

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL CAPITAL TERRITORY PRIMARY HEALTH CARE BOARD AND FOR RELATED MATTERS (HB. 1546)

Provisions of the Bill	Committee of the Whole Recommendations
PART I – ESTABLISHMENT OF THE FCT PRIMARY HEALTH CARE BOARD Establishment of the FCT Primary Health Care Board 1. (1) There is hereby established for the FCT a body to be known as FCT Primary Health Care Board. (2) The Board- (a) Shall be a body corporate with perpetual succession and a common seal with power to sue and be sued in its corporate name; (b) may acquire, hold or dispose of any moveable or immoveable property; and (c) shall seek to achieve the objectives set out in section 2 and perform the functions listed in section 5 of this Bill.	Retained
The objectives of the Board 2. (a) To ensure the development and operations of Primary Health Care structure and services in FCT; (b) To ensure equitable distribution of Primary Health Care facilities and effective access to services within the FCT; (c) To work with other relevant bodies to facilitate the implementation of the Health Insurance scheme in the FCT.	Retained
Composition of the Governing Board 3. (1) The Governing Board shall consist of: (a) a part-time Chairman, who shall be an accomplished Nigerian of good character and proven integrity with cognate experience in the health sector, the public or private sector;	Retained

Minister; (b) he dies; (c) the period of his appointment expires; (d) is convicted of an offence involving fraud by a court of competent jurisdiction; (e) he is adjudged or declared bankrupt; (f) he is sentenced to death or imprisoned; (g) he is a member of a secret society; and (h) the Governing Board passes a resolution declaring that- (i) he has become incapable by reasons of mental or bodily infirmity or unable to discharge his duties, (ii) he has become unfit for membership of the Board by reason of the fact that he has interest in contract entered into by the Board and has not disclosed that fact, or (iii) he has become unfit for membership by reason of having contravened the provisions of this Bill or any regulations made generally for the carrying into effect the purpose of this Bill. (2) Where a vacancy occurs in the membership of the governing board, it shall be filled by the appointment of a successor to represent the same interest as and for the unexpired term of the member concerned.	
PART II – FUNCTIONS AND POWERS OF THE FCT PHCB GOVERNING BOARD Functions and Powers of the Governing Board 5. (1) The Governing Board shall: (a) Provide guidance and oversight for the provision and efficient running of Primary Health Care systems for all residents of the FCT;	Retained

9. The Executive Secretary shall be a Health professional, not below the rank of a Director or its equivalent, and of good character and proven integrity, with additional qualification in public health and cognate experience of not less than fifteen years, five of which must be in Primary Health Care in the FCT.	
Responsibility 10. The Executive Secretary shall: (i) be the Chief Executive and Accounting Officer of the Board; (ii) be responsible for the day-to-day administration of the Board; and (iii) ensure the implementation of the decisions of the Governing Board.	Retained
Tenure 11. The Executive Secretary shall hold office for a period of four years and shall be eligible for reappointment for a final term of four years.	Retained
Remuneration 12. The Executive Secretary shall be paid such salary and allowances as may be determined by the Salaries, Incomes and Wages Commission.	Retained
Vacancy 13. The Minister may declare the office of the Executive Secretary vacant if: (a) the Executive Secretary resigns his appointment by notice in writing under his hand to the Minister; or (b) the Minister is satisfied that the Executive Secretary- (i) has been convicted of an offence involving fraud or dishonesty, (ii) is incapacitated by physical or mental illness from	Retained

(f) advise the Minister of the FCT and guide Area Councils Health Authorities in the FCT on any matter regarding Primary Health Care Services in the FCT; (g) ensure the development and establishment of policies with respect to the implementation of Primary Health Care Services and programs in the FCT; (h) recruit, promote, deploy, train and discipline of all Staff in line with Public Service Rules; (i) appoint program and deputy or sub program officers for each Area Council; (j) pay salaries and allowances to Primary Health Care staff; (k) manage Funds provided to it by the National Primary Health Care Development Agency and other sources; (l) ensure annual medical and financial auditing of Primary health Care facilities in all Area Council Health Authorities; and (m) ensure compliance with minimum standard and issue annual certificate as appropriate to public and private Primary Health Care facilities in the FCT.	
Departments within the Board 17. The Board shall have Departments headed by Directors based on operational guidelines as follows: (i) Department of Administration and Human Resources; (ii) Department of Accounts and Finance (DAF) (iii) Department of Community Health Services (DCHS) (iv) Department of Disease Control and Immunization (DDCI) (v) Department of Essential Drugs System, Equipment and Logistics (DEDSEL); (vi) Department of Planning, Research and Statistics (DPRS).	Retained

