

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Tuesday, 25th April 2023.

The Assembly met at 9:36 a.m.

[The Speaker (Hon. Johnson Mukuha) in the Chair]

PRAYER

PAPER

MURANG'A MUNICIPALITY THIRD QUARTER REPORT AND STATEMENT OF
EXPENDITURE FOR FY 2020/2023.

Hon. Gladys Waikau: Hon. Speaker, I beg to lay the following Paper; -

That, the Murang'a Municipality third quarter report and statement of expenditure for year 2020/2023 be laid on the Table of this Assembly today Tuesday, April 25, 2023.

Thank you.

(Hon. Gladys Waikau laid the Paper on the Table)

The Speaker (Hon. Johnson Mukuha): Next order.

REPORT OF FINANCE AND ECONOMIC PLANNING COMMITTEE ON INTEGRATED
DEVELOPMENT PLANNING TRAINING.

Hon. Mama Kang'ata: Hon. Speaker, I beg to lay the following Paper;-

That, the Report of the sectoral Committee on Finance, Economic planning and integrated development planning training be laid on the Table of the Assembly.

The Speaker (Hon. Johnson Mukuha): Hon. Member, please lay the Papers on the Table. Let her do it. Thank you. It is done, thank you, it is laid. Just place them there. That is laying the Papers on the Table.

(Hon. Mama Kang'ata laid the Paper on the Table)

The Speaker (Hon. Johnson Mukuha): Next.

REPORT ON IMPLEMENTATION STATUS OF BUDGETED PROGRAMS FOR
DEPARTMENT OF AGRICULTURE, LIVESTOCK AND FISHERIES AND DEPARTMENT
OF ICT AND PUBLIC ADMINISTRATION.

Hon. Hillary Muigai: Hon. Speaker, I beg to lay the following Paper; -

The Report on the implementation status of the budgeted programs under the department of Agriculture, Livestock and Fisheries and department of ICT and Public Administration for the Financial Year 2022/2023 as at December 31, 2022. Thank you.

(Hon. Hillary Muigai laid the Paper on the Table)

The Speaker (Hon. Johnson Mukuha): Thank you Hon. Hillary, next order.

NOTICE OF MOTION

ADOPTION OF REPORT OF FINANCE AND ECONOMIC PLANNING COMMITTEE ON
SITE VISIT ON OWN SOURCE REVENUE COLLECTION AND MANAGEMENT.

Hon. Gladys Waikau: Hon. Speaker, I beg to give the notice of the following Motion; -

That, this Assembly adopts the Report of the sectoral Committee on Finance and Economic Planning on fact finding site visit on own source revenue collection and management, laid on the Table of this Assembly on Tuesday, April 11, 2023.

Thank you.

The Speaker (Hon. Johnson Mukuha): Thank you Hon. Gladys, next order.

MOTION

ADOPTION OF REPORT ON IMPLEMENTATION STATUS OF MURANG'A COUNTY
HEALTH POLICY 2022 to 2027.

Hon. Hillary Muigai: Thank you Hon. Speaker, I beg to move the following Motion; -

That, this Assembly adopts the Report of the select Committee on Implementation, on the implementation status of the Report by the Health Services Committee, on consideration of

Murang'a County Health Policy 2022 to 2027, laid on the Table of the Assembly on Wednesday, April 5, 2023.

Hon. Speaker, pursuant to Standing Order 201, the Committee on Implementation is mandated to scrutinize the resolutions of the Assembly, including adopted Committee Reports, Petitions and the undertakings given by the County Executive Committee. It is worth noting that Standing Order 195 stipulates that within 60 days of a resolution of the Assembly or adoption of a Report of a select Committee, the relevant County Executive Committee Member (CECM), under whose portfolio the implementation of the resolution falls, shall provide a Report to the relevant Committee of the Assembly in accordance with Section 39 of the County Governments Act (CGA), 2012. The resolutions range from Reports, Petitions, and Motions through to Bills. Implementation of House resolutions captured in the various Committee Reports and other legislative processes in the House, is critical in the evaluation of Assembly performance and success.

The select Committee on Implementation does not follow up on actual implementation, one hundred percent since implementation process is progressive, rather the Committee should follow up on status or extent of implementation and report to this House.

The County Assembly, in a sitting held on November 22, 2022, adopted the Report of the Health Services Committee on the Murang'a County Health Policy 2022 to 2027, and subsequently, forwarded the policy to the CECM for the Health department for implementation. In this recognition, the period within which the said CECM was expected to furnish the Committee with a report on the status of implementation of the said resolution and that period lapsed on January 22, 2023. The Committee, in a sitting that was held on January 23, 2023, resolved to write a letter requesting the said CECM to appraise it on the implementation status on the said resolution and submit a report to the Committee. The letter dated February 6, 2023 and a reminder was done on the same. The response from the CECM was received by the Office of the Clerk to the County Assembly on February 9, 2023.

