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**KENYA GAZETTE SUPPLEMENT**

**Bills, 2018**

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# THE TURKANA COUNTY COMMUNITY HEALTH SERVICES BILL 2018

## A Bill for:-

**AN ACT of the County Assembly of Turkana to provide for the establishment and delineation of Community Health Units within the County for the effective, efficient and sustainable delivery of community-based health services and to establish the necessary institutional and regulatory mechanisms to ensure functionality of community units in empowering households in health service delivery and for connected purposes.**

**ENACTED by the Turkana County Assembly as follows:-**

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*Clause*

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## THE TURKANA COUNTY COMMUNITY HEALTH SERVICES BILL 2018

ENACTED by the County Assembly of Turkana as follows:-

### PART I – PRELIMINARY PROVISIONS

- |    |                                                                                                                                                                                                                                               |                               |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1. | This Act may be cited as the Turkana County Community Health Services Act, 2018 and shall come into force on publication in the <i>Gazette</i> or such other date as the County Executive Committee Member may determine by a Gazette Notice. | Short title &<br>Commencement |
| 2. | In this Act, unless the context otherwise requires –                                                                                                                                                                                          | Interpretation                |

“**County**” means the Turkana County;

“**County Community Health Services Committee**” means a County Committee established under section 13 of this Act;

“**community health committee**” means a community health committee established under section 16 of this Act;

“**community health extension worker**” means a community health extension worker appointed as such under this Act and does not include a health facility extension health worker;

“**community health plan**” means a plan for community-based health services prepared by the community health unit committee for the improvement of the health care of the community units or households;

“**community health services**” means the package of basic health care services provided to people in their communities and households and includes, health education, health promotion, disease prevention and control, mental health and psychosocial support services, public health services, emergency health and referral or linkage services, sensitization on addictions, home care, long term care, rehabilitation services, palliative care and minor treatment for illness and injury in relation to primary care;

“**community health unit**” means an area within the County health structures comprising of a cluster of villages which make up a sub-location as defined under the National Government Coordination Act or as may from time to time be designated by the County Executive committee Member;

**“Community Health Volunteer”** means a person selected by the community based on set criteria defined by this Act and has undertaken relevant training as defined in the community health services Policy; to offer health services at the community level;

**“ Executive Committee Member”** means the County Executive Committee Member for the time being responsible for matters relating to health and sanitation;

**“health facility management committee”** means the existing committees managing link facilities;

**“Gazette”** means the Kenya Gazette;

**”management committee”** means a management committee established pursuant to this Act;

**“Sub-County Community Health Services Committee”** means the committees as already established at the sub-county level to oversee delivery of community health services;

**“village”** means a people with same socio-economic characteristics living together and/or moving together within Turkana County and shall be in clusters of households to be determined from time to time.

3. The application of this Act shall be guided by the following principles-

Guiding  
Principles

- (1) Equity in distribution of health services and interventions.
- (2) People – centered approach to health and health interventions.
- (3) Participatory approach to delivery of interventions.
- (4) Multi – Sectoral approach to realizing health goals.
- (5) Efficiency in application of health technologies.
- (6) Social accountability.

4. The objects and purpose of this Act is to-

Objects and  
Purpose

- (1) give effect to the provisions of Article 176 of the Constitution and Section 48 of the County Governments Act.
- (2) provide for the establishment of community health service units within the County for the effective delivery of community health services;
- (3) create the necessary institutional and coordination frameworks to encourage and facilitate the provision of community health care services;

- (4) protect the health and safety of community health volunteers;
- (5) provide for rights, duties and responsibilities of relevant actors within the community health sub-sector;
- (6) gather evidence or information on community health to inform decision-making;
- (7) establish a county community health services fund for the purposes of financing activities and projects implemented pursuant to this Act;
- (8) ring-fence funds for primary health care activities for use at community health unit levels;
- (9) coordinate and streamline financial contributions from partners and well-wishers for community health services into the Fund account;
- (10) to provide for the management of the Community Health Services Fund; and
- (11) develop capacity of community health volunteers and community health extension workers.

**PART II – DUTIES AND RESPONSIBILITIES**

- 5. The county government shall provide health care facilities to every person who is a resident of the County, and shall-
  - (1) ensure that the County residents’ right to basic health as provided for under Article 43 of the Constitution are progressively realized subject only to the availability of resources;
  - (2) establish policies and mechanisms to ensure that residents of the county households are educated and informed on matters of healthy living and practices;
  - (3) ensure that every household has access to a community health extension worker or a community health volunteer;
  - (4) provide advisory services and guidance, through community health extension and volunteer health services, to persons in need of healthcare information.

Duties and  
Responsibilities of  
County  
Government

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                   |
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| <p>6. Every person within a household or a community health unit is responsible for ensuring that the most appropriate health practices are effected and shall-</p> <p>(1) participate in community-organized health activities;</p> <p>(2) attend and participate in meetings that are aimed at educating the people on best health practices and for disseminating information or feedback to the people;</p> <p>(3) make efforts to implement behavioral changes that are aimed at improving individual, households and community health;</p> <p>(4) collaborate and cooperate with community health volunteers in promoting health within the community and eliminating health risks through strategies set and implemented by the County Community Health Services Committee;</p> <p>(5) when required, provide relevant data and information that would enable the community health volunteers to collect data and information for the purpose of informing policy decisions at different levels of governance.</p> | <p>Duties and responsibilities of individuals</p> |
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### **PART III - ESTABLISHMENT OF COMMUNITY HEALTH UNITS**

