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SIAYA COUNTY BILLS, 2024

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**THE SIAYA COUNTY REPRODUCTIVE, MATERNAL,
NEWBORN, CHILD AND ADOLESCENT HEALTH BILL, 2024**

A Bill for

AN ACT of the County Assembly of Siaya to give effect to Articles 43(1)(a) of the Constitution; to establish a framework for addressing reproductive, maternal, newborn, child, and adolescent health issues and for connected purposes

ENACTED by the County Assembly of Siaya, as follows —

PART I —PRELIMINARY

Short title and Commencement

1. This Act may be cited as the Siaya County Reproductive, Maternal, Newborn, Child, and Adolescent Health Act, 2024, and shall come into operation upon publication in the *Kenya Gazette*.

Interpretation

2. In this Act, unless the context otherwise requires—

Antenatal care (ANC) is the care of the woman during pregnancy. The primary aim of ANC is to promote and protect the health of women and their unborn babies during pregnancy so as to achieve at the end of a pregnancy a HEALTHY MOTHER and a HEALTHY BABY.

“Board” means a hospital management board established under section 12 of the Siaya County Health Services Act, 2019;

“child” means an individual who has not attained the age of eighteen years;

“child health” means a state of physical, mental, intellectual, social and emotional well-being and not merely the absence of disease or infirmity;

“Committee” means the Siaya County Reproductive, Maternal, Newborn, Child, Adolescent Health and Family Planning Committee established under section 29 of this Act;

“Constitution” means the Constitution of Kenya 2010;

“County” means Siaya County;

“County Assembly” means the County Assembly of Siaya;

“County Health Management Team” means the county health management team established under section 30 of the Siaya County Health Services Act, 2019;

“department” means the county department responsible for matters related to health services;

“emergency treatment” means the necessary immediate healthcare that must be administered to prevent death or worsening of a medical situation;

“Director” means the County Director for the time being responsible for matters related to public health and sanitation services appointed under section 7 of the Siaya County Health Services Act;

“County Executive Committee Member” means the County Executive Committee Member for the time being responsible for matters related to health services;

“GBV” means Gender Based Violence;

“guardian” means an individual or institution who is appointed to exercise care and control of a child;

“Healthcare provider” means an individual health professional or health facility licensed to provide health care services;

A licensed person, Facility or an organization that provides health care services. Examples of health care providers include doctors, nurses, therapists, pharmacists, laboratories, hospitals, clinics, and other health care centers

“healthcare services” means the prevention, promotion, management or alleviation of disease, illness, injury, and other physical and mental impairments in individuals, delivered by health care professionals through the health care system’s routine health services, or its emergency health services;

“health facility” has the meaning ascribed to it by the Siaya County Health Services Act;

“HIV/AIDS” means Human Immunodeficiency Virus /Acquired Immunodeficiency Syndrome;

“hospital” means a county or sub-county hospital;

“maternal health” means the health of a woman during pregnancy, childbirth and the postpartum period;

“parental responsibility” means all the duties, rights, powers, responsibilities and authority which by law a parent of a child has in relation to the child and the child’s property in a manner consistent with the evolving capacities of the child;

“comprehensive postnatal services” care given to mother and her baby during the postpartum period

“reproductive health” means a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes;

“sub-county health management team” means the sub-county health management team established under section 31 of the Siaya County Health Services Act;

“teenage pregnancy” means pregnancy that occurs for a woman under the age of 20;

“trained health professional” means a health professional trained as either a medical officer, nurse midwife, or clinical officer, and is proficient with the skills needed to manage uncomplicated abortion and post-abortion care and the identification, management, and referral of abortion-related complications in women and families;

“volunteer community health worker” means a person who is trained and appointed on a voluntary basis to link members of the relevant community to available health services or facilities.

