

December 18, 2018. - DECREE n° 18/049 on the creation, organization and functioning of the Agency national clinical engineering, information and health computing, "Aniciis" in acronym (JORDC., 1 « February 2019, No. 3, col. 16)

The Prime Minister,
Having regard to the Constitution, as amended by Law 11-002 of 20 January 2011 revising certain articles of the Constitution of the Democratic Republic of the Congo of February 18, 2006, especially in its article 92 ;
Considering ordinance 17.004 of April 7, 2017 appointing a Prime Minister;
Having regard to ordinance 17.005 of 8 May 2017 appointing deputy prime ministers, ministers of state, ministers, deputy ministers and vice-ministers as amended by ordinance 18.014 of 15 February 2018 on technical reorganization of the Government;
Considering the ordinance 17.024 of July 10, 2017 relating to the organization and functioning of the Government, modalities of collaboration between the President of the Republic and the Government as well as between members of the Government;
Considering the ordinance 17.025 of July 10, 2017 fixing the attributions of the ministries;
Considering resolutions WHA 58.28 (2005), AFR / RC56 / R8.7 (2010), WHA66.26 (2013) and AFR / RC63 / 9 (2013) of the World Health Organization (WHO);
Considering the need to assess the use of digital technologies for health, including in systems information at national and subnational levels, in order to identify areas for improvement and to provide high priority, as appropriate, to development, evaluation, operation, wider application scale and wider use of digital technologies, in order to promote equitable, affordable and universal access to health for all, taking into account in particular the special needs of vulnerable groups in the context of digital health;
Considering the need to integrate digital technologies into the current infrastructures and regulations of health systems, with a view to strengthening national health priorities by optimizing platforms and services existing, for people-centered health promotion and disease prevention as well as to reduce the burden on health systems;
Considering that the interoperability of digital health tools must be guaranteed for the safety of patients and users of health systems;
On the proposal of the Minister of Health;
The Council of Ministers heard;
Decreed:

Title I «

OF CREATION AND MISSIONS

- Art. 1. « A public service with administrative and financial autonomy called "National Agency for Clinical Engineering, Information and Health Informatics", in acronym "Aniciis".
- Art. 2. The Aniciis is placed under the direct authority of the Minister having health in his attributions.
- Art. 3. The headquarters of Aniciis are located in Kinshasa.
- Art. 4. The mission of Aniciis is the development of health informatics in the Democratic Republic of the Congo.
Health informatics includes digital health, e-health, e-health, e-health, connected health, telemedicine, telehealth, medical robotics, massive and / or open health data, digital mapping health, the use of drones in the health supply chain, the maintenance of biomedical equipment, the bioinformatics, predictive medicine, etc.
- Art. 5. Pursuant to the provisions of article 4 above, Aniciis is responsible for:

- ensure the digital / digital coordination of the health information system by bringing together all the skills technological in one place;
- set up an electronic health system;
- ensure the harmonization and standardization of acquisition and implementation processes, software and equipment informatics and biomedical in the field of health;
- promote research in the field of computer and communication technologies applied to the sector health;
- contribute to initial and continuing training in health informatics;
- contribute to scientific and technical information on health informatics;
- ensure communication on telehealth and medical informatics (digital health);
- design and implement information, education and communication programs with a view to mobilizing social action of populations around priority public health actions and digital coordination of the information system health in the Democratic Republic of the Congo;
- ensure the forecast and application of contractual clauses on the transfer of skills on all equipment biomedical acquired on behalf of health establishments;
- ensure the safe use of biomedical equipment for patients;
- provide services in the field of its competence;
- provide technical and scientific support to structures in the field of digital health.

- Art. 6. In carrying out its mission, Aniciis establishes consultative and collaborative relations with public bodies, or private, and concludes, under the authority of the Minister having health in his attributions, adequate legal acts.

Title II

ADMINISTRATIVE AND MANAGEMENT BODIES

- Art. 7. Aniciis is managed by a director general, assisted by one or more directors and a scientific committee.