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| <p>7. (1) There is established in the Turkana County Community Health Units for ease of delivery of Community Health Services.</p> <p>(2) The County Assembly shall use existing villages, total population, number of households and area in square kilometres as provided for in the Turkana County Community Health Strategy Projections in the First Schedule as a basis for the determination of the initial number of community health units per Sub County as well as the number of community health volunteers per community health unit.</p> <p>(3) There shall be an initial registered 158 Community Health Units as set out in the Second Schedule.</p> <p>(4) For the purposes of this Act, a community unit shall comprise not more than twenty villages and a village shall not comprise more than one hundred households.</p> <p>(5) Each Community Health Unit shall be under the management of a Community Health Extension Worker and there shall be such number of Community Health Volunteers in each Community Health Unit as may from time be prescribed by the County Community Health Services Committee.</p> <p>(6) The County Executive Committee Member shall establish mechanisms to provide for the health services needs of mobile and under privileged populations.</p> <p>(7) The County Executive Committee Member may by regulations provide for the alteration of the boundaries of a Community Health Unit, if need arises, and for the registration of new Community Health Units.</p> | <p>Establishment and Registration of Community Health Units</p> |
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8. Each Community Health Unit shall be linked to a health facility as provided for in the Second Schedule, provided that this may be amended by the County Executive Committee Member from time to time as need arises. Link Facilities

#### **PART IV – COMMUNITY HEALTH SERVICES COMMITTEES**

9. (1) There is established in the Turkana County the Turkana County Community Health Services Committee. County  
Community  
Health Services  
Committee
- (2) The County Community Health Services Committee shall comprise of-
- (a) the chief officer responsible for health, or a representative appointed by the chief officer in writing, who shall be the chairperson;
  - (b) the community health services coordinator, who shall be the secretary;
  - (c) one person to represent the civil societies involved in the health sector;
  - (d) two persons, one from either gender, nominated by and representing religious organizations;
  - (e) one person nominating by and representing persons living with disabilities;
  - (f) one person representing the youth;
  - (g) the chairperson of the County Public Service Board, or a representative of the Board, appointed by the chairperson in writing;
  - (h) the county public health officer;
  - (i) one person representing persons living with HIV/AIDS; and
  - (j) one person nominated by and representing health research institutions.
10. Other than persons who are members of the Committee by virtue of their employment, a person is qualified to be nominated and appointed as a member of the Committee if the person- Qualifications for  
appointment
- (1) satisfies the requirements of Chapter Six of the Constitution of Kenya 2010 and the Leadership and Integrity Act; and
  - (2) is not disqualified under any other national or county written law.
11. Except for persons who are members by virtue of their office, a member of the Committee shall hold office for a term of three years Term of Office



and may be re-appointment for one further term.

- 12.** (1) The Committee shall be responsible for the coordination of community health services in the County.
- (2) Without prejudice to the generality of sub section (1), the Committee shall-
- (a) develop policies to ensure that in place are adequate measures to cater for the provision of community health services in all parts of the county;
  - (b) oversee and monitor the implementation of community health services within the county and report to the Executive Committee Member in a manner prescribed by regulations;
  - (c) develop strategies for effective and efficient delivery of community health services;
  - (d) recommend to the County Public Service Board persons to be employed to provide of community health services;
  - (e) be responsible for the administration of the County Community Health Fund established under this Act;
  - (f) give general or special directions to community health unit committees or a member of the community service committee on any matter falling within their jurisdiction;
  - (g) advise the Executive Committee Member responsible for Health on matters of community health;
  - (h) approve transfer of monies from the Fund to the community health unit committee accounts;
  - (i) make recommendations to the Public Service Board on terms of employment of community health service workers;
  - (j) perform any other function as may be assigned under any law or by the Executive Committee member;
  - (k) source for funding for community health services delivery;
  - (l) co-ordinate the activities of donors and development partners keen to partner with community health units in the delivery of community health services.

Functions of the  
County  
Community  
Health Services  
Committee

- 13.** (1) The Committee shall meet at least once every three months.
- (2) Notwithstanding the provisions of subsection (1), the chairperson may, and upon requisition in writing by at least five members convene a special meeting of the committee at any time for the transaction of the business of the committee.
- (3) The quorum for the Committee sittings shall be five members.
- (4) The Committee shall cause proper records to be kept of all proceedings of the committee.

Meetings of the  
County  
Community  
Health Services  
Committee

(5) Except as provided under this part, the committee shall regulate its own proceedings.

(1) The County Committee shall establish a County Community Health Technical Committee which shall have the mandate of implementing the policies of the Committee.

County  
Community  
Health Technical  
Committee

(2) The County Community Health Technical Committee shall comprise of-

(a) the Chief Officer in charge of Health, who shall be the Chairperson;

(b) County Director of Health, who shall be the secretary;

(c) County Nursing Officer;

(d) County Public Health Officer;

(e) County Clinical Officer;

(f) County Laboratory Technologist;

(g) County Nutrition Officer;

(h) County Pharmacist; and

(i) County Health Records and Information Officer.

(3) The County Executive Committee Member shall make regulations to govern the affairs of the Technical Committee.

**15.** The functions of the Technical team shall be as may be prescribed by the County Community Health Services Committee and shall include providing technical guidance for purposes of preparing the community health plan.

