

SIAYA COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly- Second Session

Wednesday, 27th August, 2014

The House met at the County Assembly Chambers at 2.30 pm

[The Speaker (Hon. Okode) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

Hon. Speaker: Hon. Members, I welcome you back from a very tedious morning Sitting. From the look of things, the Order Paper is full and I will call upon us to observe the rules of debate to avoid issues like repetition so that we are able to catch up with time.

Next Order!

MESSAGES

Hon. Apiyo: Thank you, Mr. Speaker. On behalf of the Members of the Assembly and as a Member of South Uyoma, one of our colleagues has lost a son in law and she had requested that whoever might wish to accompany her to the burial on Sunday to maybe---

Hon. Speaker: Hon. Apiyo, are you rising on any communication or message?

Hon. Apiyo: Mr. Speaker, I was called to go immediately and then I had to pass this information to hon. Members---

Hon. Speaker: Hon. Apiyo, you will share that with the Speaker after this. You are out of order!

(Laughter)

PAPERS LAID

Hon. Speaker: Yes, Hon. Muhulah

Hon. Muhulah: Thank you, Mr. Speaker, Sir. I don't know whether I'll be in order or out of order. My second wish, though, I had already tabled this report of Ad-hoc committee on health, again I see it appearing. I wish to be guided, Mr. Speaker.

Hon. Speaker: You had tabled the report?

Hon. Muhulah: Yes, Mr. Speaker, on Thursday 21st.

Hon. Speaker: It is good that you let the Chairman know about this.

Hon. Muhulah: Yes, Sir.

Hon. Speaker: Yes. Papers! Hon. Onduru, is there a Paper to be tabled?

Hon. Were: Mr. Speaker, Sir, allow me to lay on the Table of this House:-

The Report of the Committee on Health Services on Response to Petition by Hon. Joanes Andiego regarding Health Facilities in Central Sakwa.

Thank you, Sir.

(Hon. Were laid the document on the Table)

Hon. Speaker: Is it signed today?

(Laughter)

Hon. Were: Yes, Sir

Hon. Speaker: Yes, Hon. Munda

Hon. Munda: Mr. Speaker, allow me to request for some time because my report is not yet ready.

Hon. Speaker: Sometime means until when?

Hon. Munda: Thirty minutes!

Hon. Speaker: I will permit that because of the challenges we are having with power.

Hon. Munda: Thank you.

Hon. Speaker: Yes, Hon. James Otare

Hon. Otare: Thank you, Mr. Speaker, Sir. I wish lay the following Paper on the Table of the House:-

The report of the Physical Planning, Survey and Housing Committee on a Statement requested by hon. Jared Abayo of West Gem on the Trade Boundary of Ng'iya Market laid in this House on 22nd May, 2014.

(Hon. Otare laid the document on the Table)

Hon. Speaker: Hon. K'awuor

Hon. Awuor: Thank you, Mr. Speaker. I'm on my feet to request you give me about one hour, because, I have just arrived from Kisumu and when we reached here, we found out that there is no power. So, the report has been taken to Siaya and will be ready between 45 minutes to one hour and will be laid on the floor of the House.

Hon. Speaker: Granted! The challenge is known to us.

Hon. Awuor: Thank you, Mr. Speaker.

Hon. Speaker: Hon. Madialo, your Paper is not listed in the Order Paper, but you had requested this House---

Hon. Madialo: Mr. Speaker, it's my pleasure to ask you to invoke the inherent powers of the Chair to include a Motion or the name of a Member which has not been listed in the Order Paper for today. Mr. Speaker, I stand to lay:-

The Report of the Ad-hoc Committee of the County Assembly of Siaya on the Positions and Fate of Casual laborers/employees inherited by the Siaya County Government from the defunct Local Authorities.

(Hon. Madialo laid the document on the Table)

Hon. Speaker: Hon. Members, I think next time, we will make Communication on the sitting arrangement. It is in our Standing Orders, but as I observed, you are in total disregard. The other day, I saw the Deputy Speaker looking for where to sit, same to the Majority Leader and various Chairs of Leadership.

So, I want to advise that, we observe those rules and the Clerk to make sure that our renovations will take cognizance of that provision in the Standing Orders.

All the Papers have been laid.

Next Order!

NOTICES OF MOTION

ADOPTION OF REPORT ON HEALTH SERVICE DELIVERY IN SIAYA COUNTY

Hon. Muhulah: Mr. Speaker, Sir, thank you once again. I wish to give a notice of Motion:-

THAT, this House adopts the Report of the Ad-hoc Committee on Health Service Delivery in Siaya County as it was Tabled on 21st of this month.

May I request, Hon. Abayo, to second.

Hon. Abayo: I second

Hon. Speaker: Hon. Were

ADOPTION OF REPORT REGARDING HEALTH SERVICE DELIVERY IN CENTRAL SAKWA

Hon. Were: Mr. Speaker, Sir, I would wish to move a notice of Motion:-

THAT, this House adopts the Report of the Committee on Health Services on a Petition by Hon. Joanes Andiego regarding health facilities in Central Sakwa as laid on the Table of the House on 27th August, which is today. I request, Hon. Anastasia Augo, to second.

Hon. Augo: Thank you, Mr. Speaker; I rise to second the Motion.

Hon. Speaker: Hon. Munda's is not ready. Yes, Hon. James Otare.

ADOPTION OF REPORT ON THE TRADING BOUNDARY OF NG'IYA MARKET

Hon. Otare: Thank you, Mr. Speaker, Sir. I wish to give a notice of Motion:-

THAT, this House adopts the Report of the Committee on Lands, Physical Planning, Survey and Housing on the Statement request by Hon. Jared Abayo of West Gem, on the trading boundary of Ng'iya Market which was laid on 27th August, which is today. I request, hon. K'owii, to second.

Hon. Owii: Mr. Speaker, Sir, I stand to second.

Hon. Speaker: Hon. K'awuor

Hon. Awuor: Mr. Speaker, I still seek your indulgence. Give us about 45 minutes so that I present before this hon. House a report that have been comprehensively worked on.

Thank you.

Hon. Speaker: Hon. Ben.

ADOPTION OF REPORT
ON STUDY TOUR VISIT
TO SOUTH AFRICA

Hon. Omondi: Thank you very much, Mr. Speaker, Sir. I am on the Floor to give a notice of Motion:-

THAT, this House Adopts the Report of the Committee on Roads, Public Works, Transport and Communication on their study tour visit to South Africa, from 25th June, 2014-1st July, 2014 as was laid on the Table of this House, on 13th August, 2014.