The Committee, thereafter, held discussions on the said report where it held a workshop dated February 23 to 26, 2023 at Sunstar Hotel in Nairobi, as well as meetings within the precincts of the Assembly which has culminated into this Report. The Committee set out the following objectives:

- a) To determine the implementation status of the Report by Health Services Committee

on consideration of Murang'a County Health Policy 2022 to 2027.

- b) To devise the best approach of tracking the implementation status of resolutions passed by the Assembly, and those that fall under the department of Health;
- c) To advice on effective implementation of the adopted resolutions under the department of Health.

The Committee had the following findings: -

1. That, the CECM, in charge of Health failed to comply with provisions of Standing Order 195, which requires that the relevant County Executive Committee Member (CECM) whose portfolio is the implementation of the resolution to implement. So, to note that there was a failure.
2. That, while resolutions requiring action are transmitted to the County Executive for implementation, the Office of the Clerk rarely receives feedback from the Executive on the status of implementation of these resolutions. This has been compounded by lack of clear implementation modalities and feedback mechanism.
3. That, the County Executive Committee Member (CECM) in charge of Health failed to respond to recommendations number 3, 6, 7 and 8 on issues affecting health sector.
4. That, late and incomplete responses by County departments usually lead to back and forth with the Committee thus delaying reporting to this House.
5. That, lack of legal frameworks to guide government policies hampers efficient implementation and operations of policies.
6. That, inadequate budgetary allocations hinder implementation of House resolutions.

Hon. Speaker, after all those findings the Committee came up with the following recommendations:-

1. That, the sectoral Committee on Health Services to follow up and fast-track on development of Facility Fund Improvement Bill.
2. That, after adoption of this Report, the CECM for Finance and Economic Planning should respond to recommendation one and submit the required documents to the Assembly.
3. That, clear legislations should be developed to implement various County Government policies.

4. That, the County Assembly should develop an online tracking tool for the implementation of House resolutions as a matter of priority for effective follow up on implementation of House resolutions.
5. That, the House and by extension Committees should ensure all resolutions passed by the County Assembly are specific, achievable, realistic and time bound, to ensure they are implemented and for effective follow up of the same.
6. That, select Committee on Implementation to hold a joint meeting with all County Executive Committee Members and various heads of department to discuss and come up with strategies on how to address the challenges faced in the implementation of the Assembly resolutions.

I now call Honourable Gladys to second the Motion. Thank you.

Hon. Gladys Waikau: Hon. Speaker, I rise to second. Thank you.

(Question proposed)

The Speaker (Hon. Johnson Mukuha): Honourable Members the Floor is open for debate.
Hon. Chefman.

Hon. Chefman Njoroge: Thank you Hon. Speaker Sir, I rise to support the Report with two reservations which are affecting our health sector. It is about the expired drugs. Our County Government and most of our dispensaries are holding expired drugs. Some are even dated 2014 and 2017. It is becoming a concern especially when our voters go to these dispensaries. I would like it to be captured how we are supposed to dispose our expired drugs from our dispensaries down there at *mashinani* (grass root). The moment our sick people go to the hospital they were telling them the situations today there are no drugs in our hospitals but they are able to see those expired drugs on the shelves and they are being told they are expired.

On part of addition of recommendations, I will request if the Implementation Committee can capture this, by making sure that before the County Government commits itself to buy drugs, if we can have these medical camps in certain dispensaries to know the kind of diseases ailing in our people so that when we purchase these drugs, we end up not buying medicines which are not needed which again end up getting expired in our dispensaries. Again, we do not know how they

are supposed to be discarded from our dispensaries. Again, what is the cost implication of the expired drugs?

As I support the Motion, I would like it to be captured that as we speak as much we do not have drugs in our dispensaries as of now, it is matter of what are we going to do about drugs that are expired in our dispensaries; so that our members despite us having a big budget for the health sector in Murang'a County and despite us also trying to make sure that people are getting good health in our community, as the saying goes health is wealth, it is good to note if we are not able to give our people good services in terms of medical care and more of doing medical camps in either way in the sub-counties or even in ward level so that we can know when our County Government are purchasing these medicines is through the know-how of the area of the people what is ailing them so that we should not have unnecessary drugs purchase, unnecessary treatment of drugs which are not needed. As I support, those are my remarks. Thank you.

The Speaker (Hon. Johnson Mukuha): Thank you Hon. Chefman Njoroge. Hon Edwin, you want to debate? It is your time.

Hon. Edwin Wairagu: Thank you Hon. Speaker, I stand to support the Motion, it is well researched and well written. There are some areas that go directly to the Committee of Health and the CECM Health. As what Hon. Chefman has just said, I was of the same opinion about the issue of drugs. You go to any dispensary, particularly you go to my ward Gitugi, and there are a lot of drugs lying on the shelves and the counter. All of them, 75% or 90% of them are expired. We do not know why this is happening.