Functions of the  
Technical  
Committee

**16.** (1) There is established for every Community Health Unit a Community Committee.

Community  
Health Unit  
Committees

(2) The Community Health Unit Committee shall comprise of-

(a) the local community health extension worker, who shall be the secretary;

(b) the assistant chief appointed under the National Government Coordination Act, with jurisdiction over the relevant community health unit;

(c) two persons, one from either gender, nominated by religious organizations;

(d) two community health workers, one from either gender, elected by fellow workers;

(e) one community health volunteer, chosen by volunteers in the community health unit; and

(f) One community member representing persons with disabilities.

(3) The chairman of the committee shall be elected in the first meeting of the committee from among members indicated in

paragraphs (c), (d), (e) or (f) of sub section 2.

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| <p><b>17.</b> A person is eligible to serve in the committee if the person-</p> <ul style="list-style-type: none"><li>(1) has attained at least form four level education or its equivalent;</li><li>(2) has been resident in the village unit for a period of at least 5 years and has shown provable intention to reside in the unit throughout the period of service.</li><li>(3) meets the requirements of Chapter Six of the Constitution of Kenya 2010 as read with the Leadership and Integrity Act; and</li><li>(4) has not been convicted of an offence relating to integrity for at least five years immediately preceding the date when the person's eligibility is considered.</li></ul>                                                                                                                                                                                                 | <p>Qualifications for appointment</p>    |
| <p><b>18.</b> (1) Except for persons who are members of the community committee by virtue of their office, a member of a community committee shall serve for a term of three years and is eligible to serve for one further term of three years.</p> <p>(2) The office of member of community health committee shall fall vacant when a member-</p> <ul style="list-style-type: none"><li>(a) dies;</li><li>(b) resigns from office in writing addressed to the chairperson;</li><li>(c) is convicted of a criminal offence;</li><li>(d) is removed from office on the recommendation of the Sub-County Community Health Committee;</li><li>(e) is declared bankrupt by a court of competent jurisdiction; or ceases to have the qualifications specified under section 17.</li></ul> <p>(3) A vacancy in the office of community committee member shall be filled within a period of one month.</p> | <p>Term of office</p>                    |
| <p><b>19.</b> (1) The committee shall meet at least once a month and at any other such time as the committee may deem necessary for the performance of its functions.</p> <p>(2) A meeting of the community committee shall be properly constituted if attended by at least five members.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Meetings of the committee</p>         |
| <p><b>20.</b> (1) The functions of the community health unit committee is to:-</p> <ul style="list-style-type: none"><li>(a) identify community health priorities through regular dialogue with the community and stakeholders;</li><li>(b) plan and participate in community health actions;</li><li>(c) mobilize resources for health actions;</li><li>(d) organize and implement community health days;</li><li>(e) make periodic or other reports to the County Community Health Services Committee in such manner and on such matters as may be prescribed by regulations;</li><li>(f) make project proposals to the County Community Health Services Committee;</li></ul>                                                                                                                                                                                                                      | <p>Functions of community committees</p> |

- (g) implement community health projects and programmes;
  - (h) manage funds allocated to the community health unit;
  - (i) keep proper books of accounts with respect to the funds remitted to the community health unit from the Fund;
  - (j) lead community health outreach and campaign initiatives;
  - (k) promote practices and activities that enhance good health in the community; and
  - (l) do such other things as may be prescribed or required by the Executive Committee Member.
- (2) In the performance of its functions, the Community Health Unit Community shall report to the link facility management committee.

**21.** The position of a community health unit committee member is not a remunerative position but the person so nominated and appointed shall be paid such stipend as is sufficient to defray expenses reasonably incurred in the discharge of his functions under this Act, which stipend shall not be less than such sum as the County Executive Committee Member may with the advice of the County Community Health Services Committee prescribe.

Remuneration of  
Community  
health Unit  
Committee  
Members

**22.** (1) A community health unit committee shall develop a community health plan for each financial year, and shall share it with the sub County health management committee.

Development of  
Community  
Health Plan

- (2) The community health work plan shall include:
- (a) recommended priorities for the delivery of community health services;
  - (b) a demonstration that the recommended priorities have been established through community consultation;
  - (c) provisions identifying and making recommendations for elimination of duplicity in the delivery of community health services.
- (3) For the purpose of assisting the community committees to make recommendations, Sub-County health management committees shall make available to the community committee such information as may assist the community committees in assessing the financial feasibility of implementing the recommendations.
- (5) Sub-County health management teams shall ensure that community health plans are developed by the relevant community health unit committees and considered in the preparation of the health services plan.
- (6) The Executive Committee Member shall ensure that Community Health Plans are developed by community health unit committees and considered in the preparation of the Health - Services business plan.