I humbly request, Hon. Booker, to second the same.

Hon. Minami: Thank you, Mr. Speaker---

Hon. Members: No! No!

Hon. Omondi: We had laid it. So, we are just giving a notice of Motion.

Hon. Minami: I stand to second.

Hon. Speaker: Yes, Hon. Margaret.

PROVISION OF INCENTIVES
AND RESOURCES
TO PEOPLE WITH DISABILITY

Hon. Oketch: Thank you, Mr. Speaker. I wish to lay this Motion:-

THAT:

AWARE that disability is a condition of being unable to perform as a consequence of physical, mental, vision and hearing and sickness;

FURTHER AWARE that United Nations Convention on the rights of persons with disability, Article 19, the Constitution of Kenya 2010 Chapter 4 and Article 45 of the Bill of Rights, the disability Act 2003 Part 3 and the Children's Act Chapter 2 Article 12 of the instruments put in place to protect, safeguard and promote persons with disability;

CONCERNED that people with disability have multiple blind challenges on which if both the National and the County Governments cannot create laws or effective legislation with independent institutions that can implement the policy guidelines, then persons with special needs will suffer in the hands of the Government;

This House **URGES** the County Government of Siaya to provide incentives and resources to people with disability in order to achieve the holistic resources to people with disabilities in order to perform in terms of intellectual and community development.

Mr. Speaker I wish to call, Hon. Muhulah, to second.

Hon. Speaker: Yes, Hon. Walter Okelo

SUBMISSION OF ANNUAL
PERFORMANCE REPORTS
BY SIAYA COUNTY GOVERNMENT

Hon. Okelo: Thank you, Mr. Speaker, Sir. I rise to give a notice of the following Motion:-

AWARE that Article 47(3) of the County Government Act 2012 states that the Governor shall submit annual performance reports of the County executive committee and the public service to the County Assembly for consideration;

FURTHER AWARE that the County Government of Siaya is yet to comply with the requirement of the above statute by submitting the annual performance reports and management plan to the County Assembly;

CONCERNED that the above said reports and plan being public documents should be submitted to enable the public appreciate the performance and service delivery by the County Government;

I therefore, **URGE** this Assembly to demand the submission of the Annual Performance Reports for the FY 2013/2014 and the plan for the FY 2014/2015 for consideration by this Assembly.

Mr. Speaker, I request hon. Joseph K'awuor, Chair of Public Governance and Administration to second.

Hon. Speaker: Next Order!

MOTION

ADOPTION OF REPORT ON HEALTH SERVICE DELIVERY IN SIAYA COUNTY

Hon. Muhulah: Mr. Speaker, Sir, I would like to move a Motion:-

THAT, this House Adopts the Report of Ad-hoc Committee on Health Service Delivery in Siaya County.

May I request, Hon. Madialo, to second.

Hon. Madialo: Mr. Speaker, I stand to second.

(Laughter)

Mr. Speaker, I was not asleep!

(Laughter)

Hon. Speaker: You have seconded, Hon. Madialo. Unless, you want to sleep after seconding.

(Laughter)

(Question proposed)

Hon. Muhulah: Thank you, Mr. Speaker, Sir. This is the second full report following the preliminary report which we tabled in this House on 31st July, 2014.

Mr. Speaker, Sir, on behalf of all the Members of the Ad-hoc Committee on health issues in Siaya County, I wish to state that on the 23rd July, 2014, this Ad-hoc Committee was directed by the Chair, to investigate and do a report on the deteriorating situation in Siaya County. Mr. Speaker, Sir, I hereby present to this House the Committee report:-

Mr. Speaker, on 23rd July, 2014 the whole County was treated to public communication on the health situation in Siaya County through the media with subsequent discussions and input of the residents of Siaya.

There were allegations of; lack of drugs in the health facilities, procurement malpractices, with nurses being made to sign for undelivered goods. Missing nurses on night

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duty at the County Referral Hospital, leaving behind drunk nursing trainees to take charge, reported cases of deaths due to poor referral systems including management of ambulances, gross shortage of healthcare workforce, poor condition in health facilities, allegations of nepotism and the immediate cause of the uproar was the supposed reshuffle through posting order 4/2014.

Mr. Speaker, it was on this background, that Hon. Peter Muhulah, put a Special Motion on the Floor of this House and was seconded by Hon. Charles K'owii seeking the leave of the House to suspend the Business of the day in order to discuss this urgent and crucial matter, taking into account the fact that health is an essential service.

This was granted by the Chair who directed that an Ad-hoc Committee comprising of 11 people be formed with the following representation:-

1. Health Committee - 3 Members
2. Public Administration and Governance- 2 Members
3. Budget and Appropriation - 2 Members
4. Implementation - 2 Members
5. MCA Representing Siaya Township-1
6. Representative of Special Interests- 1

Mr. Speaker, Sir, the Chair, in his considered opinion, directed that the following mandate be undertaken by the committee and that they provide an interim report on Wednesday, 30th July, 2014 and a final report within 30 days:

1. Investigate the rationale and impact of the reshuffle of the senior health staff in the County
2. Determine the current situation of pharmaceutical and non-pharmaceutical provisions in the health facilities, procurement and delivery systems, stores inventories and dispensing records including supervision mechanism of the same.
3. Consider the condition of the health infrastructure/facilities notably water and sanitation, wards, pharmacies, laboratories, staff quarters, morgues, electricity, incinerators, occupational health hazards and other necessary facilities and the general cleanliness of the facility.
4. Management and administration of the health sector- the management structure, performance management and reward system if any, attendance, conflict resolution management mechanism, postings of staff, supervision of staff and facilities, risk management strategies, existence of service charters, referral system and management of ambulances, financial management including charges levied and availability of any health policy and strategy papers etc.
5. Determine the health staff establishment for Siaya County considering the required staff in all the facilities, the current numbers available and the staff gaps to be filled.
6. Visit health facilities and undertake public hearing with the staff, patients and the general public on their experiences, expectations and recommendations for improvement of the facility.

Mr. Speaker, Sir, the Ad-hoc Committee on Health comprises of the following Members:-

- | | | |
|----------------------|---|------------------|
| 1. Hon. Peter Muhula | - | Chairperson |
| 2. Hon. Jared Abayo | - | Vice Chairperson |

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3. Hon. Joseph Oluoch Kawour - Member
4. Hon. Joshua Owiti Osuri - Member
5. Hon. Sylvia Migaya - Member
6. Hon. Leonard Oriaro - Member
7. Hon. Mathew Onduru - Member
8. Hon. James Otare - Member
9. Hon. Margaret Oketch - Member
10. Hon. Charles Kowii - Member
11. Hon. Rosemary Ogutu - Member

Committee meetings

Mr. Speaker, Sir, in an endeavour to find out the root cause of the problems that face the health sector in Siaya, the Committee held two separate meetings on Monday, 28th July, 2014 with the County Health Management Team (CHMT) in the morning and the Sub County Medical Superintendents and Nursing Officers in the afternoon at Siaya ATC.