Object and Purpose of the Act

3. The object and purpose of the Act is—

- (a) to give effect to Articles 43(1)(a) and 53(1)(c) of the Constitution;
- (b) to establish a framework for effective provision of reproductive, maternal, and child health services;
- (c) to increase family planning uptake;
- (d) to create awareness on transmission, prevention and control of common diseases in relation to maternal, neo-natal and child health;
- (e) to provide a framework for expectant and lactating women to access and use health services;
- (f) to enhance capacity of health facilities to provide quality services in maternal, neonatal and child health services;
- (g) to establish a framework to reduce mother and child morbidity and mortality;
- (h) to promote public awareness and social mobilization to achieve sustained maternal and child health;

- (i) to improve nutrition status of mothers, and children below the age of eighteen months;
- (j) to increase the uptake of immunization or vaccination services for children; and,
- (k) to provide for reproductive health for the adolescent children.

PART II—RIGHTS AND RESPONSIBILITIES

Right to reproductive health

4. (1) Every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive healthcare.

(2) Without limiting the generality of section 4(1), every person has a right—

- (a) to access reproductive healthcare services in a public health facility, including but not limited to, the right to ante-natal, maternity and post-natal care;
- (b) to access accurate information on the available reproductive healthcare services offered by a public health facility; and,
- (c) to access safe, effective, affordable and acceptable contraception methods of their choice.

Freedom to determine the number of children

5. (1) Every woman has the right to determine the appropriate time to have a child and the number of children.

(2) This section does not interfere with the right of spouses to jointly plan for the appropriate time to have a child and the number of children.

Family Planning Services

6. (1) A healthcare provider shall before prescribing a method of family planning to any person—

- (a) provide relevant information to the person on the advantages and disadvantages of the particular family planning method;
- (b) informs the person of their right to choose an appropriate form of family planning; and
- (c) obtain their consent in writing.

(2) The officer in charge of a health facility shall ensure that the facility offers free family planning information and counseling services.

Right of a child to nutrition and health care

7. (1) Every child has the right to basic nutrition and health care.

(2) The department shall take measures to provide nutritional information and support to mothers to uplift the nutritional health of their children.

Emergency medical treatment

8. (1) No health facility, whether private or public, shall deny emergency medical treatment to a person to whom this Act applies, unless the health facility does not generally provide the services to which the emergency relates, in which case the health facility shall promptly make an appropriate referral.

(2) Where a health facility receives and refers a person under subsection (1), it shall record in a register specially kept for that purpose—

- (a) the name of the patient;
- (b) the details of the patient;
- (c) the time of arrival at the facility;
- (d) the time of departure to the referred facility; and,
- (e) the reason for the inability to attend to the patient.

(3) An officer in charge of a health facility who contravenes the provisions of sub-section (1) commits an offence and is liable, on conviction, to a fine not exceeding one million shillings or to a term of imprisonment of five years, or to both such fine and imprisonment.

Responsibilities of County Executive Committee Member

9. (1) The County Executive Committee shall on the recommendation of the County Executive Committee Member take legislative, policy and other measures to ensure that health facilities deliver quality reproductive, maternal and child health services.

(2) Despite the generality of sub-section (1), the County Executive Committee Member shall—

- (a) equip public health facilities with necessary facilities and equipment to deliver the services;
- (b) cause immunization and vaccination services for children of five years and below to be undertaken regularly throughout the county;
- (c) build the capacity of the medical personnel, community health

workers and relevant stakeholders through training, for their effective participation in promoting quality health services to expectant mothers and children;

- (d) in consultation with the County Assembly, provide adequate budgetary allocation for the purpose of supporting the implementation of reproductive, maternal, neonatal, child health and family planning services;
- (e) facilitate the provision of nutritional information to mothers to uplift the nutritional health of a child;
- (f) undertake public education and awareness on relevant health practices and standards and available healthcare services.

(3) The department shall establish strategies and mechanisms of collaboration to ensure that private health service providers and non-state actors in the health sector embrace and support reproductive, maternal, neo-natal, post-natal and child health programmes.

Responsibilities of healthcare providers

10. Subject to the provisions of the Siaya County Health Services Act, every healthcare provider shall—

- (a) provide counselling services with respect to nutrition, maternal, postnatal and child health care and HIV/AIDS;
- (b) ensure that reproductive healthcare services are readily available in accordance with guidelines or policies approved by the County Executive Committee Member; and,
- (c) make available the other healthcare services under this Act.