## PART V – COMMUNITY HEALTH EXTENSION WORKERS

23. (1) The County Public Service Board will in consultation with the County Community Health Services Committee appoint a Community Health Extension Worker for each community health unit. Appointment of Community Health Extension Workers
- (2) The County Public Service Board shall, in consultation with the County Community Health Services Committee, determine the terms and conditions of community health extension workers.
- (3) A community health extension worker shall be responsible for the coordination of community health services within the community health unit.
24. A person shall be appointed as a community health extension worker if the person-
- (1) is a Kenyan citizen and is ordinarily resident in the County;
- (2) is acceptable to and respected by the community where the person resides;
- (3) has good communication skills;
- (4) is able to work with people of diverse backgrounds;
- (5) is willing to teach and mentor others;
- (6) is a trained health personnel with certification in nursing or public health; and
- (g) meets such other requirements as may be determined by the County Public Service Board. Qualifications for Appointment as a Community Health Extension Worker
25. The roles of a Community Health Extension Worker shall include-
- (1) providing technical support to community health volunteers and the Technical Committee;
- (2) facilitating the provision of quality services by community health volunteers and ensuring smooth referral mechanisms linking the community to referral facilities;
- (3) overseeing the selection of community health volunteers;
- (4) organizing and facilitating community health volunteer training;
- (5) monitoring the management of community health volunteers' kits;
- (6) supporting community health volunteers in assigning tasks and coaching them to ensure achievement of desired outputs and outcomes;
- (7) compiling reports generated by community health workers and forwarding them to Level 2 and Level 3 facilities within the community health unit and availing them to Community Health Unit Committees;
- (8) promoting co-operative dialogue and planning with other Community Health Workers to take actions to improve identified issues; Roles of Community Health Extension Workers

- (9) following up on and monitoring actions emerging from dialogue and planning sessions, to ensure their implementation.

## **PART VI – COMMUNITY HEALTH VOLUNTEERS**

- 26.** (1) There shall be nominated by members of the community a community health volunteer for every village in a public meeting convened by the community health worker with the assistance of the chief who has jurisdiction over the relevant area. Nomination and Appointment of Community health Volunteers
- (2) All residents of the respective unit are entitled to the opportunity to attend and participate in the proceedings leading to such nomination and appointment.
- (3) Upon nomination, the community health volunteer shall be appointed in writing by the secretary to the community health unit committee.
- (4) The term of service of a community health volunteer will be as may be by regulations prescribed by the County Executive Committee Member.
- 27.** A person qualifies to be recruited as a community health volunteer if the person- Qualifications for appointment as a Community Health Volunteer
- (1) is a Kenyan citizen who is between eighteen and sixty years old;
- (2) has been a resident of relevant community health unit (village) for a period of not less than five years immediately preceding the date the person seeks to be recruited as a community health volunteer;
- (3) is generally accepted by the local community as an honest and upright citizen;
- (4) is literate and fluent in English or Kiswahili languages as well as the language of the predominant local community;
- (5) undertakes in writing to provide volunteer community health services in accordance with this Act, regulations and any guidelines provided;
- (6) agrees to undergo relevant training for the purpose of equipping the person with the relevant knowledge and skills necessary for undertaking volunteer community health work; and
- (7) has not been convicted in the immediate preceding five years, of an offence relating to integrity.
- 28.** A community health volunteer shall- Responsibilities of Community Health Volunteers
- (1) advise individuals or members of households within the community health unit on healthy living practices;

- (2) provide first aid with the support and guidance of a community health extension worker;
- (3) where appropriate, refer a case of sickness to the link facility where it appears there is need for medical attention;
- (4) participate in income-generating programmes that may be undertaken within a community health unit;
- (5) visit households, in a programmed and systematic manner, to provide guidance on individual or public health issues;
- (6) maintain a village health register and keep records of all community health-related events;
- (7) promote good reproductive health practices within households or the community;
- (8) keep relevant records and submit reports to the community health extension worker; and
- (9) perform any other role that may be assigned under any written law or by the community health extension worker.

**29.** 1) A Community Health Volunteer shall serve under the general direction and guidance of the relevant Community Health Extension Worker.

2) A Community Health Extension Worker shall assign to a Community Health Volunteer such number of households within the community health unit as shall be prescribed by regulations.

Scope of  
Community  
Health Volunteer  
operations

**30.** (1) A community health volunteer may not-

(a) administer to a member of a community medication that is not authorized by legislation;

(b) conduct deliveries for pregnant women;

(c) negligently handle property entrusted to them for the purpose of delivering services to the community;

(d) use tools, gadgets or properties under their custody for purposes other than delivery of volunteer health services;

(e) solicit financial or other reward for personal gain whether or not in recognition of effort in delivering services to the community;

(f) withdraw their services as volunteers without giving notice of intention to do so;

(g) except in a case of emergency, enter a home or premises occupied by a person earlier than 8 o'clock in the morning or later than 6 o'clock in the afternoon;

(h) falsify any records or data collected by him in the course of duty; or

(i) engage in other activities that may conflict with the provision of community health services.

(2) Any community health volunteer who contravenes the provisions of this section shall be subject to disciplinary sanctions which may include termination by the community health services committee.

Prohibited acts

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                            |
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| <p><b>31.</b> (1) Every community health volunteer is required, upon appointment, to undergo such training as may be prescribed, for the purpose of enabling them to discharge their functions more effectively.</p> <p>(2) The County Government shall in consultation with the National Government and other stakeholders prepare a curriculum for the purpose of training volunteer community health workers.</p> <p>(3) The County Community Health Services Committee shall –</p> <p style="padding-left: 20px;">(a) co-ordinate and facilitate the training of Community Health Volunteers.</p> <p style="padding-left: 20px;">(b) engage partners with a view to securing partners’ support in the facilitation of training of Community Health Volunteers.</p> <p>(4) The County Executive Committee Member may prescribe additional requirements relating to training of volunteers community health workers.</p> | <p>Training of<br/>Community<br/>Health Volunteers</p>     |
| <p><b>32.</b> The position of a Community Health Volunteers is not a remunerative position but the person so nominated and appointed shall be paid such stipend as is sufficient to defray expenses reasonably incurred in the discharge of his functions under this Act, and shall not be less than such sum as the County Executive Committee Member may with the advice of the County Community Health Services Committee prescribe.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Remuneration of<br/>Community<br/>Health Volunteers</p> |
| <p><b>33.</b> (1) The services of a Community Health Volunteer may be terminated on any of the following grounds –</p> <p style="padding-left: 20px;">(a) Persistent failure to perform assignments that it is their responsibility to perform;</p> <p style="padding-left: 20px;">(b) Breach of terms of service or a code of conduct established under this Act;</p> <p style="padding-left: 20px;">(c) Inability to render services due to physical or mental incapacity.</p> <p>(2) A Community Health Volunteer may resign from service by one month’s written notice addressed to the secretary of the relevant community health committee.</p>                                                                                                                                                                                                                                                                      | <p>Removal from<br/>service</p>                            |

