

CHAPTER K24 - KWARA STATE HOSPITAL FEES (EXEMPTION) LAW

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SCHEDULE

KWARA STATE HOSPITAL FEES (EXEMPTION) LAW

A Law to exempt certain categories of hospital patients from payment of fees.

[K.WS 8 of 1991, No. 4 of 2006.]

[Date of commencement: *26th April*, 1991]

1. Short title

This Law may be cited as the Kwara State Hospital Fees (Exemption) Law.

2. Interpretation

In this Law unless the context otherwise requires—

"accident victims" means any person involved in an unfortunate event or circumstances resulting from carelessness, unawareness or unexpected happening causing injury or any loss to the person, such as persons involved in an automobile, fire, water or any other form of accident;

"certified paupers" means any person of very low means of livelihood who has been so certified under section 6 (2) (*a*) of this Law;

"chronic illness" includes tuberculosis, cancer, Aids and diabetes;

"Commissioner" means the State Commissioner charged with the responsibility for health matters;

"committee" means the committee established under section 4 subsection (1) of this Law;

"emergency cases" includes accident victims and delivery cases in any maternity hospital;

"Fund" means the sums of money earmarked for the purpose of this Law;

"Governor" means the Governor of the State;

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

"Medical officer" means a medical doctor or personnel employed by the Government charged with the responsibility of over-seeing all the medical needs of a hospital;

"scheme" means the activities and services of the Committee under this Law;

"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;

"State" means the Kwara State of Nigeria; and

"terminal cancer cases" means diseases that medical doctors consider incurable and which may lead eventually to the death of the patient.

3. Power to medical officers

All medical officers in charge of any hospital are hereby empowered to give prompt treatment and attention to the following categories of patients referred to them without making the payment of medical fees a pre-condition—

- (a) certified paupers and destitutes;
- (b) all emergency cases including all forms of accident victims;
- (c) prison inmates including those convicted and those awaiting trial;
- (d) all patients with chronic illnesses requiring long stay in the hospital where it is properly certified by the committee that the patient can no longer cope with the payment for his treatment or any fees listed in section 6 (2) (b) of this Law.

4. Establishment of the Committee

(1) There is hereby established for the proper management and accountability of the Fund, a committee in each hospital comprising of the following members—

- (a) the medical officer in charge of the hospital who shall be the Chairman;
- (b) the hospital Secretary;

- (c) a pharmacist in the hospital;
- (d) the most senior nursing officer;
- (e) the area social welfare officer;
- (f) a nurse in the rank of Principal Nursing Officer who shall be the secretary/co-ordinator of the activities of the scheme.

(2) Members referred to in subsection (1) above including the Chairman shall be appointed by the Governor on the recommendations of the Commissioner.

(3) The Governor may at any time remove the chairman or any other member from office.

[No. 4 of 2006.]

5.

[No. 4 of 2006.]

6. Functions of the Committee

(1) The Committee established under section 4 (1) of this Law shall be responsible for the formulation of policies and strategies for the proper and effective management and accountability of the funds under this Law.

(2) It shall be the duty of the committee—

- (a) to approve a certification that a patient is a pauper or destitute;

the certification shall then be signed by the Hospital Secretary and the medical officer in charge as provided in Form A in the Schedule to this Law.

[Form A.]

- (*b*) to give a standard certificate as in Form B in the Schedule to a patient exempting him from paying any of the following fees—

[Form B.]

- (i) bed fees;
- (ii) operation fees;
- (iii) investigation (X-ray and Laboratory) fees;
- (iv) drug fees;
- (v) feeding fees;
- (vi) card fees;
- (vii) ambulance fees; and
- (viii) mortuary fees;

- (*c*) to prepare or draw up rules for the award of certificates referred to in subsection (2) of this section;

- (*d*) to properly educate the hospital staff about the exact purpose for which the scheme is meant to serve by organising talks, lectures and briefing in the Ministry or

seminars for field staff;

- (e) to disseminate information on the activities and usefulness of the scheme by way of publications of records, reports or other information which will enhance the activities of the Committee and maintain its public awareness;
- (f) to operate the scheme with such organisational framework as to enable it perform its functions with maximum efficiency and effectiveness.

(3) To disseminate information on the activities and usefulness of the scheme by way of publications of records, reports or other information which will enhance the activities of the Committee and maintain its public awareness.

