

# CHAPTER H4 - HOSPITAL FEES LAW

## ARRANGEMENT OF SECTIONS

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## HOSPITAL FEES LAW

**A Law to fix the scale of charges for medicines, etc., in hospitals in the State.**

[KWS 12 of 1984, No. 4 of 2006.]

[Date of commencement: *2nd July*, 1984]

### 1. Short title

This Law may be cited as the Hospital Fees Law, 1984, and shall come into force on the 2nd day of July, 1984.

### 2. Interpretation

In this Law, unless the context otherwise requires—

**"Commissioner"** means the State Commissioner charged with the responsibility for Health;

**"Governor"** means the Governor of the State;

**"hospital"** means any hospital, dispensary, health centre, maternity centre, clinic, or any other institution of like manner established by the State Government;

**"servant"** means a person who is employed to perform services for another, and who is subject to such other's control or right to control as regards his physical conduct in the performance of such services; and

**"State"** means the Kwara State of Nigeria.

### **3. Regulations on fees or charges in hospitals**

The Governor may by regulations provide for the following matters—

- (a) fixing the scale of fees or charges to be paid by patients, or classes of patients obtaining medicines, or surgical appliances at, or receiving attendance or treatment in any hospital;
- (b) the terms and conditions on which patients may obtain medicine and surgical appliances at hospitals, or may be received into hospital; and
- (c) generally for carrying out the purposes of this Law.

### **4. Fees to whom payable**

- (1) Fees to whom payable

All fees or charges payable in pursuance of any regulation made under this Law shall be paid to the medical officer in-charge of the hospital or such other person appointed by the Commissioner for such purpose.

- (2) All monies due or payable in pursuance of any regulation made under this Law, which are not so paid, may be sued for and recovered by the Accountant-General of the State.

- (3) In any such suit or legal proceedings, a statement signed by the medical officer in charge of the hospital to which such debt is due shall be admitted in evidence in evidence without proof of the signature and shall be *prima facie* evidence of the amount due.

### **5. Liability of employer for charges payable in respect of a servant**

The employer of a servant who shall have received any medical or surgical attendance at, or shall be admitted as a patient in a hospital, even though not upon the request of the employer, shall be liable to pay any monies payable in pursuance of any regulation under this Law in respect of such servant in the cases following—

- (a) if the servant shall have been injured in the course of his employment; or
- (b) if the employer is under a legal obligation to supply the servant with medicine or medical attendance; or
- (c) if the servant shall have been brought to the hospital at which he received medical attention by, or at the expense of the employer.

### **6. Penalties for unlawfully obtaining or disposing of medicines**

Any person, who—

- (a) disposes of any medicine or surgical appliance obtained by him from a hospital without payment; or

(b) by any false representation obtains without payment or at reduced rate of payment any medicine, surgical appliance, attendance or treatment at a hospital, shall be guilty of an offence and shall be liable on conviction to a term of three months imprisonment or to a fine of five thousand naira in addition to paying for the medicine, surgical appliance, attendance or treatment at the highest rate prescribed by or under any regulation made under this Law.

[No. 4 of 2006.]

7. ....

[No. 4 of 2006.]

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#### SUBSIDIARY LEGISLATION

*No Subsidiary Legislation*