

SPECIAL ISSUE

Kenya Gazette Supplement No.

December, 2020

(Legislative Supplement No. 1)

LEGAL NOTICE NO.

THE BUNGOMA COUNTY HEALTH SERVICES ACT

(No.5 of 2019)

THE BUNGOMA COUNTY COMMUNITY HEALTH VOLUNTEERS, REGULATIONS, 2020

Arrangement of Regulations

1—Citation

2—Interpretation

3— Establishment and Registration of Community Health Units

4— Establishment of the County Community Health Services Technical

Advisory Committee

5- Appointment of the County Community Health Services Technical

Advisory Committee

6— Functions of the County Community Health Services Technical
Advisory Committee

7- Establishment of Sub County Health Services Technical Advisory
Committee

8- Functions of Sub County Health Services Technical Advisory
Committee

9- Appointment of the Sub County Health Services Technical
Advisory Committee

10- Roles of the Community Health Assistants

11 – Establishment and training of the Community Health Committee

12 – Functions of the Community Health Committee

13—Nomination and Appointment of Community health Volunteers

14— Qualifications for appointment as a Community Health Volunteer

- 15 - Training of Community Health Volunteers
- 16— Responsibilities of Community Health Volunteers
- 17 - Scope of Community Health Volunteer operations
- 18 - Duration of the service
- 19— Prohibited acts
- 20— Remuneration of Community Health Volunteers
- 21— Removal from service
- 22— Financial Provisions
- 23 - Transition

THE BUNGOMA COUNTY HEALTH SERVICES ACT

(No.5of 2019)

IN EXERCISE of the powers conferred by Section 50 of the Bungoma County Health Services Act (No. 5 of 2019), the Bungoma County Executive Committee Member for Health makes the following Regulations—

THE BUNGOMA COUNTY COMMUNITY HEALTH VOLUNTEERS, REGULATIONS,
2021

1. These Regulations may be cited as the Bungoma County Community Health Volunteers, Regulations, 2021. Citation

2. In these Regulations, unless the context otherwise requires —

"basic health-care" means the minimum degree of health care considered to be necessary to maintain adequate health and protection from disease;

"Client" any household member receiving health services from community health services personnel.

"County" means Bungoma County;

"common ailments" includes, diarrhoea, pneumonia and malaria;

"community" means the area for which a community health unit has been established pursuant to these regulations;

Community Health Assistant/ Officer" means a formal employee of the County Government forming the link between the community and the local health facility.

"Community Health Unit" comprises of households organised in functional villages or sub-locations and formally recognised as the first tier in Kenya's health system.

"Community Health committee" means a community health committee established pursuant to these regulations; to play

the overall governance and leadership role within the Community Unit.

"Community Health Unit Annual work plan" means a cost plan with set indicators and targets that are aligned to the County health mission and vision, to guide the implementation, monitoring and evaluation of community based health activities.

"development partners" means and includes Non-Governmental Organizations, civil society groups, donors and any other well-wishers;

"Health services" include services provided through hospitals and other health-care institutions, public-health services, addiction services, emergency health services, mental-health services, home-care services, long-term care and such other health services as the executive committee member may from time to time prescribe.

"Community-based health services" means health-care services that can be provided to people in their communities and includes health education, health promotion, disease prevention, mental-health services, emergency health services, addiction services, public-health services, home care, long-term care, rehabilitation services, palliative-care services and treatment for illness and injury in relation to primary care;

"Community Health Volunteer" means a person selected by the community and willing to offer voluntary service based on a set of agreed criteria defined by the National Community Health Services Policy and has undertaken relevant basic training as per training curriculum.

"Chief Officer" means a County Chief Officer responsible for County health services appointed under Section 45 of the County Governments Act, 2012

"Executive Committee Member" means the County Executive Committee Member responsible for matters relating to health;

"Grant" includes donations, gifts from lawful sources

"Grant recipients" means the community health unit in receipt of donor funds or funds from any lawful source.