(4) Subject to the provisions of this Law, the Commissioner may give to the Committee directives of a general or specific nature with respect to the performance of the functions of the Committee and the Committee shall comply with such directives.

(5) To operate the scheme with such organisational framework as to enable it perform its functions, with maximum efficiency and effectiveness.

7. Powers and functions of the Chairman

(1) The Chairman shall perform the following functions—

- (a) prepare and submit to the Commissioner, a monthly report of the activities and services rendered by the Committee;
- (b) submit a monthly returns of the books of accounts

maintained under the scheme to the Commissioner;

(*c*) preside over the proceedings of the Committee at its meetings;

(*d*) subject to the general policy guidelines of the Committee and the resolutions taken from time to time by the Committee, be responsible for the day to day running of the affairs of the Committee;

(*e*) give effect to the decisions of the Committee; and

(*f*) carry out such other duties as the Committee or the Commissioner may from time to time require and direct.

8. Secretary to the Committee

(1) There shall be a secretary to the Committee who shall be a firm, fit and proper person, sympathetic in nature and committed to the success of the scheme and shall be a nurse not less in rank than a Principal Nursing Officer, appointed by the Governor on the recommendation of the Commissioner.

(1) The Secretary shall—

(*a*) be responsible for recording minutes of the meetings of the Committee;

(*b*) co-ordinate all the activities of the Committee;

(*c*) present to the Committee an initial write up on a patient explaining why such a patient should be certified as a pauper or destitute or exempted from payment of certain

hospital fees after he must have duly investigated the history and family background of such patient before recommending such patient to the Committee for certification;

- (d) keep custody of the records of the proceedings and books of accounts of the Committee;
- (e) monitor and submit an evaluation report on the workings of the scheme on a weekly basis to prevent possible abuses; and
- (f) carry out such other duties as the Chairman or Commissioner may from time to time direct.

[No. 4 of 2006.]

Financial Provisions, Funds and Accounts

9. Funds of the Committee

The Committee is empowered to receive and disburse funds which shall comprise of the following—

- (a) such sums as may be provided by the State and local governments;
- (b) grants and contributions made to the Committee by the Federal Government and other Government agencies;
- (c) donations, subsidies, gifts from communities, organisations, associations, clubs and individuals;

- (d) revenue realised by the Committee from its debt recovery programme and services;
- (e) revenue accruing to the Committee from any other sources whatsoever.

10. Accounts and audits

(1) The Committee shall keep proper records, books and statement of accounts relating to the income and expenditure of the Committee, including its balance sheet for each financial year.

[Form C]

(2) All prescriptions and services rendered must be properly documented and accounted for by the Committee.

(3) Records of services rendered and payment made from the Fund to the emergency section of the hospital and wards and the materials and services rendered in out-patient department must be properly documented and accounted for by the Committee.

(4) Reimbursements by patients for the services rendered and materials used for the patients especially in emergency cases must be vigorously pursued by the Committee and all patients shall be required to fill Form C in the Schedule before their discharge from the hospital.

[Form C.]

(5) The accounts of the Committee shall as soon as may be after the end of each financial year be audited by the Auditor-General of the State.

[No. 4 of 2006.]

(6) The Auditor-General shall at all times have access to all the books,

records, returns, statements and other documents relating to the accounts of the Committee, and every member of the Committee and staff of the Committee shall give such information to the Auditor-General as he may require.

[No. 4 of 2006.]

(7) The Committee shall as soon as may be after the end of each financial year submit to the Governor through the Commissioner, a report on its activities and services for that financial year, and the annual statement of accounts of the Committee including its balance sheet for that year together with the report of the Auditor-General thereon.

[No. 4 of 2006.]

Meetings

11. Meetings of the Committees

(1) The Committee may at such date, time and place as the Chairman may decide, hold any meeting for the transaction of its business:

Provided that the Committee shall hold its meeting at least once in every month.

(2) The Chairman may at any time on his own motion and shall upon requisition of any four other members, convene a meeting of the Committee to transact any business specified on the notice of such meeting.

12. Presiding at meetings

(1) The Chairman shall preside at any meeting of the Committee and in his absence, the members present shall elect one of their numbers to preside at such meeting.

(2) The person presiding at such meeting shall have a second and casting vote.