Role of a community health Promoter

11. (1) A volunteer community health worker shall, with respect to maternal or child healthcare—

- (a) facilitate individuals, households and communities to carry out appropriate healthy behaviors;
- (b) provide agreed health services;
- (c) recognize signs and symptoms of conditions requiring referral;
- (d) facilitate community diagnosis, management and referral; and,
- (e) advise, for the benefit of a woman or a child on the available treatment in relation to a diagnosed condition, as well as any risk or cost likely to be involved in treating the condition.

(2) In providing advisory services under this section, a community health worker shall not disclose or use information so obtained in a manner that compromises an individual's right to privacy.

(3) The provisions of subsection 2 shall not apply where—

- (a) the disclosure of information is required by a court of law; or,
- (b) the disclosure is with the consent of the individuals concerned, or in the case of a child, the guardian of that child, and such information shall only be used for the purpose for which the consent is given.

(4) A person who uses or discloses information received under this section contrary to subsection 2, commits an offence, and is liable on conviction to a fine not exceeding shillings two hundred thousand or to a term of imprisonment of one year, or to both such fine and imprisonment.

Individual Responsibility

12. Every person to whom this Act applies shall when required by a healthcare professional or volunteer community —

- (a) provide information that would enable the healthcare provider or volunteer community health worker, to collect data or information for the purpose of analysis and informing of policy decisions at different levels of County governance; and,
- (b) cooperate with a healthcare provider or volunteer community health worker and, if required, to provide all the relevant information to help a healthcare provider or volunteer community health worker to prescribe the right procedure of treatment or referral.

PART III —REPRODUCTIVE, MATERNAL AND NEONATAL HEALTH SERVICES

Access to facilities and services

13. (1) Every licensed health facility shall recognise and promote reproductive health rights according to the set standards for reproductive health.

(2) Further to subsection 1, every licensed health facility shall protect the rights of all persons to make decisions regarding their reproductive health free from discrimination, coercion and violence.

(3) Every licensed health facility shall provide comprehensive male reproductive health information and services.

(4) An expectant mother is entitled to visit a health facility, for medical advice, check-up and treatment, at least four times of the recommended number of visits during the period of pregnancy.

(5) The officer in charge of a health facility shall provide quality maternal and neonatal health services to all clients regardless of age and the socio-economic status.

(6) The officer in charge of a health facility shall keep and maintain a record of expectant mothers and children of five years and below who attend the facility.

(7) The officer in charge of a health facility shall prepare and submit a monthly report, not later than the 5th day of the subsequent month, to the sub-county health management team, detailing—

- (a) the number of expectant mothers attended to in the month;
- (b) the number of children of 5 years and below attended to in the month;
- (c) the type of services sought or obtained at the facility;
- (d) any referrals made to a higher-level hospital;
- (e) information on any maternal and newborn mortalities and morbidities; and
- (f) any other information as may be prescribed.

Compulsory Antenatal care

14. (1) An expectant mother shall, upon realizing that they are pregnant, report to the nearest health facility for registration, check-up and advice on maternal health.

(2) All expectant mothers shall periodically visit a healthcare facility for antenatal services.

(3) Following childbirth, all mothers shall be entitled to comprehensive postnatal services.

(4) Any person who fails to comply with subsection (3) commits an offense, and is liable on conviction, to a fine not exceeding five hundred shillings or to a term of imprisonment of one month, or to both such fine and imprisonment.

Termination of Pregnancy

15. (1) Abortion is not permitted unless, in the opinion of a trained health professional, there is need for emergency treatment, or the life or health of the mother is in danger, or if permitted by any other written law.

(2) Where in the opinion of a trained health professional, termination of pregnancy is deemed necessary, such termination shall not be carried out without the consent of the expectant mother, or in the case of a minor or mentally challenged person, the consent of a parent or guardian.

(3) The officer in charge of a health facility shall prepare, in the prescribed form, a report of the termination, and forward the same to the sub-county health management team for levels two and three health facilities, and to the county health management team, in the case of levels four and five health facilities.

(4) No person other than a trained health professional shall assist in the termination of a pregnancy.