"health care professional" means a 'physician or other qualified health care professional' who is qualified by education, training, licensure/regulation who performs a professional service within his/her scope of practice and independently reports that professional service;

"household" is the smallest entity of service delivery in a community health unit;

"out of pocket expenses" are incidental expenses incurred in course of duty but shall not include any loss of remuneration;

"Performance target" means a minimum monthly achievement agreed upon according to county community performance targets to be achieved by the Community Health Volunteer.

"stipend" means a monthly pre-determined amount of money paid to Community Health Volunteers having met the agreed set performance targets

- | | |
|--|---|
| <p>3. (1) There is established in Bungoma County, Community Health Units.</p> <p>(2) The Community Health Unit established shall follow the National Policy guidelines on Community Health Unit establishment.</p> <p>(3) Each Community Health Unit shall be linked to a health facility under the oversight of a Community Health Committee and there shall be ten (10) Community Health Volunteers in each Community Health Unit</p> | <p>Establishment of the County Community Health Unit</p> |
| <p>4. (1) There shall be established County Community Health services technical advisory committee</p> <p>(2) The Community Health services technical advisory committee shall be composed of nine members as follows—</p> <p>(a) one member who shall be a representative of the universities, colleges and educational institutions that may provide community health services training;</p> <p>(b) two members who shall be representatives from development partners within the County;</p> <p>(c) five members who shall be representatives appointed as follows; two from county health services one being the community health services focal person and the county director of health and one from social services, one community health volunteers and one member of the public;</p> <p>(d) one ex-officio member from the National Government Agencies</p> <p>(e) The chairperson of the committee shall be selected from among the members and at-most three names forwarded to CECM for appointment</p> <p>(f).The secretary of the committee shall be the County Community Health Services Focal person</p> | <p>Community Health Services Technical Advisory Committee</p> |

(3) Members of the Committee shall serve without compensation, but may be reimbursed for reasonable expenses incurred as a result of their duties as members of the Committee from funds appropriated by the County Assembly for that purpose;

5. The County Community Health Services Technical Functions of the Advisory Committee shall be responsible to the Chief County Officer, Department of Health and shall have the community Health Services Technical Advisory Committee following responsibilities—

(a) to ensure a coordinated, efficient, effective and consultative approach in delivery of community health services.

(b) adopt and formulate policies relating to the management of Community Health services;

(c) monitor, evaluate and review implementation of Community Health Work Plans;

(d) mobilize resources for purposes of efficient management of Community Health services;

(e) advise the Executive Committee Member and Chief Officer, Department of Health on matters of general policy; and

(f) Perform any other functions assigned to it under these regulations.

7. (1) There shall be establishment of the Sub County Establishment of Technical Advisory Committee shall be responsible to Sub County of the Sub County Medical Officer of Health and shall Technical Advisory Committee have the following responsibilities

- (a) to ensure a coordinated, efficient, effective and consultative approach in delivery of community health services.
- (b) Implement policies relating to the management of Community Health services;
- (c) monitor, evaluate and review implementation of Community Health Work Plans;
- (d) mobilize resources for purposes of efficient management of Community Health services;
- (f) Perform any other functions assigned to them under these regulations.

(2) The Sub Community Health services technical advisory committee shall be composed of **nine** members as follows—

- (a) one member who shall be a representative from educational institutions.
- (b) two members who shall be representatives from development partners within the sub County;
- (c) five members who shall be representatives appointed as follows; two from the sub county health services one being the Sub County Community health services focal person and the Sub County Medical Officer of health and one from social services, one community health volunteers and one member of the public;
- (d) two ex-officio members one being the Sub County Administrator and the Sub County Deputy County Commissioner or his representation.
- (e) The chairperson of the committee shall be selected from among the members and at-most three names forwarded to CECM for appointment
- (f).The secretary of the committee shall be the Sub County Community Health Services Focal person .

9. Roles of the Community Health Assistants shall be as outlined in the National Community Health Services Policy of 2017.

10. (1) There shall be an established Community Health Committee.