**PART VII - ESTABLISHMENT OF THE TURKANA COUNTY COMMUNITY HEALTH SERVICES FUND**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                      |
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| <p><b>34.</b> (1) There is established the Turkana County Community Health Services Fund.</p> <p>(2) There shall be paid into the Fund—</p> <p style="padding-left: 20px;">(a) monies received by the Fund in the form of donations, endowments, grants and gifts;</p> <p style="padding-left: 20px;">(b) amounts appropriated by Parliament or by the County Assembly for that purpose;</p> <p style="padding-left: 20px;">(c) amounts payable to the County Community Health Services Committee out of the Devolution Fund; or</p> | <p>Establishment of<br/>the Fund</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|



- (d) any other amounts paid to or received by the County Committee.
- 35.** (1) The Fund shall vest in and be administered by the County Community Health Services Committee. Administration of the Fund
- (2) In administering the Fund, the Committee shall, with the approval of the Executive Committee Member-
- (a) set policies and strategies for the applications of the Fund;
  - (b) define eligibility criteria for the Fund to finance county community health services;
  - (c) set out procedures to ensure gender and intergenerational equity in access to monies from the Fund;
  - (d) issue to community health committees other procedures and requirements for effective and transparent administration of the Fund; and
  - (e) require community health committees to make periodic and other reports concerning the use of the funds allocated to them.
- 36.** (1) At least three months before the commencement of each financial year, the Committee shall cause to be prepared estimates of the revenue and expenditure of the Fund for that financial year. Estimates of Committee's Income and Expenditure
- (2) The annual estimates shall make provisions for all the estimated expenditure of the Fund for the financial year and in particular, the estimates shall provide for -
- (a) the amount set aside for new projects or programmes;
  - (b) the amount expected to be raised through donor support and other sources.
- (3) The annual estimates shall be submitted to the Executive Committee member within 14 days for approval and the Committee shall not alter the approved annual estimates without the consent of the Executive Committee member.
- (4) No expenditure shall be incurred out of the Fund except in accordance with the annual estimates approved under subsection (3), or with prior written approval of the Executive Committee member.
- 37.** (1) The Committee shall cause to be kept records of any disbursements out of the Fund. Disbursement out of the fund
- (2) Disbursements out of the Fund shall be for specific programmes or projects submitted by the respective community health committees by way of proposals or as may be prescribed.
- (3) Disbursements shall be made through the community health committee bank account maintained for every community health unit.
- (4) The record of the amounts received by each community health committee and the record of expenditure of amounts so received shall be submitted to the County Committee within thirty days after the close of the relevant financial year together with a copy of the relevant bank statements; and no disbursements for the succeeding financial year shall be made into the accounts until the said records are duly received.

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <p><b>38.</b> (1) The Committee shall cause to be kept proper books of accounts of the income, expenditure, assets, liabilities and all other financial transactions of the committee.</p> <p>(2) The Committee shall submit quarterly reports to the Executive Committee member.</p> <p>(3) Within 30 days after the end of each financial year, the Committee shall prepare financial statements and submit the financial statements to the County Auditor's Office for audit in accordance with the provisions of the Public Audit Act, 2003.</p> | <p>Committees<br/>financial records<br/>and reports</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|

**PART VIII - MISCELLANEOUS**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <p><b>39.</b> The County Executive Committee Member may make regulations generally for the better carrying out of the objects of this Act</p>                                                                                                                                                                                                                                                                                                             | <p>Regulations</p>                  |
| <p><b>40.</b> The County Executive Committee Member shall prescribe and afford the Community Health Extension Workers and Community Health Volunteers proper means of identification.</p>                                                                                                                                                                                                                                                                 | <p>Identification<br/>Documents</p> |
| <p><b>41.</b> (1) A person who immediately before the coming into force of this Act was a Community Health Volunteer shall continue to act as such until the expiry of the duration for which the person was engaged.</p> <p>(2) A person who served as a Community Health Volunteer before the coming into force of this Act and whose contract or service expires under this Act may be re-appointed in accordance with the provisions of this Act.</p> | <p>Savings and<br/>Transitions</p>  |