Chapter I «

The general direction

- Art. 8. The general manager is appointed, relieved and, where applicable, removed from office by order of the chairman of the Republic, on the proposal of the Government deliberated in the Council of Ministers.
The Director General can only be suspended by the Minister having health in his or her attributions.
- Art. 9. Directors are responsible for their services, they are appointed, relieved and, where applicable, dismissed from their functions by the minister having health in his attributions.
- Art. 10. The detailed organization chart of Aniciis is set by the minister having health in his attributions on the proposal of the director general.
- Art. 11. The Director General organizes, directs, coordinates and controls all the activities of Aniciis.
As such, it has all the necessary powers recognized by the laws and regulations in force with a view to the accomplishment of the missions referred to in articles 4 and 5 of this decree.
It manages human and financial resources, as well as movable and immovable property, present and future, put at the provision of the Aniciis.
He draws up a multi-year strategic plan and proposes at the beginning of each year to the Minister responsible for health in his attributions.
At the end of the year, he presents to the minister responsible for health in his attributions the evaluation report of the measures referred to in paragraph 3 above.
- Art. 12. The director general delegates, where applicable, part of his powers, as the case may be, to the directors who render them to him account.

Chapter II

The Scientific and Technical Committee

- Art. 13. The scientific and technical committee is responsible for:
- give its opinion on the study and research program in order to ensure their adequacy with the needs in the areas of competence and missions of the Agency;
 - carry out a scientific evaluation of the results of studies and research;

- support the writing of manuscripts, the identification of journals / scientific journals, publications and the organization of scientific days;
- provide the Agency with all the scientific and technical support necessary for the execution of the programs.

- Art. 14. The scientific and technical committee is chaired by a scientific personality with proven competence in telehealth, and health informatics and communication for health, chosen by the supervisory authority.
It is composed of:
- a representative of the Directorate-General for Disease Control;
 - a representative of the National Institute of Statistics;
 - a representative of the Post and Telecommunications Regulatory Authority;
 - a representative of the National Geographic Institute;
 - a representative of the faculties of medicine;
 - a representative of the faculties of pharmacy;
 - a representative of the National Ethics and Life Sciences Committee;
 - a representative of the National Social Security Fund;
 - a representative of public health care establishments;
 - two representatives of public university clinics;
 - a representative of the National Institute for Biomedical Research.
- Art. 15. The members of the scientific and technical committee are appointed by the Minister responsible for Health.
The committee can call on any person because of their specific skills.
- Art. 16. The scientific and technical committee meets in ordinary session once every six months, convened by its chairman.
It meets in extraordinary session, whenever necessary, when convened by its chairman or at the request of both third (2/3) of its members.
The secretariat of the scientific and technical committee is provided by the management of the National Agency for Clinical Engineering, health information and informatics, Aniciis.
- Art. 17. The members of the scientific and technical committee receive communication of all scientific documents, studies and research results from Aniciis.

Title III

RESOURCE

Chapter I «

Material and financial resources

- Art. 18. The resources of Aniciis come in particular from:
- an initial allocation of movable and immovable property affected by the State;
 - allocations from the state budget;
 - allocations from universal health coverage funds or its equivalent;
 - income from its services;
 - financial products from the alienation of movable and immovable property;
 - donations, bequests and subsidies other than those from the State;
 - funding from technical and financial partners.

Chapter II

Human resources

- Art. 19. The staff of Aniciis includes agents under the status of public officials of the affected State and agents under contract.
The staff under statute are assigned by the minister having health in his attributions on proposal of the director general.
Agents under contract are recruited by the Director General on a competitive basis.
The salary scale of Aniciis staff is set by the Minister having health in his or her attributions on proposal of the director general.
It is equitable between the two categories of personnel indicated in the paragraph of this article.

Title IV

SUPPLIES AND WORKS MARKETS

- Art. 20. Public contracts, supply and works contracts are awarded in accordance with the law on contracts public .

Title V

OF THE HIERARCHICAL POWER

- Art. 21. Without prejudice to the administrative and financial autonomy granted to Aniciis, the Minister having health in his powers exercises, in accordance with the laws and regulations in force, hierarchical control over the acts and personnel of this service.
- Art. 22. Hierarchical control over the personnel is exercised in the form of the power of instruction. It results in the issuance of orders service and circulars for the proper functioning of Aniciis services.
- Art. 23. Hierarchical control over acts is exercised, as the case may be, by way of prior notice, annulment, reformation and substitution of decisions taken by the authorities of the general management.
The Minister having health in its attributions exercises control provided for in paragraph 1 « of this article either as a result of a appeal, or on its own initiative.

Title VI

FINAL PROVISIONS

- Art. 24. All previous provisions contrary to this decree are repealed.
- Art. 25. The Minister of Health is responsible for the execution of this decree which comes into force on the date of its signature.

Done in Kinshasa, December 18, 2018.

Bruno Tshibala Nzenzhe

Oly Ilunga Kalenga

Health Minister