(2) The Community Health Committee shall perform the following functions:

- Provision of leadership and oversight in the implementation of health and other related community services
- Preparation and presentation of the CHU annual work-plans and operational plans to the link facility health committee
- Planning, coordinating and conducting community dialogue and health action days
- Working with the link facility to promote facility accountability to the community
- Holding quarterly consultative meetings with the link facility
- Creating an enabling environment for implementation of community health services
- Resource mobilization for sustainability

(12).The Members of CHC shall be atleast five people but not more than seven drawn from PLWD, religious groups, youths, cultural group. The CHA shall be the technical advisor and the secretary. The Treasurer shall be the CHV. The CHC shall choose its chairperson from amongst members. The chair person shall become a co-opted member of the link health facility committee

(2) Upon selection, CHC shall be trained using the nationally approved CHC training curriculum.

(13). (1) There shall be nominated by members of the community a community health volunteer for every village in a public meeting convened by the area in-charge or Community health committee.

Nomination and
Appointment of
Community health
Volunteers

(2) All residents of the respective unit are entitled to the opportunity to attend and participate in the proceedings leading to such nomination and appointment.

(3) Upon nomination, the community health volunteer shall be appointed in writing by the secretary to the Health Facility Committee

(4) The term of service of a community health volunteer will be as by guidelines as prescribed by the County Executive Committee Member.

- | | |
|---|---|
| <p>14. A community health volunteer shall perform the duties of the office for a period of time as shall be determined by the Health Facility taking into consideration the views of the community members within a community health unit.</p> | <p>Duration of the service</p> |
| <p>15. A person qualifies to be recruited as a community health volunteer if the person-</p> <ul style="list-style-type: none"> (1) is a Kenyan citizen who is between eighteen and sixty years old; (2) has been a resident of relevant community health unit (village) for a period of not less than three years immediately preceding the date the person seeks to be recruited as a community health volunteer; (3) is generally accepted by the local community as an honest and upright citizen; (4) is fluent in the predominant local community language and can communicate in English or Kiswahili. (5) undertakes in writing to provide volunteer community health services in accordance with this regulations and any guidelines provided; (6) agrees to undergo relevant training for the purpose of equipping the person with the relevant knowledge and skills necessary for undertaking volunteer community health work; and (7) has not been convicted in the immediate preceding five years, of an offence relating to integrity. | <p>Qualifications for appointment as a Community Health Volunteer</p> |
| <p>16. A community health volunteer shall-</p> | <p>Responsibilities of</p> |

- a. (1) Deliver key health messages to households as outlined in the Kenya Essential Package of Health (KEPH);
- (2) Registration of households at frequencies stipulated in current guidelines;
- (3) Guide community on health improvement and disease prevention
- (4) Treat common ailments and minor injuries with support and guidance from CHAs including the implementation of Community-based Maternal and New-born Health (cMNH) and Integrated Community Case Management of Common Childhood diseases (iCCM).
- (5) Diagnose, treat, manage or refer accordingly, common childhood illnesses such as diarrhoea, malaria, malnutrition and pneumonia.
- (6) With support from the CHA, stock the CHV kit with supplies provided through the respective link facility or other mechanisms outlined in the guidelines/strategy
- (7) Refer cases to respective link facilities
- (8) Promote care seeking behaviour and compliance with treatment and advice.
- (9) Visit homes to determine the health situation and initiating dialogue with household members to undertake the necessary action for improvement
- (10) Recognise danger signs among household members and refer as appropriate
- (11) Promote appropriate home care for the sick, supported by CHAs and link facilities
- (12) Participate in community dialogue and action days organized by CHAs/CHCs
- (13) Participate in monthly feedback meetings as organized by the CHA / CHO
- (14) Be available to the community to respond to questions and provide advice
- (15) Motivate members of the community to adopt health promoting practices
- (16) Organize, mobilize and lead village health activities
- (17) Maintain household registers and keep records of community health related events.
- (18) Report to the CHA activities they have been involved in and health problems they have encountered that need to be brought to the attention of higher levels

17. (1) A Community Health Volunteer shall serve under the general direction and guidance of the Community Health Assistant (CHA) /SCMOH
- (2) A Community Health Service Committee shall assign to a Community Health Volunteer such number of households within the community health unit as shall be prescribed by these regulations.