During the CHMT meeting, Dr. Omamo, advisor to the Governor on health issues was in attendance as an ex- officio in the team. The Committee again held a consultative meeting with the Director of Medical Services, Dr. Samuel Omondi and Dr. Jalang'o Midiwo, the Chief Officer, County Medical Services.

Mr. Speaker, Sir, during the sittings, the Committee highlighted the reasons that necessitated its formation, its membership, mandate and the health issues at hand upon which the Members should address themselves to. The Committee created an enabling environment for the teams to ventilate on the issues in question openly. During these discussions, each programme heads and Sub County health managers candidly shared out their feelings and what they knew on the issues.

Similarly, during the meeting with the CHMT, the committee received dully signed minutes of a consultative meeting of Nurse Managers held on 23rd July, 2014 at Le Savanna County Lodge & Hotel, Kisumu whose recommendations have been considered in this report. Dr. Omamo, the advisor to the Governor on health issues, provided the Members with the minutes of Nurse Managers meeting and the posting order no.3 and 4 for review.

Mr. Speaker, as I said earlier, on 31st July, 2014, this Committee presented to this House an interim report and I do thank the hon. House for adopting it. Special thanks go to the hon. Members for that undertaking. Mr. Speaker, even those few who had concerns about the report, were assured of a comprehensive report at the end of this exercise. Behold, it has come to pass today!

Mr. Speaker, Sir, the second phase of our activities stated in recommendation 2 of the interim report entailed a visit to three health facilities in every Sub County, namely; the sub-county hospitals, health centers and dispensaries as shown in the table. Mr. Speaker, with your permission, I don't have to go through the table because all Members have a copy.

Mr. Speaker, as regards the above programme and pursuant to terms of reference No. 6, a public notice was done and extensively circulated to the Sub County headquarters, Ward offices, County Assembly website and through the local FM radio stations. This was done to enhance public participation for all (***Appendix 1***). Similarly, an elaborate questionnaire (***Appendix 2***) to assist in collecting key information from the health facilities as regards general characteristics of the facility, general purpose equipment, human resources, trained

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staff, drugs and commodities, laboratory tests, information on interventions available in the facility, financial management, administration & governance, public participation and various documentation.

Mr. Speaker, the Committee had the **findings** as follows:-

With the availability of the minutes, it is true that a meeting took place as had been raised on the Floor of the House. The main objective of the meeting was to strengthen nursing services in the County, which had been reported as dwindling. The issues raised in that meeting and justification for the same and recommendations were clearly highlighted in the minutes that were provided together with the previous interim report.

Mr. Speaker, the Committee investigated the reasons behind this whistle blower meeting and found out that it mainly discussed the character of Mrs. Millicent Okwach, the Director Nursing Officer and the issues that ail the health sector in Siaya County. Mrs. Okwach, was adversely mentioned by her colleagues along the following issues; display nepotism, lack of transparency and accountability, lack of respect for everybody, management by intimidation and instilling fear, several incidences of confrontation, both physical and verbal, staff transfers and no consultative and unprofessional conduct in line of duty, abuse of office among others.

On the other hand, she is a hardworking nurse with several years of experience; she is very passionate about her work. She has also undertaken health management trainings in Japan and China leading to her appointment to the current position.

The two latest posting orders, No. 3 and 4 were undertaken successfully within a span of exactly one month -21st June,2014 and 20th July, 2014 respectively Mr. Speaker. Amongst the affected positions and impossible challenges rising from it can be analyzed accordingly. The critical question that must be answered is what informed this reshuffle. It is very clear from the minutes and verbal confessions from the team interviewed that, the posting order of 4/2014 was the immediate cause of the standoff amongst health care workers. The posting order No. 4/2014 was done without involving the posting Committee as the practice has it.

Secondly, it is worth noting that, the transfers should not create staffing gaps or disturbances. On the basis of the aforementioned reasons, posting order No.4/2014 was revoked by this House and was subsequently effected by the Chief Officer of health Services, Dr. Jalang'o Midiwo, through a letter dated 31st July, 2014.

Mr. Speaker, Sir, during phase two of the Committee work, the Members visited the health facilities and interacted with the facilities management team/units, medical staff i.e. senior staff and junior staff and members of the public. The Committee also had the opportunity to inspect facilities and peruse through the various reports, minutes and facility records and discussed the same with the leadership. Each facility was therefore requested to provide written reports on challenges they experience and their priorities. The analysis and responses of the questionnaire by the facilities was as follows;-

1. The general characteristics of the facility

The average number of outpatients who visited the sampled facilities in the previous month was 4,233 in the Sub-County hospitals. 1,921 in health centres and 1,442 in dispensaries. There are, averagely 6 – 8 in-patient beds, 2 delivery beds and 6 maternity beds in the Sub-County and health centres. In addition, there is need for more delivery beds and

space for the same. The Sub-County health facilities have pediatric beds except in Madiany. However, Ambira has the worst case scenario with very old beds, mattresses and linen.

Mr. Speaker, Sir, water supply in the health facilities is critical given the fact that good health starts with clean and safe water. Mr. Speaker, a number of health facilities sampled, have water sources. Notably, there is a tap water in Kadenge, Bondo, Ongiello and Siaya, roof water harvesting in Lieta, Gobei, Segga and Sikalame. However, this is reliant on the weather factors and therefore, may lead to serious shortages during dry seasons. It is also important to note that, Madiany has four uninstalled tanks of 24,000 litres capacity, because most of the buildings have asbestos roofing. This is a big problem due to the fact the piped water in the facility is sometimes unreliable.

Mr. Speaker, Sir, in terms of communication enhancement, all facilities visited have functional cellular phones, but no e-mail addresses except for Bondo, Madiany, Ambira, Siaya and Yala. This is quite interesting given that setting up an e-mail address is a free service. Mr. Speaker, Sir, in addition to this, all facilities have functional computers, most of which have been donated by ICAP for data management. Besides that, the facilities do not have functional internet services except for Yala, Gobei, Bondo and Ongiello.