13. Quorum

A meeting of the Committee shall not proceed to business unless there is a quorum present; and four members present at such meeting shall form a quorum.

14. Co-option of members

Where upon any occasion or circumstance, the Committee desires to obtain the advice of any person or body on any particular matter, the Committee may co-opt such person, persons or body to be a member for such meeting or meetings as the Committee may require, and such person shall have all the powers and privileges of a member except that he shall not be entitled to vote on any question.

15. Validity of proceedings

The proceedings of the Committee shall not be vitiated by reason of any defect in the appointment of any member, or the absence of any member or that a person not so entitled has taken part in such proceedings.

16. Standing orders

The Committee may make standing orders to regulate its proceedings and those of any subcommittees.

PART III

Miscellaneous Provisions

17. Exemption of staff and families

No staff of the Hospital or their families shall be eligible to benefit from this scheme.

18. On no account shall any part of the Fund under this Law be loaned out to any staff or persons whatsoever.

19. Materials and drugs obtained from the store and pharmacy of each hospital must be properly accounted for by the appropriate officer before getting fresh supplies.

SCHEDULE

[Section 6 (2) (a).]

[No. 4 of 2006.]

FORM A

HOSPITAL FEES (EXEMPTION) LAW

Application and Certification Form for a Patient Declared to be a Pauper or Destitute

To: The Chairman, Committee for the Hospital Fees (Exemption).

Law _____ at

.....

Application is hereby made on behalf of

.....

.....

....

(Name of patients)

as follows:

Name of patient
..... Nature of his
ailment Address
of patient Full
residential address or home town and particulars of parents of patient

.....
.....
.....

FORM A—*continued*

.....
.....

Short history of patient

.....
.....
.....
.....

Certification needed

.....
.....
.....

When admitted into hospital

.....
.....
...

Date of application

.....

.....

Secretary to the Committee

Approved and certified as

.....

This day of , 20

.....

By the—

.....

.....

Hospital Secretary

Medical Officer in charge

FORM B

[Section 6 (2) (b).]

Exemption Form

Name of patient

.....

Nature of ailment

.....

.....

.....

Date admitted to hospital

.....

Address of patient

.....

.....

.....

Short history background of patient

.....
.....
.....
.....

The Committee has approved and exempted the patients from any of the following—

(Tick whichever is appropriate)

(*a*) bed fees

.....

(*b*) operation fees

.....

(*c*) investigation (x-ray and laboratory) fees

.....

(*d*) drug fees

.....

(*e*) feeding fees

..... (*f*) card fees

.....

(*g*) ambulance fees

.....

(*h*) mortuary fees

.....

FORM B—*continued*

Exemption is hereby granted to the patient from the items listed above in

.....
.....
.....

(*Specify the number*)

.....
.....
Full particulars of area of exemption
.....
.....
.....
.....
Date
.....

.....
Secretary to Committee
.....
.....
Hospital Secretary Medical Officer in charge

FORM C
[Section 10(4).]

Reimbursements by Patient Form

Name of patient
.....
Address of patient
.....
Nature of ailment
.....
Date admitted to hospital

.....
Name of next-of-kin

.....
Date Discharged from hospital

.....
.....
.....

Particulars of payments made, services rendered and materials used for the
patient from the Fund with dates

.....
.....
.....
.....
.....
.....
.....

Particulars of any reimbursements made by or on behalf of the patient (if
any)—

.....
.....

(specify the amount, date of payment and by whom made)

.....
.....
.....

If no reimbursements at all, state total indebtedness of the patient

.....
.....
...

I accept that sum of money and materials were
expended

FORM C—*continued*

on me while on admission at Hospital and I give an undertaking
and
promise to reimburse the Hospital Committee immediately I am fit, well and
discharged from the Hospital.

Made thisday of , 20
.....

.....

*Signature or thumb print
impression of Patient*

Witness to patient's undertaking—

Signature

.....

(relations, friend or next-of-kin of patient)

Name

.....

Address

.....

Occupation

.....

I undertake to pay the sum of for and
on
behalf of
.....

(name of patient)

whenever I am called upon to do so.

.....

Signature (next-of-kin or
relation to Patient)

.....

.....

Hospital Secretary

Medical Officer in charge

CHAPTER K24
KWARA STATE HOSPITAL FEES (EXEMPTION) LAW

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