(5) All health facilities shall provide emergency medical treatment for women experiencing complications from spontaneous or unsafe induced abortions.

(6) A person who contravenes the provisions of sub-section (1) and (3) commits an offence and shall, on conviction, be liable to a fine not exceeding one million shillings or to a term of imprisonment not exceeding five years, or to both such fine and imprisonment.

Maternity Services

16. The department shall equip all level 3, 4 and 5 health facilities within the County to provide quality maternity services for all the residents of the county.

HIV/AIDS Awareness and Counselling

17. (1) The department shall, in relation to maternal and neonatal health care, promote public education and awareness at community level, on the causes, modes of transmission, consequences, means of prevention and control of HIV and AIDS.

(2) Every health facility within the County shall be responsible for disseminating information, education and communication materials on HIV/AIDS.

(3) The department shall provide periodic training of healthcare providers on HIV/AIDS counselling, testing and related activities in accordance with the provisions of the HIV and AIDS Prevention and Control Act, 2006.

(4) The County Executive Committee Member shall prescribe regulations to implement this section.

Compulsory Clinic for a Child

18. (1) A parent, guardian, or any other person with parental responsibility over a child shall—

- (a) register the child at the nearest health facility within 30 days of birth or within thirty days of becoming a guardian or a person with parental responsibility;
- (b) ensure that the child receives all the necessary immunization, vaccination or deworming as may be directed by a healthcare provider;
- (c) at least once in a year, ensure that the child undergoes normal medical examination at the nearest health facility.

(2) Every health facility within the County providing antenatal or postnatal care shall keep record of—

- (a) the details of every child attended to; and,
- (b) the details of the parent, guardian or a person with parental responsibility for the child.

(3) A person who contravenes the provisions of subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding five hundred shillings or to imprisonment for one month, or both.

PART IV—CHILD AND ADOLESCENT HEALTH

Responsibility for Child Health

19. (1) The responsibility for child health shall rest upon—

- (a) the parent or guardian of the child, or any other person with parental responsibility to the child;
- (b) the county government through the department of health; and
- (c) every licensed health facility.

Access to Medical services and Immunization

20. (1) A child of five years and below is entitled, at any health facility—

- (a) to receive medical services, including tests and treatment; and,
- (b) to free basic immunization, vaccination and de-worming.

(2) Every level 4 and 5 health facility shall establish and equip a pediatric and child health department for providing at least primary child healthcare services.

General Registration of Children

21. (1) Every parent, guardian or person with parental responsibility of a child shall ensure that the child is registered with the nearest health facility and a certificate of registration in the prescribed form issued.

(2) All health facilities shall on quarterly basis submit a report detailing the registration of children in a prescribed form to the sub-county health management team.

(3) Any parent, guardian or person responsible for parental responsibility to a child who fails to comply the provisions of this section commits an offence and is liable on conviction to a fine not exceeding five hundred shillings or to a term of imprisonment not exceeding one month or to both.

Public education on child healthcare

22. (1) The department shall be responsible for promoting and carrying out public education at community level on—

- (a) child healthcare;
- (b) child nutrition services;
- (c) general hygiene and sanitation;
- (d) early detection of diseases or conditions;
- (e) the available child health services.

(2) The department shall in operationalizing this section, work with—

- (a) community health promoters;
- (b) faith-based organizations;
- (c) local administration, including the ward administration;
- (d) non-governmental organizations; and,
- (e) civil society groups.

Children living with HIV/AIDS

23. (1) A parent, guardian or a person with parental responsibility over a child living with HIV/AIDS shall ensure that the child—

- (a) routinely visits a health facility for monitoring of their health; and,
- (b) receives specialized nutritional support tailored to their medical condition.

(2) Further to subsection 1, a parent, guardian or person with parental responsibility shall make appropriate arrangements with the school where the child attends for effective coordination of care.

(3) The status of a child living with HIV/AIDS shall be confidential and no parent, guardian or a person with parental responsibility for the child shall disclose the status of the child to any other person, except—

- (a) to a healthcare officer handling the child;
- (b) in the circumstances under sub-section (2); or
- (c) pursuant to a court order.

