

MINIMUM STANDARDS FOR HEALTH CARE FACILITIES BILL, 2021

ARRANGEMENT OF SECTIONS

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A BILL

FOR

AN ACT TO ESTABLISH THE MINIMUM STANDARDS FOR HEALTH CARE FACILITIES AND FOR RELATED MATTERS

Sponsored by Hon. Sergius Oseasochie Ogun

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1 1.-(1) The objectives of this Act is to- Objectives of
the Act
- 2 (a) Regulate the standard of facilities and premises to be used as
- 3 hospitals, health centres, dispensaries, pharmacies, labouratories and other
- 4 related health care centres;
- 5 (b) To ensure that health care facilities used by health care
- 6 providers mentioned in paragraph (a) above, meet the standard specification
- 7 for such facilities and conforms to best practices obtainable anywhere in the
- 8 world;
- 9 (c) Ensure that all such health care service providers use facilities
- 10 and premises that meet with the minimum standard of a health care centre
- 11 anywhere in the world;
- 12 (d) Ensure that health practitioners in the country carry on the
- 13 practice in compliance with best practices and acceptable standards
- 14 anywhere in the world;
- 15 (e) Ensure that all non compliant health care facilities are made to
- 16 comply with the principles of this bill forthwith, by upgrading their
- 17 operational facilities to meet with the stipulated standards;
- 18 (f) Empower the Federal Ministry of Health to regulate, oversee
- 19 and give operational license to all potential health care service providers,
- 20 before they go into operation in any place or premises.

Enforcement

1 2.-(1) It shall be the duty of the Department of Quality Assurance for
2 Health Care Facilities of the Federal Ministry of Health to enforce the
3 provisions of this bill.

4 (2) Every prospective health care service provider shall apply to the
5 Department of Quality Assurance for Health Care Facilities of the Federal
6 Ministry of Health for prior certification of fitness of the facility and premises
7 for use and authorisation, before going into operation.

8 (3) All existing health care service centres shall submit their names
9 and addresses to Department of Quality Assurance for Health Care Facilities of
10 the Federal Ministry of Health for inspection and quality assurance within
11 three months of coming into law of this bill.

Department of
Quality Assurance
for Health Care
Facilities

12 3.-(1) There is hereby created, a department to be known as the
13 Quality Assurance for Health Care Facilities, within the Federal Ministry of
14 Health to enforce the provisions of this bill and other regulations as may be
15 prescribed by the Ministry.

16 (2) It shall be the duty of the Officers of the Quality Assurance
17 Department to carry out periodic checks and verify if existing and potential
18 Health Care Facilities are in compliance with the established principles.

19 (3) The Quality Assurance Department shall adopt the standards
20 and/or principles of globally recognised Health Care Facilities Regulatory
21 Codes as basic standards for accessing the fitness or otherwise of Health Care
22 Facilities in Nigeria.

23 (4) Every prospective Health Care Facility operator shall apply to the
24 Quality Assurance Department of the Ministry for prior certification of fitness
25 of the facility and premises for use and authorisation, before going into
26 operation.

27 (5) No Operational License shall be granted to any Health Care
28 Facility operator, until such facility is certified fit by the Quality Assurance
29 Department of the Ministry.

1 4. All Health Care Services' Operational Facilities shall meet with Minimum
2 the following minimum standards: Standards

3 (1) Shall be decent, spacious, well equipped and properly sanitised.

4 (2) Shall not be run in hidden/enclosed/uncompleted
5 building/premises.

6 (3) Shall meet with the standard requirement of public utility
7 facility, with fire extinguishers installed where appropriate.

8 (4) Shall have adequate facilities and fixtures for the treatment,
9 care movement and accommodation of patients and/or its end-users.

10 (5) Shall observe basic sanitary standards like installation of wash
11 hand basins in every habitable part of the facility.

12 (6) In addition to the fore-going, they shall meet with the standards
13 to be prescribed by the Quality Assurance Department of the Ministry.

14 5.-(1) Where a Health Care Facility is found to be in breach of the Duration for
15 minimum standards enshrined herein and prescribed by the Quality Compliance
16 Assurance Department of the Ministry, such Health Care Facility Operator
17 shall be given three months within which to bring the Health Care Facility in
18 compliance with this bill and other approved regulation(s).

19 (2) Where such Health Care Facility Operator(s) fails to comply
20 within the specified period, the Facility shall be marked as UNFIT.

21 6. In this Act- Interpretation

22 "Health Care Facility" means any building or premises where medical
23 services/health care related practices are carried out;

24 "Minimum Standards" refers to the standard every health care operational
25 facility is to comply with;

26 "The Ministry" refers to the Federal Ministry of Health;

27 "Quality Assurance Department" refers to the Department of Quality
28 Assurance for Health Care Facilities of the Federal Ministry of Health;

29 "Quality Assurance Officer" refers to an Officer of the Department of

Short title

- 1 Quality Assurance for Health Care Facilities of the Federal Ministry of Health;
2 "Unfit" a term used to describe a Health Care Facility that falls short of the
3 Minimum Standards for Health Care Facilities.
4 7. This Bill may be cited as the Minimum Standards for Health Care
5 Facilities Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Health Care Facilities Minimum Standards Act, so as to provide for the basic standards to be observed by operators of Health Care Facilities in Nigeria and empower the Federal Ministry of Health to enforce such regulations and ensure nationwide compliance.