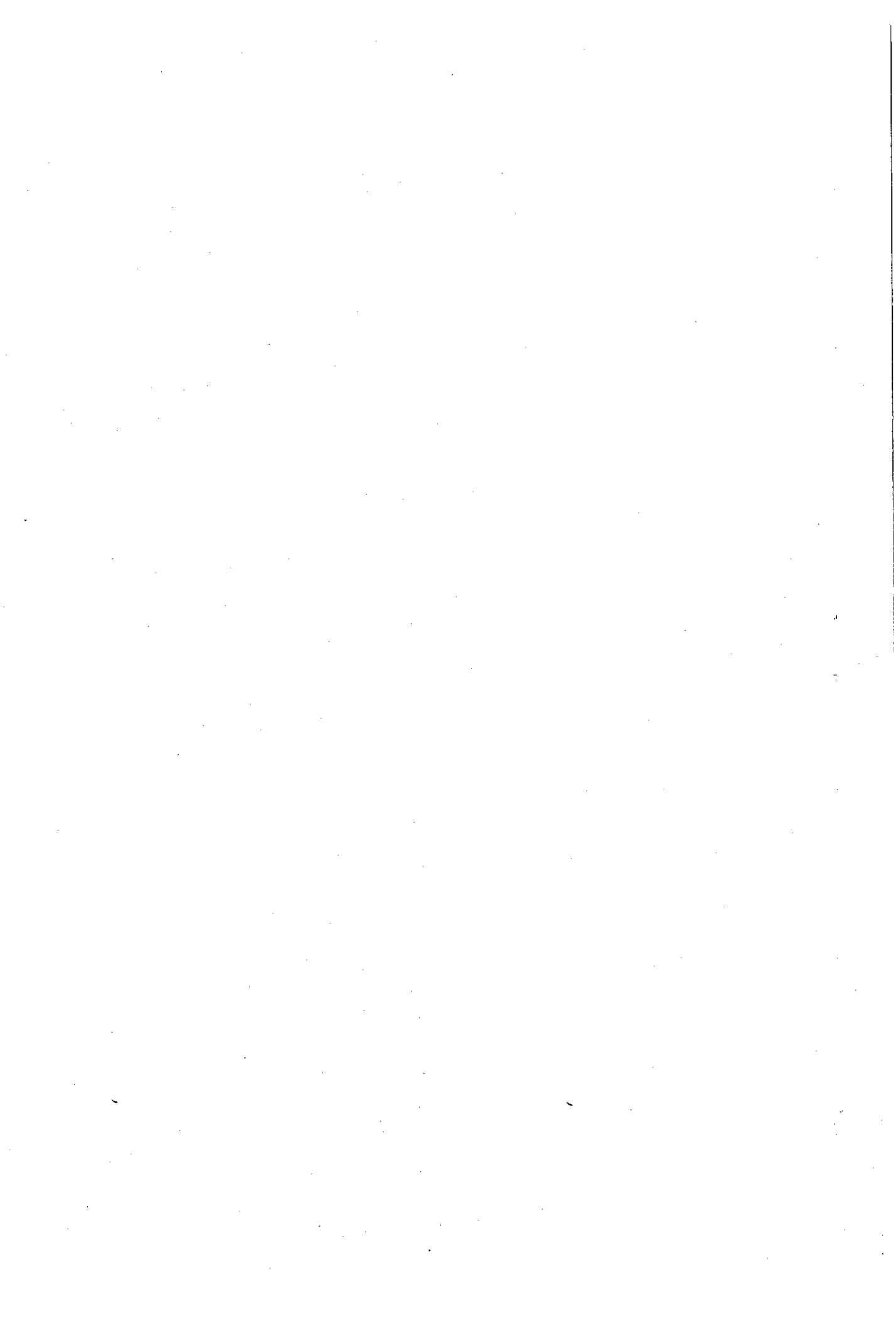


NATIONAL HEALTH ACT (AMENDMENT) BILL, 2018

ARRANGEMENT OF CLAUSES

Clause:

1. Amendment of the National Health Act 2014
2. Amendment of Section 46
3. Amendment of Section 64
4. Citation



A BILL

FOR

AN ACT TO AMEND THE NATIONAL HEALTH ACT 2014 TO REGULATE INTERNATIONAL TRIP FOR MEDICAL TREATMENT BY PUBLIC OFFICERS TO STRENGTHEN THE HEALTH INSTITUTIONS FOR EFFICIENT SERVICE DELIVERY AND FOR RELATED MATTERS

Sponsored by Hon Sergius Ogun

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1 1. The National Health Act 2014 in this Bill referred to as ("The
2 Principal") is amended as set out in this bill.