Mr. Speaker, Sir, on ambulances services, all the Sub County hospitals have at least one ambulance donated by the County Government of Siaya, except for Yala and Ukwala hospitals that have two. In addition, Ramula health centre in East Gem Ward has another ambulance which was donated by Millennium Development Village, giving a total of 9 ambulances. Generally, all the facilities have some form of refrigeration. The committee also found that, power failure/blackouts is a serious problem with most of the facilities not having alternatives sources of energy except for Ongelo that has a functional generator.

Mr. Speaker, Sir, at Ongiello, a maternity and paediatric ward has been completed, but the contractor has not handed it officially to the facility management. At Ukwala, a large and magnificent two storey ward that was put up by CDF is complete. It just requires equipment, furniture and staff to start its operation. The same design of the ward exists in Ambira, but the first floor requires approximately Kshs. 5 million for completion.

2. General purpose equipment.

Mr. Speaker, Sir, it is the concern of the Committee that, X-ray services can only be accessed at Siaya County Referral Hospital at the moment. The Yala one is broken down and the spare parts have been ordered from the USA by the organization that donated it. It is also important to add that, Madiany and Ukwala hospitals have been catered for in the current financial year budget for provision of new X-ray machines.

The mortuary services are available in all Sub County hospitals except in Ambira and that, it is only in Yala where there is refrigeration. Otherwise, the other facilities just do embalmment. It goes in record that, Ukwala mortuary handled the highest number of bodies in the previous month raising over Kshs. 200,000, followed by Yala that raised over Kshs. 100,000 during the same period. Siaya hospital has the worst mortuary because bodies even decompose in the facility. This could be as a result of police cases that cannot be embalmed and that the facility does not have a refrigeration system. Mr. Speaker, incinerators are important for the disposal of used and expired medical materials. However, these only exist at Yala, Siaya and Bondo. Madiany has one that cannot be repaired and requires new construction.

On staff houses, the Committee confirmed that, all the sampled hospitals and health centres have at least two staff houses, except for Bondo surprisingly. On the same note, Ambira has four staff houses, two of which have been occupied by the District Officer and an Administration block and two are acting as stores. Mr. Speaker, this is a very big concern to Members and we appeal that through your Chair and the Committee that is in charge, it our recommendation that, the D.O and the Administration Police Officers vacate these houses and leave them for the medics, Mr. Speaker.

(Applause)

Mr. Speaker, Sir, the status of the other health related resources in the Sub-County hospitals are as shown in the table below. Again, with your indulgence Mr. Speaker, I would not have to go through the table because all Members have the copies.

Mr. Speaker, Sir, from the above table, it is clear that only Bondo Sub County hospital has an electrocardiogram and that all the other facilities lack defibrillator. Hon. Members, I believe you understand all those medical terms.

(Laughter)

It was reported to the Committee that, there is a policy guideline which has been developed by the County Health Management Team on the operation and management of the ambulances, but all the facilities were not aware of the existence of such a document.

Human Resource

Mr. Speaker, there is an acute shortage of staff across all cadres, both technical and support staffs. This situation is getting worse with time due to a number of staff leaving the service due to various forms of attrition, notably, retirement, resignation, transfers and death. Unfortunately, replacement of these staff has not been effected and recruitment of new staff is yet to be realized given the current challenge of huge wage bill against other competing interest.

Mr. Speaker, Sir, the retention of staff is another key issue that needs attention. There is a worrying trend as noted by the Committee during the exercise that many medical staff are asking for transfers out of the County. This may affect the delivery of health services. If it were not for the support of ICAP that has employed medical staff in every health facility in the County, the situation would be a disaster. The County must plan to address this challenge in a more structured way.

In order to demonstrate the dire state, the table below shows the current staff establishment in the entire County as at the time of the visit.

S/NO	JOB TITLE	AUTHORISED ESTABLISHMENT	IN POST	VARIANCE
1	Medical Consultants	24	5	-19
2	Medical Officers	76	18	-58
3	Specialized Clinical Officers	12	15	+3
4	General Clinical Officers	156	143	-13

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5	Community Oral Health Officers	34	3	-31
6	Dentists	12	5	-7
7	Dental Technologists	14	1	-13
8	Nursing Officers	1688	522	-1166
9	Public-Health Officers/Technicians	187	90	-97
10	Radiographers	24	7	-14
11	Pharmacist	13	13	0
12	Pharmacist Technologists	58	25	-33
13	Orthopedic Technologists	24	2	-22
14	Nutritionists	56	4	-52
15	Physiotherapists	24	8	-16
16	Lab Technologists	71	59	-12
17	Health Records & Information Officers	66	12	-54
18	Occupational Therapists	24	4	-20
19	Medical Engine, Technicians	6	2	-4
20	Medical Engine, Technologists	6	3	-3
21	Trained CHWs		1571	
22	Community Health Extension Workers	374	164	-210
23	Administrators	10	7	-3
24	Accountants	6	4	-2
25	Secretaries	7	4	-3
26	Drivers	25	15	-10

In addition to the above issues, there are all indications that there was a big problem between Mrs. Millicent Okwach, County Nursing Officer and the other Nurse Managers, if not the rest of the medical team. The Committee carefully investigated this.

Areas of training, Mr. Speaker, that will be too long, Members can go through it.

Mr. Speaker, Sir, in endeavour to ensure quality health service delivery to all residents of Siaya County, the level of training of the health personnel in a number of specific interventions is still wanting as shown in the table above. Coupled with this, it is a fact that the County has not developed a training policy which would address issues of skilled manpower in the long term and hence improve our ability to retain staff. Bondo has the most trained staff in various interventions.

Drugs and Commodities

Mr. Speaker, Sir, this Committee wishes to confirm to this hon. House that, generally, drugs and other commodities have been available in all facilities since June 2014, except for paracetamols and antibiotics in some health centres and dispensaries. It was noted that, the Sub County pharmacists rarely monitor the drug situation in the health centres and dispensaries, thus leading to the shortages that are usually witnessed by the patients.

Similarly, there is no establishment process for regular supportive supervision and monitoring of the same. A number of facilities have lower drawing rights against the high demand experienced in some facilities leading to faster depletion of medical supplies.

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Laboratory Tests

Mr. Speaker, the only sure way to determine the real ailment of every patient is through testing. In this regard, the Committee was able to determine that basic tests namely haemoglobin, urine analysis and HIV antibody were generally and variably being undertaken in all tier 3 hospitals and 2 health centres and dispensaries facilities across board. Again, some dispensaries with support of the ICAP and CDC staff also offer the same services. It was also established that in most facilities, lab technicians were very enthusiastic about their work and therefore did a good job.