We can draw to your attention, Hon. Speaker, to page seven and recommendation number one, the Committee said that the CECM of Finance and Economic Planning should send a memorandum during the review of the budget 2022/2023 and ADP for the same year, on how the new program which are universal health coverage and maternal support shall be included in the current fiscal year.

After we adopt this Motion, and what I have seen, I want to join this with page ten about what the Committee has also found, that the CECM of Health failed, the issue is failed. I wonder now if we implement this or if we adopt this Motion because we are going to do so, personally I am going to do so, I really don't know what kind of force or what kind of energy we shall impose to the CECM to make sure we don't have an issue to do with a lot of drugs that are not going to be consumed by human in our hospitals. Therefore, it is upon him, now not to fail at this particular

time, to meet the Budget Committee and do as what he has been asked to do, so that we have enough finances, budgeted finances so that we are able to procure medicine from KEMSA (Kenya Medical Supplies Authority) and any other. Because we do not want the issue that our hospitals don't have drugs.

For now, there is a project we have in Nyakianga hospital, we are building a level 4 hospital as I am speaking. But majority of people will come with their patients and they are told there are no medicine. But when you look at the counters, there are medicines all over there. We do not know where these medicines are commensurate. I do not know when procurement was being done, I don't know what kind of research they did because some of these medicines are so many but they cannot be used by humans because they are all expired. In this regard I would request the Hon. Speaker, any force within the legal means to be used so that the CECM in charge of Health to make sure he implements this Report to the letter. Every word should be implemented so that our hospitals, our dispensaries shall be having enough medicine. Thank you Hon. Speaker and I say that the report is well done.

The Speaker (Hon. Johnson Mukuha): Hon. Kibaiya.

Hon. John Ngugi: Thank you Mr. Speaker sir, mine is just a concern on recommendation number two, where the Committee is asking-----

The Speaker (Hon. Johnson Mukuha): Hon. Kibaiya, do you support or don't you support the Motion? Let us start there.

Hon. John Ngugi: I support but I need a clarification, by the mover on recommendation number two, that the CECM in charge of Health and Sanitation in consultation with the CECM in charge of Finance and Economic Planning should adopt a provision of section 116 of the PFM Act on establishment of Murang'a universal coverage program fund regulations. The regulations to the Fund should be Tabled before the Assembly after approval of this policy. Mine is just a concern that there was a policy that was brought here and we approved it. Now there is a recommendation to do another fund. I think it is in contradiction with the prior. Thank you.

The Speaker (Hon. Johnson Mukuha): The mover to respond.

Hon. Hillary Muigai: Thank you Hon. Speaker. I will start by thanking Honourable Members for supporting the Motion. It is good that Hon. Chefman has been able to note of some issues that even the Committee itself has been up to. In the quarter ending March, the Report that we are going to present to this House, we shall have clearly indicated several measures to be

undertaken. It is only good to note that the Report was up to January 31. We have been able to give what we have observed from the implementation by the CECM.

It is also good to say that we have noted that the implementation and the oversight role of this House is progressive and we must all of us, in our Committees make sure that whatever resolutions passes through this House, the oversight Committee makes a follow up so that as we report we may know which areas are left out. And to note also that we have reported that there was failure to comply by the CECM as Hon. Edwin has reported. I believe he has been able to go through the report very well and I thank Hon. Edwin for noting and having that concern. As we continue to follow up on the implementation as a Committee, we shall take the measures required to make sure whatever we pass in this House is implemented to the letter.

The concern by Hon. Kibaiya there is recommendation number two, that was done by the Health Services Committee so the recommendation was by Health Services Committee, the Health Services Committee recommended to the CECM that in consultation with the CECM Finance and Economic Planning should adopt the provisions of the 116 of the PFM Act on establishment of Murang'a UHC Fund regulations to the Fund should be brought before the Assembly after approval of this Policy. So, if that recommendation by the Health Committee, unless the Health Committee withdraws that recommendation, we as the Committee on Implementation, our work is to look whether it has been implemented. So, unless they withdraw our position is the same.

(Consultations)

So, as the Implementation Committee we withdraw the recommendation and I believe the concern by Hon. Kibaiya will be sorted. Thank you, Members for the support and I urge the House to adopt the Motion so that the work of the Committee may continue for the quarter ending March.

Thank you.

The Speaker (Hon. Johnson Mukuha): Thank you, mover.

(Question put and agreed to)

ADJOURNMENT

The Speaker (Hon. Johnson Mukuha): Hon. Members, this House now stands adjourned until this afternoon at 2:30 p.m.

The Assembly rose at 10:08 a.m.