## FIRST SCHEDULE

### THE TURKANA COMMUNITY HEALTH STRATEGY PROJECTIONS

SUMMARY OF COMMUNITY HEALTH STRATEGY MATRIX									
SUB-COUNTY	NO. OF SUB LOCATIONS	VILLAGES	NO. OF UNITS	NO. OF CHVS	POP. MALE	POP. FEMALE	TOTAL POPULATION	HOUSEHOLDS	AREA IN SQ. KM
<b>T/Central</b>	21	529	35	529	92,458	86,032	178,490	35,698	5,675.90
<b>Loima</b>	30	374	34	374	80,479	74,885	155,364	31,073	8,914.80
<b>T/West</b>	36	416	41	416	182,908	170,196	353,104	70,621	17,266.10
<b>Kibish</b>	20	176	20	176	32,594	30,329	62,923	12,585	11,559.70
<b>T/South</b>	18	371	27	371	95,305	88,681	183,986	36,797	7,363.80
<b>T/East</b>	21	199	19	199	58,372	54,315	112,687	22,537	11,307.10
<b>T/North</b>	18	203	20	203	39,393	36,655	76,048	15,210	10,083.60
<b>TOTALS</b>	<b>164</b>	<b>2268</b>	<b>196</b>	<b>2268</b>	<b>581,509</b>	<b>541,093</b>	<b>1,122,602</b>	<b>224,521</b>	<b>72,171.00</b>

**SECOND SCHEDULE**

**LIST OF REGISTERED COMMUNITY HEALTH UNITS AND THEIR LINK FACILITIES**

	<b>Link Health Facility</b>	<b>Name of the unit</b>
<b>KIBISH SUB COUNTY</b>		
<b>KIBISH WARD</b>		
1.	Kaikor Sub County Hospital	Ekicheles Community Unit/Nalita
2.	Kaikor Sub County Hospital	Loitanit Community Unit
3.	Kaikor Sub County Hospital	Nayook Community Unit
4.	Kibish Dispensary	Naitese Community Unit
5.	Kokuro Health Centre	Edoot Community Unit
6.	Koyasa Dispensary	Kichubi Community Unit
7.	Koyasa Dispensary	Naita Community Health Unit
8.	Lokamarinyang Dispensary	Kachuromongin Community Unit
9.	Loruth Dispensary	Ilemkajokon Community Unit
10.	Loruth Dispensary	Karach Ii Community Unit
11.	Loruth Dispensary	Loruth Esekon Community Unit
12.	Meyan Dispensary	Liwani Community Unit
13.	Meyan Dispensary	Meyan Community Unit
14.	Napak Dispensary	Loperokok Community Unit
15.	Napak Dispensary	Lotikile Community Unit
16.	Napak Dispensary	Natumakalei Community Unit
17.	Todonyang Dispensary	Todonyang Community Unit
<b>LOIMA SUB COUNTY</b>		
<b>KOTARUK/LOBEI WARD</b>		
18.	Kabulokor Dispensary	Kabulokor Community Unit
19.	Kangalita Dispensary	Kangalita Community Health Unit
20.	St Bridgit Kalemunyang Disp	Kalemunyang
21.	Turkwel Health Centre (Loima)	Turkwel
<b>LOIMA WARD</b>		
22.	Lochoredome Dispensary	Lobei Community Health Unit
23.	Lokwatubwa (PAG) Dispensary	Puch Community Health Unit
24.	Namoruputh (PAG) Health Centre	Lochoredome Community Unit
25.	Namoruputh (PAG) Health Centre	Namoruputh
<b>LOKIRIAMA/LORENGIPPI WARD</b>		
26.	Lokiriama Dispensary	Atala Komusio Community Unit
27.	Lokiriama Dispensary	Lochor Alomala Community Unit
28.	Lokiriama Dispensary	Lodwat Community Health Unit
29.	Lokiriama Dispensary	Lokiriama
30.	Lokiriama Dispensary	Loya Community Health Unit
31.	Lokiriama Dispensary	Nakurio Community Health Unit
32.	Lorengippi Dispensary	Lorengippi Community Unit
33.	Urum Dispensary	Kotaruk Community Health Unit

34.	Urum Dispensary	Lokipetot Arengan
35.	Urum Dispensary	Naipa Community Health Unit
36.	Urum Dispensary	Urum Community Health Unit
<b>TURKWEL WARD</b>		
37.	Kaapus Dispensary	Kaapus Community Unit
38.	Kaitese Dispensary	Kaitese
39.	Kaitese Dispensary	Kawalathe Community Unit
40.	Lochorekuyen Dispensary	Lochorekuyen Community Unit
41.	Lomil Dispensary	Lomil
42.	Lomil Dispensary	Nachuro Community Health Unit
43.	Lorugum Sub County Hospital	Lorugum Sub County Hospital Unit
44.	Nadapal Dispensary	Nadapal Community Health Unit
45.	Nameyana Dispensary	Nameyana
46.	Napeikar Dispensary	Napeikar Community Health Unit
47.	Napeililim Dispensary	Napeililim Community Unit
48.	Nasiger Dispensary	Nasiger Community Health Unit
49.	St Elizabeth Lorugum Health Centre	Lorugum
<b>TURKANA CENTRAL</b>		
<b>KALOKOL WARD</b>		
50.	Kalokol (AIC) Health Centre	Kalokol
51.	Kapua Dispensary	Kapua
<b>KANAMKEMER WARD</b>		
52.	Kanawoi Dispensary	Nawoitrong
53.	Lolupe Dispensary	Lolupe
54.	Loturerei Dispensary	Loturerei
55.	St Catherine's Napetet Dispensary	Napetet
56.	St Patrick's Kanamkemer Disp	Kanamkemer
<b>KANG'ATOTHA WARD</b>		
57.	Eliye Springs Community Dispensary	Eliye
58.	Kangagetei Dispensary	Lomopus
59.	Kangatosa Dispensary	Kangirisae Community Unit
60.	Lochoraikeny Dispensary	Lochoraikeny
61.	Namukuse Dispensary	Namukuse
62.	Naoros Dispensary	Naoros
<b>KERIO DELTA WARD</b>		
63.	Kangirisae Dispensary	Kangirisae Community Unit
64.	Kerio Health Centre	Kerio
65.	Kosikiria Dispensary	Kaimat
66.	Lorengelup Dispensary	Lorengelup
67.	Nadoto Dispensary	Nadoto
68.	Nakechichok Dispensary	Nakechichok
69.	Nakurio Dispensary	Nakurio
<b>LODWAR TOWNSHIP</b>		