However, at Ukwala hospital, patients complained of long waits for over 5 hours at the lab before getting their results, although in some cases inadequate stocks of reagents was noted. On the other hand, in a number of facilities, the technicians were not employees of the County Government, but were either supported by ICAP or the facility management committees. This led to low salaries to some very qualified personnel. For instance, in Sigomre, a graduate lab technologist is being paid a paltry Kshs. 10,000 by the Management Committee.

Information on interventions available in the facilities.

Mr. Speaker, the facilities offer a myriad of interventions. The only challenge is that, some facilities did not have adequate equipment or reagents as witnessed in the Madiany and Yala or even a theatre to perform any operations as in Ambira and Madiany. Bondo goes in record as the only facility that offers all the listed interventions, because it is better equipped and well-staffed. There was a very big draw back in most of these facilities in terms of counseling services. On HIV antibody testing and counseling, Ambira handled the highest number of patients – approximately 1,378 while Bondo never offered any data on the interventions.

Financial Management

Mr. Speaker, Sir, it is worthy to note that health is an expensive investment that requires considerable investment for personnel emoluments, purchase of medical equipment and establishments of infrastructure. As part of the source of local revenue to the County Government, the referral and Sub County hospitals made the following contributions per month. Again, Mr. Speaker, I wish the Members can go through.

From the above tabulation, Ambira has not stated how much they collect from the ambulance services while they have an ambulance. They have also not stated the amount collected from delivery services. Special thanks go to Yala that gave a detailed account of their financial position including bank deposits. The Committee found out that, all the facilities got their funding from health services support fund, which is used for hospital expenditure e.g. procurement of pharmaceutical and non-pharmaceutical and utility bills.

Administration and Governance

Mr. Speaker, this is the most critical area if the sector was to deliver on its core mandate. From the responses given to the questionnaire across board, it is clear that the leadership of the facilities lacked knowledge or were uncomfortable with the questions asked. There are supposedly guidelines on governance that are never followed coupled with weak facilities management committees that only meet when drugs are delivered or when they receive money for the health support fund.

On the positive side, Mr. Speaker, most facilities had annual work plans, which guided the activities and budgets. Whether these plans were drawn from the strategic plans of the Sub County or the County is a question for another day. It is encouraging to note that, Ugenya Sub County had a five year strategic plan 2013/2014, 2017/2018 for health services. Mr. Speaker health being the most essential service, the department lacks an established individual performance appraisal and reward system. There are no individual work plans upon which appraisals and reward mechanism can be based. This could lead to low morale and lack of motivation on the part of the staff that are meant to preserve and sustain life.

Mr. Speaker, Sir, the County Health Management Team is too large, comprising of 22 people as currently constituted and should therefore be reviewed. In addition, there are no management boards in the Sub County and referral hospitals as at now. In Madiany, the committee realized that there is a dentist, but she is not practicing her skills because she is in administration. Mr. Speaker, Sir, the committee was also informed that the public health department never approved structural plans of the County Government like in the previous years. This may have adverse effects on critical considerations that go with such developments.

Mr. Speaker, Sir, there was evidence of quarterly supervision of the health facilities by the management teams as observed in the facility supervision booklets that exists in the facilities. However, some of the key recommendations in this report were never acted upon due to various factors namely inadequate finances or manpower or merely negligence on the part of the leadership.

Public Participation

Mr. Speaker, the Committee was able to determine that there is no formal engagement system between the health facilities and the public which would be very key, given the provisions of the Constitution on public participation. However, in some cases, a suggestion box is used which in some cases are rarely open or the public is not aware of its use. Some facilities talked of the use of dialogue days, but no records were available to prove the same. This means that there is no defined procedure of getting feedback from the customers/patients.

Documentation

Mr. Speaker, the Committee accessed and reviewed various documents during the visits to the 18 facilities across the County, some copies of which are available. These included deliver notes for pharmaceutical and non-pharmaceutical supplies i.e. from KEMSA, BIN cards used to show stock levels in the pharmacies, written reports and statistics for instance staff establishments, bill of quantities for some critical facilities especially for the County referral hospital, facility supervision booklet, copies of the posting orders no. 3 and 4, minutes of the nurse managers meeting at Le Savanna County Lodges hotel, Kisumu etc.

Recommendations

Mr. Speaker, Sir, it is now my pleasure to present to the House the recommendations for due consideration and adoption.

General characteristics

1. There is need to regularize the gazettelement of the health facilities in future by reviewing and domesticating the national guidelines for the gazettelement of health facilities. A detailed survey and assessment of all health facilities in the County in terms of

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infrastructure, equipment, staffing, need to be taken in order to determine suitable gazettelement of the same.

2. There is need to increase the bed capacity and equipment in the health facilities.

3. The committee recommends that the facilities with asbestos roofs be changed to enhance roof water harvesting to improve water supply in the facilities. This is a case for Madiany, Yala and Siaya.

4. The committee proposes the establishment of boreholes for every health facility where possible to sustain the water supply for example in Yala Sub County a bore hole provides enough water for the facility. Ambira requires a water pump, raised water storage tank and the piping system.

5. The committee recommends the establishment of one model ward health centre which will act as a referral unit for dispensaries in the ward with the following facilities labs, maternity, theatre for minor operations, maternal child services, outpatient department, inpatient services for female, male and children and staff housing i.e. a minimum number of 4 staff houses among the facilities.

6. All health facilities should have functional email addresses and internet services by use of modems to ensure easy communication.

7. Those facilities that have been completed should be operationalized.

8. The use of alternative sources of power to supplement electricity i.e. solar and generators is recommended in order to address the frequent power failures and surges.

Having considered the critical health infrastructure and facilities needed in various facilities in the County, the committee has the pleasure to prioritise the following in the said areas/location as stated by the facility management visited. I beg that I wouldn't go to it.

Mr. Speaker, Sir, these are just the priorities in the sampled facilities which would form a basis for consideration by the various stakeholders for implementation. Similarly, it is our hope that the substantive health committee will consider visiting and the health facilities in the County or initiate a process to achieve the same accordingly.

General -purpose equipment

Mr. Speaker;

1. All hospitals and health centres should have incinerators for proper waste disposals.

2. In determining the drawing rights for the health facilities, there is need to balance the rights against the demand and population served for adequate supplies.

3. The Committee recommends that those employees who are currently volunteering their services and are paid by the FMC and those employed by ICAP, should be given priority when the County is recruiting additional staff.

4. The committee proposes the establishment of supportive supervision and monitoring system in order to ensure reliable supply of drugs to the facilities.

