

SPECIAL ISSUE

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REPUBLIC OF KENYA

***KISII COUNTY GAZETTE
SUPPLEMENT***

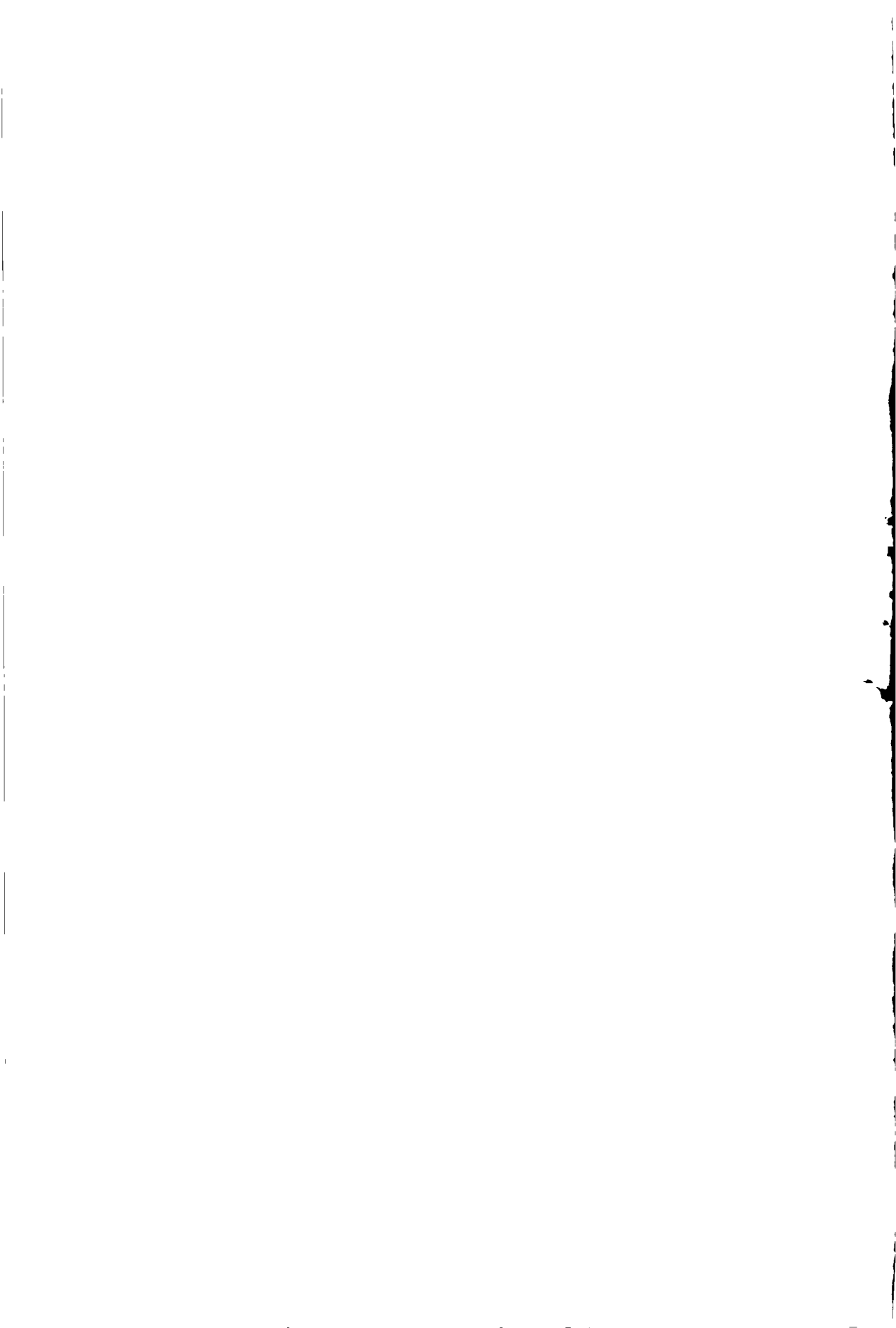
ACTS, 2015

NAIROBI, 4th September, 2015

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THE KISII COUNTY NHIF SUPPORT ACT, 2015

AN ACT of Kisii County Assembly to bring vulnerable members of the society in the County under the social protection of the NHIF and for related purposes

ENACTED by Kisii County Assembly as follows—

PART I—PRELIMINARY**Short title**

1. This Act may be cited as Kisii County NHIF Support Act, 2015.

Application

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

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

Interpretation

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

“Adult” means an individual who has attained the age of eighteen years;

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

“Committee” means Ward Social Protection Committee established under section 7 of this Act;

“County Government Subsidy” means the amount of money set by the County Government to support the needy and vulnerable persons pay their NHIF 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;

“NHIF” means the National Health Insurance Fund established under the NHIF Act No. 8 of 1999;

“Other Health Insurance Policy” means Insurance Policies established under the Insurance Act, Cap. 487, Law 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 NHIF Act or Regulations.

PART II—KISII NHIF SUBSCRIPTION

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;

(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 NHIF less government subsidy in accordance with Section 7 of this Act.

Group subscription

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

(2) The groups shall pay NHIF monthly subscription for individual group members or their households.

PART III—ESTABLISHMENT OF WARD SOCIAL PROTECTION COMMITTEE

Establishment of Ward Social protection committee

7. (1) There is established in every Ward a Ward Social Protection Committee.

(2) Every Ward Social Protection Committee shall consist of seven persons.

(3) The Chairperson and members of the Ward Committees shall be appointed by the Executive Committee Member in charge of Culture and Social services with the approval of the County Assembly, taking into account gender balance and the diversity of the community in the Sub-county.

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

(5) Every Ward committee shall submit to County Executive Committee Member in charge of Culture and Social services a list of beneficiaries for approval and adoption.

(6) Every Ward Committee shall while submitting the list to the Executive Committee Member give its recommendation on the proportion of subsidy or monthly subscription each beneficiary shall be entitled to get.

(7) The County Executive Committee Member while approving and adopting the list of beneficiaries shall not disqualify any beneficiary except with the advice of the Ward Committee.

(8) The Governor may submit additional names of beneficiaries not exceeding one hundred persons provided that the names submitted by the Governor may be representative of all the regions of the county and take into account gender balance and the diversity of the community in the County.

Composition of committee

8. (1) The Committee shall consist of—

- (a) a Chairperson who shall be elected members by members of the Committee and appointed by the Executive Committee Member;
- (b) one person representing persons living with disabilities from the Ward;
- (c) one person representing the youth groups from the Ward;
- (d) one person representing women groups from the Ward;
- (e) two members of the public;
- (f) the Ward Administrator or his or her representative, who shall be the Secretary;
- (g) the sub-county Medical Officer of health or his or her representative appointed in writing; and
- (h) the area Member of County Assembly who shall be the patron.

(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 years.

(3) 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.

County Co-operation with NHIF

9. (1) Nothing in this Act shall be construed to contradict the NHIF Act No. 8 of 1999.

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

PART IV – MISCELLANEOUS PROVISIONS**Offence for giving false information**

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;

(2) A person guilty of an offence under this section, on conviction is liable to imprisonment for a period not exceeding 3 month or a fine of Kenya Shillings five thousand or both.

Regulations

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—

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

Budgetary Allocation of Subsidy by County Government

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

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

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