(4) The department shall in collaboration with other stakeholders establish mechanisms to —

- (a) ensure that children living with HIV/AIDS receives quality healthcare; and,
- (b) collect, collate and analyze statistics on HIV/AIDS among children for informing effective policy interventions.

Rights to Adolescent Friendly Reproductive Health Services

24. (1) Every adolescent and young person in the county shall have the right to access adolescent-friendly reproductive health services.

(2) The department shall ensure that adolescents and young people access comprehensive and confidential reproductive health services that is tailored to their needs in all public healthcare facilities.

(3) In providing adolescent-friendly reproductive health services, a health provider shall —

- (a) obtain parental consent; and,
- (b) provide age-appropriate information, education, and reproductive health services.

(4) The department shall conduct mobile outreach programs to reach adolescents and young people in remote areas.

Mentorship and Counselling

25. The department shall, at different levels of healthcare delivery, offer adolescents and young people mentorship and counselling services.

Policies and Strategies for Adolescent Health

26. (1) The Department shall implement the national policies on adolescent sexual and reproductive health policy.

(2) Without prejudice to the generality of subsection (1), the department shall—

- (a) protect and ensure the attainment of sexual reproductive health rights of the adolescents and young people;
- (b) ensure that adolescents access information on reproductive health;
- (c) involve adolescents in decision-making on health policy, budgeting, planning, research and implementation processes;
- (d) promote public awareness and education of parents, guardians, adolescents, and the community on sexual and reproductive health and rights of adolescents;
- (e) ensure that both male and female adolescents benefit from sexual reproductive health programs;
- (f) establish multi-sectoral and multi-pronged approaches to address sexual and reproductive health rights issues among adolescents and young people;
- (g) support institutions, healthcare service providers and communities to provide appropriate information and services to adolescents and young people.

Resource Allocation

27. The department shall in consultation with other government agencies allocate resources for implementing teenage pregnancy prevention programs.

Monitoring and Evaluation

28. The department shall establish a monitoring and evaluation framework to track the progress in teenage pregnancy prevention.

PART V— COUNTY PLANNING AND COORDINATION

Siaya County Reproductive, Maternal, Newborn, Child, Adolescent and Family Planning Committee

29. (1) There is established the Siaya County Reproductive, Maternal, Newborn, Child, Adolescent and Family Planning Committee.

(2) The Committee shall comprise of—

- (a) the County Executive Committee Member, who shall be the chairperson;
- (b) the Director for the time being responsible for Medical Services;

- (c) the Director for the time being responsible for public health;
 - (d) the County Coordinator for Reproductive Health, who shall be the secretary;
 - (e) Unit heads responsible for offering reproductive health related services, and includes—
 - (i) County coordinator for HIV/AIDS programs;
 - (ii) County Pharmacist;
 - (iii) County Nutritionist;
 - (iv) County coordinator for child health;
 - (g) A representative from partner organizations’;
 - (h) A representative from Faith based organizations;
 - (i) A representative from community-based organization.
- (3) At the sub-county level, the department shall establish a Committee to oversee and coordinate reproductive health related activities consisting of representatives from —
- (a) healthcare facilities;
 - (b) community-based organizations;
 - (c) youth groups;
 - (d) women's association; and
 - (e) government departments.

Functions of the Committee

30. (1) The Committee shall be responsible for —
- (a) coordinating reproductive health issues in the county;
 - (b) resource mobilization;
 - (c) ensuring the delivery of high-quality reproductive health services;
 - (d) planning, monitoring and evaluation;
 - (e) establishing partnerships in reproductive health issues;
 - (f) coordinating the implementation of policies on maternal, newborn and child and adolescent health care services in the county;

- (g) facilitating community engagement and accountability in the promotion and utilization of reproductive health services;
- (h) formulating programs and implementing strategies aimed at reducing infant and maternal mortality in the county;
- (i) implementing programs for the acceleration of infant immunization;
- (j) developing and implementing training programs for the skilled birth attendants in the county;
- (k) promoting best nutritional practices for mothers, newborns and children within the county;
- (l) conducting sensitization programs on food and nutrition among pregnant and lactating mothers;
- (m) facilitating training of the skilled healthcare workforce in the county;
- (n) putting in place measures to improve the quality of integrated maternal, newborn, and child health services; and,
- (o) performing such other functions necessary for the achievement of the objective of this Act.