Human Resource

Mr. Speaker, Sir, following the high number of staff who have been engaged by ICAP in all health facilities in the County and cognizant of the fact that ICAP will pull out in September 2015, the committee recommends that the Health Management Team urgently considers engaging with ICAP leadership for an extension of the ICAP programme for another 2 -3 years. The team should therefore develop a concept paper/proposal to that effect for consideration by ICAP leadership team. This is also important due to the fact that the HIV programme that ICAP is handling in Siaya County is still a big challenging.

Trained Staff

Mr. Speaker, Sir, to enhance quality health service delivery in the County, the committee recommends the establishment a defined health services for training policy and a more structured personal development and progression plan for the county to ensure productivity.

Drugs and commodities

While health information system in the county is robust and IT aligned, prompt utilization of data has still proven to be a challenge. The utilization of IT in commodity quantification, requisition and management should be explored.

Laboratory tests

The committee recommends that all Health Centres and Sub Counties hospitals should be in a position to offer basic laboratory tests. This will require additional staff and equipment.

Information on interventions available in the facility

The Committee noted that, care and management of HIV patients is being done by development partners and that the County Government health sector should currently prepare to take over now that this is an expensive undertaking and that ICAP team will be winding up in September 2015. Mr. Speaker, Sir, there is need for provision of space and staff in the facilities to ensure that all the interventions stated in section 7 of the questionnaire are undertaken appropriately---

Hon. Speaker: Order! Order! Is there a fan to be put on?

(Laughter)

An. hon. Member: Muhulah is dying!

(Consultations)

Hon. Speaker: Open one of those doors, please. Hon. Muhulah, are you ok?

Hon. Muhulah: I'm alright!

Hon. Speaker: Continue

Hon. Muhulah: Financial Management

Mr. Speaker,

1. The funding mechanism to the health department needs to be strengthened with direct transfer to their accounts and issuance of AIEs to the referral and Sub County hospitals. The allocations of funds to the department should mirror the needs of the institutions and units as highlighted in this report. It should also take into account the priorities in the CIDP, the strategic plan and the annual work plans.

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2. The committee recommends that 20% of their total revenue collection should be ploughed back to the facilities to address any urgent needs in the facility. This may also act as a motivation to the facilities.

3. Mr. Speaker, a highly considered opinion of the committee was that every Ward in their annual allocations should commit 25% of their total budget to health service delivery within the wards.

4. That there is need to increase funding to the health service sector from the current 28% which we gave this year Mr. Speaker, to 30% in order to ensure suitable facilities, drugs, equipment and staff are provided.

Administration and Governance.

1. Mr. Speaker, there is an urgent need to establish facility management committees for all the Tier 2 facilities (health centres and dispensaries) and hospital management boards for the Tier 3 facilities that is the Sub Counties, a process which should be initiated by gazettelement by the CEC in charge of health services in consultation with relevant stakeholders. It is recommended that MCAs to be ex-officio Members in these committees and boards.
2. Mr. Speaker, all the nominated Members of the County Assembly should also be incorporated into the committees of Tier 2 facilities within the Wards from where they come from.
3. Administrators/Chief Officers who is non-medic should handle the management of the referral and Sub County hospitals. A good example is Yala Sub-County which is doing very well because it's managed by a non-medic trained on health management. The same applies to Nairobi, Kenyatta and Aga Khan Hospitals.
4. The MOH team, the former District Management team should be re-aligned to conform to the constitutional provisions e.g. the structure of County, Sub-County, Wards and village units. The members of these teams should be deployed in these structures to provide services according to their areas of expertise.
5. A new lean and more effective County Health Management Structure should be established with clear supervisory roles. The health committee in consultation with the CHMT will undertake this.
6. County Assembly Committee on health should update the Assembly quarterly with comprehensive report on the health service delivery in the County Similarly the CHMT should provide quarterly reports to the health committee of the County Assembly.
7. Mr. Speaker, Sir, the Committee proposes an enactment of Siaya County Health Service Delivery Bill, 2014 whose framework would entail the management structure, health facilities, services to be provided, supplies and equipment, staffing, standards, financial management and administration of the health facilities.
8. Mr. Speaker, Sir, the case of Mrs. Millicent Okwach, County Nursing Officer, is of grave concern to this committee, nurse managers and the health sector leadership in the County as a whole. Her leadership and managerial skills are in question following her relationship with colleague staff and authority. This committee recommends a change in the leadership of nursing in the County. The Chief Officer of Health Services is hereby advised to initiate a competitive process of recruiting a

new head of nursing in the County with immediate effect and to deploy Mrs. Millicent Okwach appropriately. The committee requests the top leadership of health services to handle Mrs. Okwach's case very professionally.

Public Participation

1. Mr. Speaker, the committee recommends the use of suggestion boxes and structured quarterly dialogue days to engage with the public.
2. There is need to develop a customer satisfaction survey tool and administer the same quarterly, in order to get feedback from the general public.

Conclusion

Mr. Speaker, Sir, as I conclude, allow me to sincerely thank Members, the medical staff and members of the public who took their precious time to participate in the meetings and whose views we have taken into account in this report. In addition, we did request all the programme and departmental heads to provide written submissions on the challenges they face and proposed solutions/recommendations for consideration to the committee.

Lastly, Mr. Speaker Sir, the Committee is grateful to the office of the Speaker, the office of the Clerk to the County Assembly, County Health Management Team and the Sub County medical team, petitioners and members of the public for the relentless support received as it discharged its mandate and I would not fail Mr. Speaker, to also thank hon. colleagues of this House.

Mr. Speaker, Sir, it is therefore my pleasure, on behalf of the Ad-hoc committee to table this report and the subsequent framework of a proposed Siaya County Health Service Delivery Bill to the House for adoption and resolution.

I thank you, Mr. Speaker, Sir.

(Applause)

Hon. Speaker: Thank you. Yes, Hon. Odinga.

Hon. Odinga: Thank you so much, Mr. Speaker, Sir, for giving me an opportunity to contribute in this. It was really a heavy report and as you could see the Chair sweating. Mr. Speaker, Sir, I want to say that this was a job well done.

(Applause)

I want to commend the Committee. These are the kind of reports that we need in our archives. If you look at this report Mr. Speaker, Sir, from page one to the last page, it is so detailed, you don't even need to ask so many questions.

However---

(Laughter)

There are one or two issues that I would like the Members to address or even the Committee to address. When they came to Ukwala, they had a meeting with the support staff and I was not part of that meeting, but immediately they left, the following day--- Mr. Speaker, Sir, as you can see even in the records that in terms of mortuary services, Ukwala is the best and even the records show. The following day the mortuary attendant was sent home,

I don't know what transpired when they met the support staff. He told me that his position was being taken by somebody else from Teso.

