

SPECIAL ISSUE

COUNTY ASSEMBLIES FORUM (CAF)
P. O. Box 73552 - 00200,
NAIROBI, KENYA

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KISII COUNTY GAZETTE SUPPLEMENT

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COUNTY ASSEMBLIES FORUM (CAF)
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THE KISII COUNTY N.H.I.F. SUPPORT BILL, 2015

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THE KISII COUNTY N.H.I.F. SUPPORT BILL, 2015

A Bill for

AN ACT of the County Assembly of Kisii to bring vulnerable members of the society in the County under the social protection of the N.H.I.F. and related purposes

ENACTED by the County Assembly of Kisii as follows—

PART I-PRELIMINARY

1. This Act may be cited as Kisii County N.H.I.F. Support Act, 2015. Short title.

2. This Act applies within the jurisdiction of Kisii County. Application.

3. This Act shall commence not later than fourteen days from its enactment.

4. In this Act, unless the context otherwise requires — Interpretation.
 “adult” means an individual who has attained the age of eighteen years;

“child” means any person below the age of eighteen;

“county government subsidy” means the amount of money set by the County Government to support the needy and vulnerable persons pay their N.H.I.F. subscriptions;

“economically vulnerable” means economically disadvantaged persons and includes: low-income earner, children, the elderly, the homeless, the sick, physically challenged and those with severe mental illness;

“government” means the Kisii County Government as established by Article 6 and First Schedule to the Constitution of Kenya, 2010 and the County Governments Act;

“informal sector” means self-employed persons and includes, business people, farmers among others;

“N.H.I.F.” means the National Health Insurance Fund established under the N.H.I.F. Act No. 8 of 1999;

“other health insurance policy” means Insurance Policies established under the Insurance Act, Cap. 487, laws of Kenya and other relevant laws of Kenya;

“resident of Kisii County” means any person who lives in Kisii County or is a voter registered in Kisii County and includes children of such people;

“subscription” means the amount of money payable by policy holders periodically as may be set out by the N.H.I.F. Act or Regulations.

PART II—KISII NHIF SUBSCRIPTION

5. (1) The County Government may give subsidies to support the economically vulnerable residents of Kisii County take a medical insurance policy under the NHIF or other Health insurance Policy in Kenya.

N.H.I.F.
subscription

(2) Every child shall be covered under the policy taken out by Child’s parent or guardian or any other person whom at the time being is responsible for the child’s welfare.

(3) The parent or guardian referred to in subsection 2 shall pay such reasonable amount as set out by the N.H.I.F. less Government subsidy in accordance with section 7 of this Act.

6. (1) Social welfare groups including, youth, persons with disabilities and women groups may collectively take out NHIF policy;

Group
subscription.

(2) The groups shall pay N.H.I.F. monthly subscription for individual group members or their households.

7. (1) There is established in every subcounty a Sub County Social Protection Committee.

Establishment of
sub-county Social
protection
committee.

(2) Every SubCounty Social Protection Committee shall consist of five persons.

(3) The Chairperson and members of the Sub-county Committees shall be appointed by the Executive Committee Member in charge of Culture and Social services.

(4) The committee shall identify the vulnerable persons from each subcounty who may benefit from Government Subsidy.

(3) Every Sub-county Committee shall submit to County Executive Committee Member in-charge of

Culture and Social Services a list of beneficiaries for approval and adoption.

PART III—ESTABLISHMENT OF SOCIAL PROTECTION SUB-COUNTY COMMITTEE

8. (1) The committee shall consist of—

Composition of committee.

- (a) the sub-county administrator who shall be the Chairperson;
- (b) one person representing persons living with disabilities from the sub-county;
- (c) one person representing the youth groups from the sub-county;
- (d) one person representing women groups from the sub-county; and
- (e) the sub-county culture Co-ordinator or his or her representative, who shall be the secretary.

(2) The Members of the committee other than the Chairperson and the secretary shall hold office for a period of three years and shall be eligible for re-appointment for a further period of three (3) years. Where the office of a Chairperson or Member becomes vacant for any reason the secretary shall forthwith notify the vacancy to the Executive Committee Member in-charge of Culture for replacement.

9. (1) Nothing in this Act shall be construed to contradict the N.H.I.F Act No. 8 of 1999.

County Cooperation with NHIF.

(2) The County Government shall cooperate with and rely on the administrative structures of the National Health Insurance Fund.

PART IV—MISCELLANEOUS PROVISIONS

10. (1) Any person who knowingly gives false information to the committee or any officer or person in order to receive a benefit under this Act which he or she could not otherwise be entitled to commits an offence;

Offence for giving false information.

(2) A person guilty of an offence under this section, on conviction is liable to imprisonment for a period not exceeding three months or a fine of Kenya Shillings five or both.

11. The Executive Committee Member may make regulations for the better carrying out of this Act and without prejudice to the foregoing generality, such regulations may provide for—

Regulations.

- (a) the granting of subsidy to deserving members of the society;
- (b) the rules governing any action under this Act.

12. (1) The County Government may make a budgetary allocation for social protection.

Budgetary
Allocation of
Subsidy by
County
Government.

(2) The County Government may subsidize by fifty per cent or such other proportion of the monthly subscription payable by vulnerable households.

(3) The County Government shall review its subsidies from time to time.

MEMORANDUM OF OBJECTS AND REASONS

The principal purpose and objectives of this Bill is to bring vulnerable members of the society in the County residents under the social protection of the **N.H.I.F.** and related purposes.

PART I of the Bill provides for preliminary matters including the short title to the Bill, application, commencement and the interpretation of words and expressions used in the Bill.

PART II of the Bill provides for subsidy in N.H.I.F. subscription, group subscriptions, County Government subsidy and cooperation with N.H.I.F.

PART III of the Bill provides for the establishment and composition of Sub-county Social Protection Committees.

PART IV of Bill contains miscellaneous provisions and specifically provides for making of Regulations by the Executive Committee Member, offences and Budgetary allocation for social protection subsidy.

The enactment of this Bill will occasion some additional expenditure of public funds which shall be provided for in the county Budget.

Statement on Delegated Powers to Legislate

The Executive Committee Member responsible for culture is empowered make necessary Regulations for the better functioning of various provisions of the Act.

Statement That the Bill is not a Money Bill Within the Meaning of Article 114 of the Constitution

This Bill is not a Money Bill within the meaning of Article 114 of the Constitution of Kenya, 2010.

Dated the 27th November, 2014.

WILFRED MONYENYE YOGI,
Chairman, Health Services Committee.