Amendment of
the National
Health Act 2014

3 2. Section 46 of the Principal Act is amended by-

Amendment of
Section 46

4 a. substituting for the existing section 46, a new "Section 46 (1) - (8)"

5 "46. - (1) A public officer of the Federal Government shall not-

6 (a) embark on medical trip abroad without approval; or

7 (b) be sponsored for medical check-up, investigation or treatment
8 abroad at public expenses except in exceptional cases on the
9 recommendation and referral by the medical board and which
10 recommendation or referral shall be duly approved by the Minister or
11 Commissioner as the case may be; or

12 (c) embark on medical trip abroad unless he satisfactorily proves to
13 the office where the officer is working, that such ailment cannot be treated in
14 Nigeria.

15 (2) A public officer desirous of traveling abroad for medical
16 treatment shall apply in writing to the Minister seeking approval to travel
17 abroad for medical treatment.

18 (3) (a) A public officer may be allowed to travel abroad for medical
19 treatment for the treatment of ailments provided for in the schedule;

1 (b) A public officer seeking to travel abroad for medical treatment
2 shall fulfill all the requirements stated in the schedule prior to approval.

3 (4) The applicant shall submit the following documents for
4 consideration by the Minister-

5 (a) A certified true copy of the doctor's report recommending further
6 treatment abroad;

7 (b) Local treatment paper consisting of the name of the hospital
8 visited and the treatment administered;

9 (c) Result of laboratory investigation conducted on the applicant;

10 (d) Sworn affidavit stating the urgency of the treatment;

11 (e) A completed request form obtained from the Minister seeking to
12 travel abroad for medical treatment.

13 (5) (a) The minister shall conduct an investigation to verify the
14 authenticity of the documents submitted for approval;

15 (b) If after the investigation under sub clause (1) it is revealed that the
16 ailment is not compelling enough to warrant overseas treatment, the minister
17 may refuse the application;

18 (c) If investigation reveals that the document is false, the minister
19 shall refuse the application.

20 (6) The Minister shall inform the applicant in writing of his approval
21 or refusal within 5 working days of submission of request or within 2 working
22 days of submission of request in case of emergency.

23 (7) (a) A public officer who receives approval to travel abroad for
24 medical treatment shall within 7 working days of his return, submit to the
25 Minister, photocopy of all the papers evidencing treatment received abroad for
26 documentation;

27 (b) The public officer shall while submitting the photocopies of the
28 treatment under sub clause 1, produce the original treatment paper for citing.

29 (8) (a) A person who contravenes any of the provisions of this Bill
30 shall, upon conviction, be liable to a fine not exceeding one million naira or a

1 term not exceeding three years, or to both;

2 (b) renumbering the sections appropriately.

3 3. Section 64 of the Principal Act is amended by inserting new Amendment of
Section 64

4 interpretation provisions:

5 "Public Officer" means elected political office holders at all levels, political
6 appointees, civil servants and government officials;

7 "Minister" means the Minister for the time being responsible for health;

8 "Terminal illness" means those diseases that cannot be cured or adequately
9 treated and that is reasonably expected to result in the death of the patient
10 within a short period of time maybe weeks, months or years;

11 "chronic disease" means disease lasting 3 months or more, that cannot be
12 prevented by vaccines or cured by medication, nor do they just disappear;

13 "Hospital" means federal government owned hospitals and medical centres;

14 "Government" means the Federal Government of Nigeria;

15 "Diaspora" means any country outside Nigeria.

16 The following ailments are categorized as chronic or terminal ailments:

17 (a) Cancer;

18 (b) Chronic liver failure;

19 (c) Chronic kidney failure;

20 (d) Aids;

21 (e) Heart failure;

22 (f) Chronic hepatitis;

23 (g) Chronic ulcer;

24 (h) Syndromes;

25 (i) Eye failure; and

26 (j) Any other ailment that may be considered chronic or terminal.

27 Requirement for approval to travel Abroad for medical treatment:

28 (a) Application in writing to the minister;

29 (b) Obtaining of approval form for a token to be prescribed by the

30 Minister;

1 (c) Submission of the completed form with document in support of
2 the application;

3 (d) Refusal or approval by the Minister in writing;

4 (e) Deposition of treatment paper after treatment; and

5 (f) renumbering the sections appropriately.

Citation

6 4. This Bill may be cited as the National Health Act (Amendment)
7 Bill, 2018.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Health Act 2014 by regulating international trip for medical treatment by public officers of the Government of the Federation to strengthen the health institutions for efficient service delivery.