Mr. Speaker, I wanted to request this committee to consider that because we have never had any problem, we have never had any complaint from the public in terms of handling the bodies. In fact, Ukwala handles cases from East Ugenya, Usonga and even parts of Alego. So, I would request if the Committee could include that this member of staff be reinstated unconditionally

(Loud consultations).

Mr. Speaker, Sir, I want to propose an amendment to these recommendations, that the mortuary attendant at Ukwala by the name Mr. Adebe be reinstated unconditionally and I want to ask the hon. Andiego--

Hon. Speaker: Hon. Odinga---

(Laughter)

That is beyond his scope. If it is sacking, it happened after the investigations were done and there is no way this Committee can do that without even finding out from that casualty, sorry to call him that. The reasons behind the sacking. I think that is a matter you can produce either as a statement or you can ask the Committee in charge, not necessarily now, to go and investigate that tatter because it is a matter that will go upto the HR. He could have been doing his work so well but on that particular day may be he stole something and that is an issue we cannot pre-empt. So, I think on this report it is out of order, you will address it in another way.

Hon. Odinga: Thank you, Mr. Speaker, but, kindly allow me to request that since this Committee met him, I don't know what transpired or what he said during the meeting. Maybe it touched on the management. Mr. Speaker, Sir, I would request that the same committee to investigate his case then bring the report to the Assembly.

Hon. Speaker: The Health Committee, can you please pick up on that matter.

Hon. Onduru: Yes, Mr. Speaker, I think we shall take it up. I was also there and we met the gentleman. I don't know why he has been relieved of his duties.

Hon. Speaker: Thank you

Hon. Odinga: Thank you, Mr. Speaker, Sir. Since you have given direction, whatever information I had, I will present it to that committee.

Hon. Speaker: That's enough

Hon. Odinga: And then there's the formation of management boards. I think this is an issue that should be fast tracked. Initially, it was formed by the national government, but now because this is a County issue, we need to speed it up so that we don't leave management to individuals.

Mr. Speaker, Sir, I also want to say that in terms of staffing, you realize that there is a shortage of medical practitioners. So, when we are making our budget---

(Interruptions)

Hon. Speaker: Just continue

Hon. Odinga: Mr. Speaker, Sir, I was saying that in most cases when we are employing, we only concentrate on other areas like administration, we don't look at the health sector, so we need to put that into consideration. Lastly I want to say Mr. Speaker Sir that I am very happy with this Committee, they did a great job and I support this report. Thank you.

Hon. Speaker: Hon. Ndonji

Hon. Ndonji: Thank you, Mr. Speaker, Sir. I rise to support this report. I want to commend the Committee for doing such a wonderful job and as my colleague earlier stated, these are the types of documents that we need in our archives Mr. Speaker. I also want to put it very clear that hon. Jack Odinga was not right to say that people from East Ugenya also go to Ukwala. That place is just too far from East Ugenya and incase there is anybody from East Ugenya who gets to Ukwala mortuary, then it is simply because probably, that person might have been working around Ukwala---

(Laughter)

A very big number come from Siaya, because the distance from Siaya and Ukwala in comparison to Ukwala to East Ugenya is nearly the same. I also want to say that it could become number one only because that facility is there, in East Ugenya there is no facility like that one.

I also want to say that going through the report, something has been said about Urenga Health Center and I think the project that is being said should be done in Urenga Health Centre is quite inadequate. Looking at the remarks, it is being said that the block was built in 1969, which to some extent can also indicate that it is one of the oldest blocks in the County. Mr. Speaker, Sir, people from East Ugenya, for us to get facilities and particularly when it comes to things that cannot be done within the dispensaries that we are not having around, we end up to be taken to Ukwala which is close to 40km away or Siaya or even Ambira which is in Ugunja Sub County.

I tend to think, Mr. Speaker, Sir, that, more should be done at Urenga Health Centre so that so that it also gets to the level of other health centers are in so that at least our people can get referral to a facility that is not very far. However, again I want also to commend the committee for having talked about us having modern health centres in each and every Ward.

Mr. Speaker, Sir, that one to me, should be taken as a priority, because we represent Wards, we don't represent Sub Counties. So, what is important is that, if each and every Ward can be having these facilities, then the number of people who will be coming to Siaya or the other referral facilities might go down and at the same time people can get service in good time Mr. Speaker Sir. I support the document.

Thank you so much and I commend the team.

Hon. Speaker: Yes, hon. Vice Chair health

Hon. Were: Thank you, Mr. Speaker, Sir. I talk as a medical practitioner--

(Laughter)

I spent the whole of last night looking at the report and mine is to enrich it so that it would be a better reference point.

(Laughter)

I want to say this, because, I have looked at mandate No. 4 and it deals with staffing and quality standards. I wanted to say this because, this document had looked at the human resource and there is a very good tabulation of the staff establishment of various health professionals. But, you see, they are not telling us about the number of years the PS or the Cabinet Secretary of health was able to disburse Ksh. 3.7 billion and this County will receive Ksh. 98 million for the recruitment of 140 plus health professionals.

This Committee is not telling us the fate of Ksh. 98 million that was supposed to be used for recruitment. This is akin to going to the sea and not bathing. I have looked at-----

Hon. Ndonji: Point of order, Mr. Speaker, Sir

Hon. Speaker: Yes

Hon. Ndonji: Mr. Speaker, Sir, is it in order for the Hon. Member to mislead the House that this Committee was also supposed to be telling the House how this money was supposed to be spent, Mr. Speaker Sir? It is out of their mandate, Mr. Speaker, Sir.

Hon. Speaker: That's not even a point of order! Hon. Were, would you proceed

Hon. Were: The mandate was not constricted. You cannot fail to pick a pin on the ground, merely because, you were given fare to reach your destination.

(Laughter)

You know, collective responsibility is not collective omission----

(Laughter)

As the team moved around opinion polling, doing inventory check, they did not engage the statutory bodies, the constitutionally established bodies that are established by an Act of Parliament. One is, the Nursing Council of Kenya that was established under CAP 257 Laws of Kenya to deal with quality control, training, scheme of work for staff, promotions and even the Kenya Medical Practitioners and Dentist's Board. One will wonder when you write a whole report about management, training, staff issues to the exclusion of the established agencies that has constitutional mandates.

Hon. Madialo: Point of order, Mr. Speaker.