70.	Kakwanyang Dispensary	Kakwanyang
71.	Lodwar County Referral Hospital	Kawalase
72.	Lodwar County Referral Hospital	Township
73.	St Monica Nakwamekwi Dispensary	Nakwamekwi
<b>TURKANA EAST</b>		
<b>KAPEDO/NAPEITOM</b>		
74.	Kamuge Dispensary	Kamuge Community Health Unit
75.	Kapedo Sub-County Hospital	Kapedo Community Health Unit
76.	Lomelo Dispensary	Lomelo Community Health Unit
77.	Napeitom Dispensary	Napeitom Community Health Unit
<b>KATILIA</b>		
78.	Elelea Sub-county Hospital	Elelea Community Health Unit
79.	Katilia Dispensary	Katilia Community Health Unit
80.	Lopedur Dispensary	Lopeduru Community Health Unit
<b>LOKORI/KOCHODIN</b>		
81.	Lokori (AIC) Health Centre	Lokori Community Health Unit
82.	Lokwamosing Dispensary	Kochodin Community Health Unit
83.	Lokwamosing Dispensary	Lochakula Community Unit
84.	Lokwamosing Dispensary	Lokwamosing Community Unit
85.	Lokwamosing Dispensary	Lopii Community Healthunit
86.	Lokwii Health center	Lokwii Community Health Unit
87.	Lotubae (AIC) Dispensary	Lotubae Community Health Unit
88.	Morulem Dispensary	Morulem Community Health Unit
89.	Nakukulas Dispensary	Nakukulas Community Unit
<b>TURKANA NORTH</b>		
<b>KAALENG/KAIKOR</b>		
90.	Kaalem Dispensary	Kaalem
91.	Kaaleng Health Centre	Kaaleng
92.	Kaaleng Health Centre	Kakelai
<b>KAERIS WARD</b>		
93.	Kaeris Dispensary	Kaeris
94.	Kaeris Dispensary	Kangakipur
95.	Milima Tatu Dispensary	Mlimatatu Community Unit
96.	Nadunga Dispensary	Nadunga
<b>LAKEZONE WARD</b>		
97.	Kachoda Dispensary	Kachoda
98.	Kanakurudio Health Centre	Kanakurudio
99.	Kataboi Dispensary	Kataboi
100.	Kokiselei Dispensary	Koksilei
101.	Lomekwi Dispensary	Lomekwi
102.	Lowarengak Health Center	Lowarengak
103.	Nachukui Dispensary	Nachukui
104.	Narengewoi Dispensary	Narengewoi

105.	Nariokotome Dispensary	Nariokotome
	<b>LAPUR WARD</b>	
106.	Karebur Dispensary	Nabulkok Community Health Unit
107.	Karebur Dispensary	Sasame Community Health Unit
108.	Karebur Dispensary	Toiunae Community Unit
109.	Lokitaung Sub County Hospital	Lokitaung Community Unit
110.	Lokitaung Sub County Hospital	Riokomor
	<b>TURKANA SOUTH</b>	
	<b>KALAPATA WARD</b>	
111.	Kangakipur Dispensary	Kangakipur Community Unit
112.	Kangakipur Dispensary	Kangakipur Community Unit
	<b>KAPUTIR WARD</b>	
113.	Juluk Dispensary	Juluk Community Health Unit
114.	Kaputir Dispensary	Kaputir
115.	Nakwamoru Health Centre	Nakwamoru
	<b>KATILU WARD</b>	
116.	Kalemngorok Dispensary	Kalemngorok
117.	Kanaodon Dispensary	Kanaodon Community Health Unit
118.	Katilu Sub County Hospital	Katilu
119.	Lokapel Dispensary	Lokapel
120.	Lopur Dispensary	Lopur
	<b>LOBOKAT WARD</b>	
121.	Kainuk Health Centre	Kainuk
122.	Kakong Dispensary	Kaakong Community Health Unit
	<b>LOKICHAR WARD</b>	
123.	Locheremoit Dispensary	Locheremoit Community Unit
124.	Lochwaangikamatak Dispensary	Lochwaangikamatak
125.	Lokichar (RCEA) Health Centre	Kamarese
126.	Lokichar (RCEA) Health Centre	Kapese
127.	Lokichar (RCEA) Health Centre	Lokichar Community Health Unit
128.	Napusimoru Dispensary	Napusimoru Community Unit
	<b>TURKANA WEST</b>	
	<b>KAKUMA WARD</b>	
129.	Kakuma Mission Hospital	Morungole 1 Community Unit
130.	Kakuma Mission Hospital	Morungole 2 Community Unit
131.	Kakuma Sub County Hospital	Musug Community Health Unit
132.	Kakuma Sub County Hospital	Nadapal Community Health Unit
133.	Kakuma Sub County Hospital	Nakoyo Community Health Unit
134.	Lochorangierengo Dispensary	Tarach Community Health Unit
135.	Makutano Health Centre (Turkana West)	Lolupe Community Health Unit
136.	Makutano Health Centre (Turkana West)	Losajait Community Health Unit