18. (1) A community health volunteer may not-
- (a) administer to a member of a community medication that is not authorized by legislation;
- (b) conduct deliveries for pregnant women;
- (c) negligently handle property entrusted to them for the purpose of delivering services to the community;
- (d) use tools, gadgets or properties under their custody for purposes other than delivery of volunteer health services;
- (e) solicit financial or other reward for personal gain whether or not in recognition of effort in delivering services to the community;
- (f) withdraw their services as volunteers without giving notice of intention to do so;
- (g) except in a case of emergency, enter a home or premises occupied by a person earlier than 8 o'clock in the morning or later than 6 o'clock in the afternoon;
- Prohibited acts

- (h) impersonates a health care professional
- (i) falsify any records or data collected by him in the course of duty; or
- (j) engage in other activities that may conflict with the provision of community health services.

(2) Any community health volunteer who contravenes the provisions of this section shall be subject to disciplinary sanctions which may include termination by the Health Facility Committee.

19. (1) Every community health volunteer is required, upon Training of appointment, to undergo such training as may be Community Health prescribed, for the purpose of enabling them to Volunteers discharge their functions more effectively.
- (2) The County Government shall in consultation with the National Government and other stakeholders prepare a curriculum for the purpose of training volunteer community health workers.
- (3) The County Community Health Services Committee shall-

shall –

(a) co-ordinate and facilitate the training of Community Health Volunteers.

(b) engage partners with a view to securing partners' support in the facilitation of training of Community Health Volunteers.

(4) The County Executive Committee Member may prescribe additional requirements relating to training of volunteers community health workers

20. (1) The position of a Community Health Volunteers is not a remunerative position but the person so nominated and appointed shall be paid such stipend as is sufficient to defray expenses reasonably incurred in the discharge of the functions under this regulations, and shall not be less than such sum as the County Executive Committee Member may with the advice of the County Community Health Services Committee prescribe. Remuneration of Community Health Volunteers

(2)The Executive Committee Member shall, with the consent of the Executive Committee Member for Finance, provide a stipend and National Health Insurance Cover to every community health volunteer subject to attainment of agreed upon performance target.

(3)The Executive Committee Member for Health may review the stipend provided under sub section (2) as need arises.

21. (1) The services of a Community Health Volunteer may be terminated on any of the following grounds – Removal from service

(a) inefficiency or if in breach of the terms of his/her selection;

(b)upon relocation to a different community

(c)upon conviction of a criminal offence

(d)resigns from office in writing to the chairperson of the Community Health committee

(e) upon death or if unable to discharge his or her duties due to physical or mental impairment.

(f) A Community Health Volunteer may resign from service by one month's written notice addressed to the Secretary of the relevant Health Committee.

(2) A vacancy arising in the community health unit shall be filled within a period of 30 days in accordance with the provisions of regulation 5.

22. The funds for financing the implementation of this regulations shall consist of—

Financial
Provisions

- (a) such monies as shall be appropriated by the County Assembly in each financial year;
- (b) such grants or transfers as may be received from any lawful source;
- (c) grants and donations received from development partners; or
- (d) such other monies received from national government as conditional or non-conditional grants, for services rendered to clients in accordance with the established system;

23. (1) A person who immediately before the coming into force of these regulations was a Community Health Volunteer or Health Facility Committee Member shall continue to act as such until the expiry of the duration for which the person is engaged.

Transition

(2) A person who served as a Community Health Volunteer or Health Facility Committee Member before the coming into force of these regulations and whose contract or service expires under these regulations may be re-selected in accordance with the provision of these regulation

FIRST SCHEDULE

LIST OF REGISTERED COMMUNITY HEALTH UNITS AND THEIR LINK FACILITIES

No	Community Health Unit	Link Facility
1		
2		