(2) The Committee shall report to the County Health Management Team on quarterly basis, or as the County health management team may require.

Meetings

31. The Committee shall meet to deliberate its business at least once every month.

Stakeholders Forums

32. (1) The County Executive Committee Member shall establish the Reproductive Maternal Newborn Child Adolescent Health Stakeholder's forum.

- (2) The Forum shall perform the following functions —
 - (a) foster collaboration, partnership, and dialogue among stakeholders to improve reproductive healthcare delivery, address health challenges, and promote health equity;
 - (b) monitor and evaluate the impact of healthcare programs and interventions, using data-driven approaches;

(c) promote innovation and research in healthcare, fostering a culture of continuous improvement; and,

(d) collaborate with relevant government authorities to ensure alignment with national health priorities and policies.

(3) The Forum shall consist of representatives from government health agencies, healthcare providers, community-based organizations, academia, civil society, and relevant sectors, religious groups, the private sector, persons with disabilities; youths.

(4) The County Executive Committee Member shall develop regulations to operationalize this section.

PART VI— ESTABLISHMENT OF THE SIAYA COUNTY REPRODUCTIVE HEALTH FUND

Establishment of the Fund

33. (1) There is established a Fund to be known as the Siaya County Reproductive Health Fund.

(2) The Fund shall be established as a permanent County Fund and the income therefrom shall be used for the benefit of children, adolescents, men and women of reproductive age in the County.

Sources of funds

34. (1) The Fund shall consist of —

(a) monies as appropriated by the County Assembly;

(b) sums received as contributions, donations, donations-in-kind, gifts or grants from any lawful source;

(c) monies earned or arising from any investment of the Fund; and,

(d) any money that may be payable or vested in the Fund.

(2) The County Treasury shall open a bank account into which monies prescribed under subsection 1 shall be retained.

(3) Without prejudice to subsection 2, all the departments within the County Government shall mainstream activities in furtherance of the rights of children, adolescents, men and women of reproductive age under this Act.

(4) The funds under this section shall be managed in accordance with the Public Finance Management Act 2012 (as amended from time to time), as read together with Public Finance Management (County Government) Regulations, 2015.

Administration of the Fund

35. (1) The Fund shall be administered by a Fund Administrator appointed by the County Executive Committee Member for Finance pursuant to section 116 of the Public Finance Management Act 2012.

- (2) The Fund Administrator shall—
- (a) ensure that the resources of the Fund are used in a manner that is lawful and authorized, and effective, efficient, economical and transparent;
 - (b) supervise and control the administration of the Fund;
 - (c) be the accounting officer of the Fund;
 - (d) ensure that the expenditure of the Fund complies with the provisions of this Act as read together with the Public Finance Management Act, 2012;
 - (e) ensure that all the accounting procedures are followed when acquiring or disposing of goods and services related to reproductive health;
 - (f) prepare budget estimates and such plans for better administration of the Fund to be approved by the County Executive Committee;
 - (g) impose conditions or restrictions on the use of any expenditures arising from the Fund;
 - (h) report to the County Executive Committee Member any intended expenditures that may be contrary to this Act and the Public Finance Management Act, 2012;
 - (i) cause to be kept proper books of account and other books and records in relation to the Fund as well as all the various activities and undertakings of the Fund;
 - (j) prepare, sign and transmit to the Auditor General in respect of each financial year and within three months after the end thereof, a statement of accounts relating to the Fund in accordance with the Article 226 of the Constitution of Kenya 2010, and the provisions of the Public Audit Act, 2003, and the Public Finance Management Act, 2012 and in such details as the County Treasury may from time to time direct;
 - (k) respond to any audit issues that may arise in administration and management of the Fund; and,

(l) furnish such additional information as may be required for examination and audit by the Auditor General or under any law.

(3) A Fund Administrator who contravenes the provisions of this section shall be guilty of an offence, and shall upon conviction be liable to imprisonment for a term of three years.

