

**SPECIAL ISSUE**

**Kenya Gazette Supplement No. 18 (Bomet County Bills No. 12)**



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**KENYA GAZETTE SUPPLEMENT**

**BOMET COUNTY BILLS, 2018**

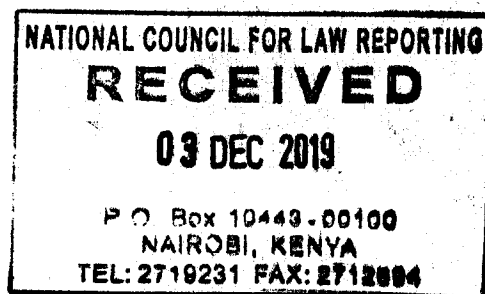
**NAIROBI, 4<sup>th</sup> December, 2018**

**CONTENT**

Bill for Introduction into the County Assembly of Bomet—

**PAGE**

The Bomet County Support for the Needy (Amendment) Bill, 2018 ..... 1



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**THE BOMET COUNTY SUPPORT FOR THE NEEDY  
(AMENDMENT) BILL, 2018**

A Bill for,

**AN ACT of the County Assembly of Bomet to amend the Bomet  
County Support for the Needy Act, 2014 and for connected  
purposes**

**ENACTED** by the County Assembly of Bomet as follows—

**Short title and Commencement**

1. This Act may be cited as the Bomet County Support for the Needy (Amendment) Act, 2018 and shall come into operation upon publication in the *Kenya Gazette*.

2. The Bomet County Support for the Needy Act, 2014 in this Act referred to as the "Principal Act".

3. The principal Act is amended by deleting section 7.

4. The principal Act is amended by repealing section 8 and replacing it with the following new sections—

**Establishment of the Fund.**

**8A.** (1) There is established a Fund to be known as the Bomet County Health Coverage Fund which shall be managed and administered by the County Health Coverage Committee.

(2) The object and the purpose of the Fund shall be to—

- (a) promote access to healthcare;
- (b) support for medical expenses to children born with congenital disorders, from poor families;
- Coverage*  
*Time* (c) support for medical expenses to indigent /Vulnerable persons access benefit package from National Health Insurance Fund; and *Commendment and any Chronic illness whose bill has exceeded 1M and identifies needy members*
- (d) meet the expenditure that may be incurred in administering this fund.

*3%*  
Provided that not more than three percent of the total monies consisting of the fund shall be utilized for administration of the fund.

**8B.** This act will apply in respect to—

- (a) disbursement of County Government of Bomet health coverage support and;
- (b) management of all medical subsidy disbursement to the beneficiaries channeled through the County Government.

**8C.** There is established a County Health Coverage Committee to oversee and administer the County Health Coverage Fund.

**8D.** (1) The committee shall consist of not less than seven and not more than nine members comprising of the following—

- (a) the County Executive Committee Member in charge of Medical Services and Public health or his representative;
- (b) the chief officer in charge of Finance and Economic Planning;
- (c) the chief officer in charge of Social Services;
- (d) the chief officer in charge of Health;
- (e) the fund manager;
- (f) at least three other members of the public
  - (i) one person to represent youth;
  - (ii) one person to represent women;
  - (iii) one person to represent persons with disabilities;

(2) In the appointments the Governor must consider—

- (a) the one third gender rule;
- (b) meets the requirements of chapter six of the constitution;
- (c) a resident of the county; and
- (d) persons with academic qualifications of at least Diploma level from a recognized institution.

#### **Appointment of fund manager**

**8E.** The County Executive Member in charge of Finance and Economic Planning shall appoint a fund manager in accordance with the provisions of the Public Finance Management Act.

#### **Functions of the fund manager**

**8F.** The fund manager shall—

- (a) ensure that cheques and bank transfer for Health Coverage is disbursed efficiently and effectively;
- (b) ensure that the earnings of or accruals to the Health Coverage fund are retained in the fund;
- (c) ensure that money held in the Health Coverage fund, including any earnings or accruals referred to in subsection (1) is spent only for the purposes for which the fund is established;

- (d) ensure that the accounts for the Health Coverage fund and the annual financial statements relating to those accounts comply with the accounting standards prescribed and published by the Accounting Standards Board from time to time.

**Functions of the committee**

**8G. The committee shall—**

- (a) identify persons to benefit from the fund;  
(b) approve disbursement of Health Coverage to awarded persons;  
(c) monitor allocations of Health Coverage to ensure needy and deserving persons benefit;  
(d) maintain and update a database of all applicants and beneficiaries of the fund; and  
(e) submit quarterly reports on the disbursement of fund to the County Executive Committee and the County Assembly.

sub-committee  
word

**Elections and conduct of meetings**

**8H. (1)** The election of the chairperson and the officials of the county Health Coverage Committee shall take place during the first meeting of the County Health Coverage Committee.

(2) The chairperson of the County Health Coverage Committee shall convene all meetings of the county Health Coverage committee.

(3) Except as agreed under the minimum operation procedures and requirements, the county Health Coverage Committee may regulate its own operations.

(4) The quorum of the County Health Coverage Committee shall be six members.

(5) The County Health Coverage Committee may invite any member of the public to attend any of its meetings as long as such person shall not have voting rights.

(6) The County Health Coverage Committee shall have at most four meetings in every financial year; however special sittings of the County Health Coverage Committee may be convened as long as such meetings do not exceed three in a financial year;

(7) The meetings of the County Health Coverage Committee shall be convened and chaired by the chairperson or in the absence of the chairperson the committee shall be chaired by any member of the County Health Coverage Committee appointed by the county Health Coverage committee in that sitting;

(8) The fund manager shall be the secretary to the County Health Coverage Committee.

(9) The members of the County Health Coverage Committee shall serve for a two year renewable term but shall not serve for more than two terms.

(10) any member of the county Health Coverage committee may be removed from office by the appointing authority upon the recommendation by resolution of the county Health Coverage committee, if such member—

- (a) has been absent for three consecutive meetings of the County Health Coverage Committee without permission of the chairperson;
- (b) is in the opinion of a simple majority of the county Health Coverage committee otherwise unable or unfit to discharge the functions of his office.
- (c) has been convicted of a criminal offense under any law in Kenya.

(11) once the position falls vacant the same procedure and criteria for appointment shall be followed to appoint a new member to fill the vacant position in the County Health Coverage Committee.

(12) members of the County Health Coverage Committee shall be entitled to a sitting allowance.

**8I.** Any person who contravenes any provision of this Act commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand Shillings or to a term of imprisonment not exceeding two years or to both.

**8J.** Where the offence committed under subsection (1) results in any financial or material loss to the County Government, the County Government shall be entitled to recover loss from the offender as a debt due to it.

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**MEMORANDUM OF OBJECTS AND REASONS**

This Bill has been submitted by the County Executive Committee Member for Health and Sanitation in line with the Budget allocation F/Y 2018/19 for the provision of health care coverage fund. The principal object of the Bill is to amend the Needy Act to facilitate for the coverage of medical expenses to needy and vulnerable persons in the County.

The enactment of this Bill shall occasion additional expenditure of public funds.

Dated the 30th October, 2018.

**LEONARD KIRUI**

*Chairman, Health and Sanitation Committee.*