(vi) One representative of Religious Leaders; (vii) Head of one secondary public hospital in the Area Council; (viii) One representative of private health sector; (ix) One representative of women leaders; (x) One representative of health training institutions where available; (xi) One representative of CSOs/CBOs; (xii) Two representatives of Ward Health Committee (WHC) (on rotational basis); (xii) Director PHC, who shall be the secretary of the Committee.	
Roles of Advisory Committee 22. The ACHA Advisory Committee shall: (i) primarily advise the Board and the AGHA Management Team; (ii) set the overall vision and mission of the ACHA; (iii) provide strategic direction to ACHA Management team; (iv) mobilize and allocate resources; (v) hold implementers to account for effective and efficient use of resources; (vi) develop effective working relationship with the management team and communities; (viii) receive and deliberate on health reports of AC and advise ACHAMT on decisions to improve health outcomes; (viii) support ACHAMT on implementation of PHC in the AC; and (ix) identify and fund the PHC capital projects.	Retained

Ward Health Committee 26. (1) The implementation of PHC services within the Area Councils shall be based on the principle of the Ward Health Services system. (2) The Ward Health Services in the FCT shall consist of the Ward Health Committee (WHC) at the ward level and the Community Health Committee (CHC) or Village Health Committee (VHC) at the urban (community) and rural (village) levels respectively.	Retained
PART IV – FINANCE, ANNUAL ACCOUNTS AND AUDIT REPORTS Funding for the Board 27. A basket fund will be provided and maintained for the implementation of the Board's activities and programs. This fund shall comprise of: (i) FCT Annual Statutory Budgetary Allocation for Primary Health Care; (ii) Annual grants of not less than two percent (2%) of FCTA Consolidated Revenue Fund from the FCTA/ACs Joint Account or any other similar account that may be operated from the FCTA/ACs; (iii) Allocation from the National Basic Health Care Provision fund as provided by the National Basic Health Act; and (iv) Grants and donation from development partners and philanthropists.	Retained
Proper Record and Statement 28. The Board shall keep proper record and statements of accounts of all its transactions and shall cause to be prepared a report on or before 45 days after the closure of each financial year.	Retained
External Audit of Statement of Account 29. The statement of account referred to in section 28 of this Section shall be verified by the Governing Board and Audited by a firm of Auditors appointed by the Governing Board shall be published in the Annual Report of the Board.	Retained

they are responsible, this shall include: (i) the types of health services available; (ii) the organization of health services; (iii) Operating schedules and timetables of visits; (iv) Procedures for laying complaints; and (v) The rights and duties of clients and health care professionals.	
Record Keeping 35. Subject to applicable archiving legislation, the person in charge of a health establishment shall ensure that a health record containing such information as may be prescribed is created and available at the health establishment for every authorized user of health services.	Retained
Primary Health Care Management Information System 36. There shall be established a Primary Health Care Management Information System (PHCMIS) which is a sub-set of the NHMIS to guide strategic planning, management and operational functions of the PHC at all levels.	Retained
Duties of Area Council 37. Each Area Council, which provides health services shall establish and maintain a health information system, as part of the National Health Information System as specified under section 35(1) of the National Health Act.	Retained
Duties of Private Health Care Providers 38. All private health care providers shall: (a) Establish and maintain a Health Information System as part of the National Health Information System as specified under section 35(1) of the National Health Act; and (b) Ensure compliance with the provision of section 45 as a condition necessary for the grant or renewal of the Certificate of Standards.	Retained

indemnified out of the assets of the Board against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as Executive Secretary, a member of the Governing Board, officer or other employee of the Board.	
Interpretation 42. In this Bill, unless the context otherwise requires: “ACHA” means Area Council Health Authority; “ACSS” means Council Services Secretariat; “ACSC” means Area Council Service Commission; “Area Councils” mean the FCT Area Councils; “BHCPF ” means Basic Health Care Provision Fund; “BOARD” means the FCT Primary Health Care Board, established under Section 1 of this Bill; “Chairman” means the Chairman of the Governing Board appointed under Section 3 of this Bill; “Executive Secretary” means the Executive Secretary of the Board appointed under section 8 of this Bill; “FCT” means Federal Capital Territory, Abuja; “FCTA” means the Federal Capital Territory Administration; “Functions” includes powers and duties; “Governing Board” means the Governing Board of the FCT Primary Health Care Board, established under section 3 of this Bill; “HHSS” means Health and Human Services Secretariat; “Member” means a Member of the Governing Board, and includes the Chairman;	Retained

(2) The quorum of the Governing Board shall be the Chairman and six other members, and the quorum of any Committee of the Governing Board shall be determined by the Governing Board.

2.-(1) The Governing Board shall meet not less than four times in each year and, the Governing Board shall meet whenever it is summoned by the Chairman, and if the chairman is required to do so by notice given to him by not less than three other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Governing Board, the Chairman shall preside, but if he is absent, the members present at the meeting shall appoint one of their number to preside at that meeting.

(3) Where the Governing Board desires to obtain the advice of any person on a particular matter, the Governing Board may co-opt him as a member for such period as it thinks fit, but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Governing Board and shall not count towards the quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Governing Board shall be summoned by the Minister.

Committees

3. -(1) The Governing Board may appoint one or more Committees to carry out on behalf of the Governing Board such of its functions as the Governing Board may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily all members of the Governing Board) as may be determined by the Governing Board and a person other than a member of the Governing Board shall hold office on the Committee in accordance with the terms of his appointment.

(3) A decision of a Committee of the Governing Board shall be of no effect until it is confirmed by the Governing Board.

