



Kenya Medical Association

NATIONAL EXECUTIVE

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22nd November, 2009-11-22

The Chairman of the COE

Dear Sir

RE: EXCLUSION OF THE HEALTH SERVICES COMMISSION IN HARMONIZED DRAFT CONSTITUTION OF KENYA

Members of my association and other professionals in health have, as advised by the COE, tooth –combed through the above **Harmonized Draft Constitution of Kenya** and would like to make the following observations.

The mandate of the COE was to harmonize all the documents (the current constitution, the bomas, Wako and, and additional views you gathered from the public and political parties

You have stated severally in meetings, I have attended that, executive, devolution and transitional justice system were the main contentious issues and health services commission was never and has never been contentious

This is how it appears in both bomas and wako drafts

Chapter sixteen both Bomas and Wako drafts

Health Services Commission

Section 269-(Bomas draft) and Section 251 (Wako draft)

(1) There is established the health service commission.

(2) The functions of the health service commission are-

(a) To register trained health workers,

(b) Subject to article 266(bomasdraft), article248 (wako draft) to-

(i) Recruit and employ registered health workers,

(ii) Assign health workers employed by the commission for service in any public hospital and other institutions and

(iii) Promote and transfer any such health workers

(c) Ensure human resource development and, professional standards and ethics for the health services

(d) To ensure registration of all health sector professionals,

(e) Conduct medical audit and research

(g) Oversee health care financing, and

(h) To perform any other function conferred on the commission by an act of parliament

Could your therefore move with speed to correct this glaring anomaly so that as we meet tomorrow we go according to the agenda of the day

Regards

Dr Andrew Juma Suleh ,MD ,MMED(internal med),CTM,

Hon Nat. Chairman KMA

Member of RG