which causes difficulties for some migrant domestic caretakers to apply for such benefits.

2. Maternity protection

2.1 The Act of Gender Equality in Employment is applicable to all workers regardless of nationality and occupation, so domestic workers can enjoy 8 weeks of maternity leave. However, since the Labor Standard Act is not applicable to domestic workers, their employers are not obliged to pay the maternity leaves. Pregnant workers who are not insured by the Labor Insurance do not enjoy maternity benefits.

2.2 Pregnant migrant workers often face discrimination in Taiwan. Since the relevant policies are not thoroughly implemented, most pregnant migrant workers, especially domestic workers, are forced to terminate their employment and leave Taiwan. When migrant workers bear children in Taiwan, they are not eligible for nursery

²⁵ Ministry of Labor (2022).

subsidy and childrearing allowance. Given long working hours and low pay, migrant workers can hardly afford to take care of their children. In order to work in Taiwan, they usually send their children back to their home countries for care provided by other family members.

3. Labor inspection, law enforcement and collective bargaining

3.1 According to Labor Inspection Act, all workers can file complaints to the authority about any irregularities of working conditions. However, since domestic workers work in private households, labor inspectors cannot enter the premises without permission.

3.2 In order to address the language barrier for migrant workers to file complaints and seek assistance, the Taiwan government has set up a toll-free hotline, i.e., Hotline 1955, providing 24-hour labor right consultation services in their native languages. After complaining to the 1955 hotline, local governments will conduct investigation or coordination. Nevertheless, as migrant domestic workers are not covered by the protection of the Labor Standards Act, the government can only handle the working condition issues by way of coordination, and has no power to order employer to remedy the issues.

3.3 Since Taiwan's Labor Union Act, Collective Agreement Act, and Act for Settlement of Labor-Management Disputes are all applicable to domestic workers and migrant workers, they can join trade unions and their collective bargaining rights are protected. In practice, however, collective bargaining rights cannot be meaningfully exercised where only 1-2 domestic workers are employed by each household. Therefore, domestic workers can only demand protections on a policy level. In addition, policies in Taiwan are written in the Chinese language, which is incomprehensible by migrant workers. The government also does not release policy amendments and formulations in migrant workers' native languages, and rarely consult trade unions representing migrant domestic workers. Most legislative proposals made by migrant worker organizations on social and labour protections for domestic workers are shelved, the reason given by the government often being the lack of social consensus.

VI. Conclusion

Taiwan is in a difficult position where long-term care services are barely catching up with the ageing population. Migrant domestic care workers are recruited to sustain high economic developments. Besides, to enable more women to enter into the workforce and to replenish labor shortages, all works traditionally regarded as women's responsibility, for instance, children rearing, looking after the elderly and other household duties, are handed over to migrant caretakers and it becomes an aspect of the manpower policy.

The Long-term Care Plan 2.0 policy has been actively promoted by the Taiwan government in recent years to improve long-term home-based care by the provision of public services, as

well as recruiting local caretakes as the main workforce for the service network. However, local families lack the incentive to utilize such public services, as they prefer to hire migrant care workers who work long hours and receive low pay.

Furthermore, there is still a lack of comprehensive policies to protect caregivers in Taiwan in respect of labor and social securities, social benefits, and social insurance. Migrant domestic workers and family caregivers are afforded the least protections. Tragedies such as sole family caregivers murdering care recipients occur every year. Cases of abuse or sexual harassment of migrant domestic workers are commonplace.

Though not a member state of the United Nations, Taiwan is a signatory to various international human rights conventions, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of the Child. Repeatedly, international convention review committees have suggested that Taiwan should legislate on improving the rights of migrant domestic workers. However, there is still no progress on such legislation. The Taiwan government should expedite domestic legislation of the said international conventions, in order to a) protect migrant domestic workers from various forms of discrimination, b) introduce language-friendly policies for migrant workers, and c) enact laws to expressly protect the labor rights of migrant workers.

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