(4) The County Executive Committee Member for finance shall in consultation with the County Executive Committee Member responsible for matters related to health make Regulations to operationalize the Fund within twelve months of coming into effect of this Act.

Fund Activities

36. Without limiting the generality of Section 33(2), the Fund shall be utilized for the following—

- (a) capacity building of healthcare personnel to provide quality services in maternal, neonatal and child health;
- (b) conduct community intergenerational dialogues to promote public awareness to achieve sustained maternal and child health;
- (c) sensitize community health promoters and champions on reproductive health essential services;
- (d) procure ambulance services to facilitate effective provision of maternal, neonatal, child and adolescent health services;
- (e) procure medical commodities and equipment to support skilled delivery and provision of family planning services;
- (f) conduct community outreaches programs for reproductive health service provision;
- (g) promote radio campaigns and other media initiatives aimed at creating demand for and promoting reproductive health services;
- (h) promote uptake of immunization or vaccination services for children;
- (i) provide for reproductive health services for the adolescents and young people;
- (j) procure data capture, reporting tools and information, communication and education materials for reproductive health services;
- (k) conduct quarterly reproductive health audits and supervision to ensure effective reproductive health service provision; and,
- (l) conduct quarterly performance review meetings.

Financial Year

37. (1) The financial year shall be the period of twelve months beginning the 1st of July in any year to the 30th of June of the subsequent year, both days inclusive.

(2) The balance of the Fund at the close of the financial year shall be retained in the Fund for purposes for which the Fund is established.

Financial Report

38. (1) The Fund Administrator shall in each financial year prepare and submit to the County Executive Committee Member for Finance a financial report on the activities undertaken by the Committee.

(2) The County Executive Committee Member responsible for Finance shall consider the report and thereafter submit to the County Assembly.

Winding up of the Fund

39. In the event of winding up of the fund, the cash balances in the Fund account shall be transferred to the account designated by the County Treasury while other assets shall transferred to the County Government.

PART VII — MISCELLANEOUS PROVISIONS

Regulations

40. (1) The County Executive Committee Member may make regulations generally, for the better carrying out of the objects of this Act.

(2) Without prejudice to the generality of subsection (1), the regulations may —

- (a) prescribe additional guidelines for the conduct of business of the Committee;
- (b) establish guidelines for appointing partner representatives from the county stakeholder forum;
- (c) prescribe guidelines for the administration of the Fund; and,
- (d) prescribe guidelines for the management of the stakeholder's forum.

Savings and Transitional Clauses

41. The Committee for the time being responsible for matters relating to planning and coordination of the reproductive, maternal and child health matters shall be the Committee for the purpose of implementing the provisions of this Act.

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to give effect to Articles 43(1)(a) of the Constitution; to establish a framework for addressing reproductive, maternal, newborn, child, and adolescent health issues and for connected purposes.

Part I of the bill provides for preliminary matters including short title and commencement, interpretation and purpose and objects

Part II of the bill contains provisions on rights and responsibilities which are; right to reproductive health, freedom to determine the number of children, responsibility of healthcare providers, right of child to nutrition and healthcare, emergency medical treatment, responsibility of County Executive Committee Member, role of community health volunteers, and individual responsibility.

Part III provides for maternal and neonatal healthcare, access to facilities & services, compulsory antenatal care, termination of pregnancy, maternity services, HIV/AIDS awareness and counselling, compulsory clinic for a child

Part IV contains provisions for child health services which include responsibility for child health, access to medical services and immunization, general registration of children, public education on child healthcare, children living with HIV/AIDS, right to adolescent friendly reproductive health services, mentorship and counselling, policies & strategies for adolescent health

Part V establishes the Committee responsible for coordination of service delivery, its functions, meetings of the committee, stakeholder forums

Part VI establishes the Siaya County Reproductive Health Fund, sources of funds, administration of the Fund, Fund Activities, Financial Year, Financial Report, Winding Up of the Fund

Part VII provides the miscellaneous provisions, the power to make regulations.

BENARD ADALLA,
Member of County Assembly.

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