137.	Naduat Dispensary	Naduat Community Health Unit
<b>KALOBYEI WARD</b>		
138.	Kenya Red Cross Kalobeyei Health C	Kalobeyei Settlement Health Unit
139.	Natira Dispensary	Lomunyanakrionok Community Unit
140.	Natira Dispensary	Namortotio Community Unit
141.	Oropoi Dispensary	Oropoi
<b>LETEA WARD</b>		
142.	Kalobeyei Dispensary	Timu Coomunity Health Unit
143.	Letea Dispensary	Lorengesinyen
144.	Lokipoto Dispensary	Lokipoto Community Health Unit
<b>LOKICHOGGIO WARD</b>		
145.	Lokichogio (AIC) Health Centre	Ngapetan 1 Community Unit
146.	Lokichogio (AIC) Health Centre	Ngapetan 2 Community Unit
147.	Lopiding Sub County Hospital	Aochole
148.	Lopiding Sub County Hospital	Mogila Community Health Unit
<b>LOPUR WARD</b>		
149.	Lopur Dispensary (Duplicate)	Lopur Community Health Unit
150.	Namon Dispensary	Namon Community Health Unit
<b>SONGOT WARD</b>		
151.	Aposta Dispensary	Lopwarin Community Health Unit
152.	Aposta Dispensary	Napeikar Community Unit
153.	Aposta Dispensary	Songot Community Unit
154.	Lokangae Health Centre	Lokangae Community Health Unit
155.	Nakururum Dispensary	Loemet Community Unit
156.	Nakururum Dispensary	Nakasegan Community Unit
157.	Nanam Dispensary	Nameyan Community Unit
158.	Nanam Dispensary	Ngadakarín Asegis Community Unit



## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of the objects and reasons for the Bill**

Article 43 (1) (a) of the Constitution of Kenya, 2010 entitles every person to the highest attainable standard of health, which includes the right to health care services, including reproductive health care.

Section 48 the County Governments Act mandates the County Government to decentralize the functions and provision of services of the County government to such number of village units in the County as may be determined by the County Assembly and to such other and further units as the County may determine.

The principal object of this Bill is to provide for the establishment and delineation of Community Health Units within the county for effective, efficient and sustainable delivery of community-based health services and establish the necessary institutional and regulatory mechanisms to ensure functionality of community units in empowering households in health and for connected purposes.

This Bills further purposes to give effect to the provisions of Article 43 (10 (a) of the Constitution and Section 48 of the County Governments Act, 2012.

### **The structure of the Bill is as follows;-**

**PART I** provides for preliminary matters pertaining to short title, interpretation, guiding principles and objects and purpose of the Act;

**PART II** provides for the duties and responsibilities of the County Government relating to ensuring access to basic healthcare, policy making and advisory services as well as the duties and responsibilities of individuals in the promotion of the success of the community health care delivery services programs; including the duty to participate in organized health activities and duty to implement suggested behavioral changes;

**PART III** details the criteria for the establishment of Community health Units, registration of new health units, indicated the number of existing community health units and community health volunteers as well as the health facilities linked to the various community health units;

**PART IV** establishes Community Health Services Committees at the County and Community levels as well as the County Community Health Technical Committee. It provides for the membership of the committees, qualifications for appointment into the committee, administration of community health units, functions of the committees, meetings of the committees, term of office, remuneration of committees and also makes provision for preparation and implementation of community health plans;

**PART V** provides for the recruitment of Community of Community Health Extension Workers, the qualifications for appointment as a community health extension worker, their roles and their relationship with the community units, community health volunteers, link facilities and the county technical and services committee;

**PART VI** details recruitment and training of community health volunteers, Community Health Volunteer, obligations of the Community Health Volunteer, failure of a Community Health Volunteer to discharge duty, roles of the Community Health Volunteer, qualifications for selection as a Community Health Volunteer, training of community health volunteers, right of entry to households, remuneration of community health volunteers, tenure of office of community health volunteers, vacation of office, and filling of vacant posts of CHVs;

PART VII pertains to establishment of the county community health services fund, sources of funds, the administration of the fund by the County Community Health Services Committee, how the estimates of the Committee's and Expenditure and dealt with, disbursement of funds out the fund and the financial records and reports of the Committee.

**Statement on how the Bill concerns the County Government**

Article 43 (1) (a) of the Constitution of Kenya, 2010 confers on every person the right to the highest attainable standard of health. In addition, article 53 (1) (c) confers a right to every child to basic nutrition, shelter and healthcare and Chapter IV of the Constitution of Kenya 2010 on the Bill of Rights imposes an obligation on the State, which includes County Governments to put in place measures that ensure that the right to health care is not impaired.

The Bill is therefore one that concerns County Governments in terms of Article 110(1) (a) of the Constitution of Kenya, 2010 as its provisions affect the functions and powers of the County Governments as set out in the Fourth Schedule to the Constitution of Kenya, 2010.

**Statement that the Bill is a money Bill within the meaning of Article 114 of the Constitution of Kenya, 2010**

The Bill is a money bill within the meaning of Article 114 of the Constitution of Kenya, 2010, and thus its enactment shall occasion additional expenditure of public funds which shall be provided for in the County Government estimates.

**Dated:** .....

Hon. Evans Ekai, MCA  
*Chairperson,*

**COMMITTEE ON HEALTH SERVICES AND SANITATION**  
**COUNTY ASSEMBLY OF TURKANA**