Hon. Speaker: Yes, Hon. Madialo.

Hon. Madialo: Mr. Speaker, is it in order for the Hon. Member right now on the Floor to fault the Assembly when he could have offered that advice to the Committee when they were working?

Hon. Speaker: Hon. Were, did you at any one point appear before the Committee? Were you part of the Committee?

Hon. Were: NO! NO! I was not part of that Committee.

Hon. Speaker: Okay, it is your time to contribute.

Hon. Were: Right! Alright

(Laughter)

The problems bedeviling health facilities emanate from the very low morale of the health professionals and they have a unit to deal with their welfare. This Committee had a

mandate and issues that are well documented here have to do with staff welfare. Then instead of meeting a group and individuals working within these health facilities, it would have been right for the Hon. Members meet the unions to ventilate and get advice. That one they never did.

About the issue of trainees who are going for their practicals when they are drunk, I expected this Committee to meet the Principal of Siaya MTC to know the position. That, they never did and MTC is just next door to the Siaya District Hospital! What a big omission!

(Laughter)

You look at this report, in as much as it appears much appealing, certain questions have to be raised. Why am I saying so?

Hon. Owii: Point of order, Mr. Speaker, Sir!

Hon. Speaker: Yes, hon. K'owii.

Hon. Owii: Thank you very much, Mr. Speaker, Sir. I stand to put a few things right. It appears that you have given room to the Hon. Member to give us the direction which actually was not taken care of by our mandate. How could we go and meet the Principal of Siaya MTC because students that are coming from there are drunk? Mr. Speaker, Sir, all those statutory bodies that Hon. Were is talking about, most of them are not here in Siaya, they are in Nairobi, they are not here--- Can you assist him?

Hon. Speaker: Hon. K'owii, that will form part of your contribution time. You will say all that. Hon. Were, make your contribution.

Hon. Were: I am just finishing. You know----

Hon. Speaker: Order! Order! Hon. Were, the Chair just wants to plead with you. Make your contribution as if it was your report, and indeed, enriching a report would be like, in future, when you are given this kind of a task and you have adequate time, consider consulting these institutions.

Hon. Were: As I finish, the Ad-hoc Committee moved around. I know they had a lot of energy---

(Laughter)

But the nature of spending that energy went---- Otherwise, we are here to give you the support and it would be better to involve the experts you have amidst yourselves for this Assembly to move forward. Thank you.

(Laughter)

Hon. Speaker: Hon. Madialo

Hon. Madialo: Mr. Speaker, you'll excuse my language. I'm not from Scotland like Hon. Were. Maybe I went to Santiago.

(Laughter)

I stand to support the report. Mr. Speaker, credit must be given where it belongs and the report that is before this Assembly perhaps might pass as the best that we have ever had since inception of this House.

(Applause)

Mr. Speaker, it will be outrageous to expect our colleagues to have solved those problems inflicting the health department countrywide. There are some that are countrywide and some are within Siaya and I believe the mandate that we gave the Committee was to deal with those problems that are unique to the County of Siaya, and Mr. Speaker, they have done their best, save for the reason that they have given to hon. Odinga to boost of that many people go to his place.

(Laughter)

The reason why I say this Committee deserves credit is the suggestion of upgrading certain facilities within certain regions to take care of referral issues from our smaller dispensaries. Mr. Speaker, that is a very big challenge that we are facing and also given that we have problems with staffing in our facilities. Mr. Speaker, once we have, let's say 70 dispensaries in one hub of a Sub County, it wouldn't make sense to suggest that the referral facilities be in Siaya and Bondo only. So, it is important that where we have so many numbers of dispensaries, one facility be upgraded to act as a referral facility for those dispensaries. Mr. Speaker, I will be suggesting that where I come from it continues the way it is so that the hon. Muhulah refers his people to Usonga. He has always done, and I welcome him.

(Laughter)

Mr. Speaker, as I said earlier, I have not been to Scotland like hon. Were, neither have I been to a medical school, but this report is detailed. If we are going to take 40 minutes each of us talking about it, we might go to bed without discussing any other report. Permit me to plead with my colleagues that we say only two things, though I have said four---

(Laughter)

So that, we go to the next business. Otherwise, I support.

Hon. Speaker: Hon. Gare

Hon. Gare: Thank you, Mr. Speaker. I am arising to give a pat on the back to this Ad-hoc Committee for the good report that they have brought to this House. Mr. Speaker, I have two comments. One, in the recommendations, they have recommended well. On page 9, they say most of the drugs which are needed are available. In my Ward, Mr. Speaker, I have had a problem with snake bites. I have lost three people due to lack of anti-snake venom. I would request that we put a policy where we would be having a continuous assessment so that we have continuous supply of drugs like the anti-snake venoms, because, you find them available one time and after three or four months, they are not there.

Where I come from, West Sakwa Ward, it is so bushy and we have a problem of snake bites and when the patient is brought here in Bondo, there are no drugs, Siaya no drugs. When the Committee was going round, it is unfortunate or fortunate they found that the drugs were there. But, I want to request that we look into ways of doing the continuous assessment so that we see whether drugs like anti snake venom can be there continuously.

Mr. Speaker, I happen to be one of the professionals in this House, but, I want to say something on the issues of statutory bodies. It is just like I am a Member of the County

Assembly of Siaya, when you meet me in Ugenya and you ask me something about the MCAs of Siaya, you have met a Member of the County Assembly of Siaya. When this Committee met the members, for example the nurses at Siaya or Bondo, they met members of the Nursing Council of Kenya.

(Applause)

And if they had issues, these people would have given the facts. So, it is not a must that you must go to Nairobi to meet the statutory bodies. Mr. Speaker, I want to say that, for example, the MTC that the hon. Member was saying was never met, the students at the MTC are released to go for experience in the wards, and when they are in there, they are under the care of the nursing experts. The nursing officer at that ward is the one responsible for these students, not the Principal of the MTC! And if these are the nurses who were met, then I want to say this Committee met the right people.

Mr. Speaker, just as it has been said, we should not belabor so much on this report. This is the right report that we should have. Let us have two minutes each, then we pass this report. Thank you.

Hon. Speaker: Hon. Zilpa

Hon. Awino: Thank you Mr. Speaker. I also rise to support the report. However, I want to say that when this Committee was given the mandate to go and find out what is happening, it was because of the issue of the Referral Hospital at Siaya that had many problems. I'm not aware whether this team really took their time to find out what goes on in Siaya Referral Hospital. Because, some of the issues we raised were that; over the weekends, many times the doctors are not there. When somebody falls sick, you either die or survive if God is with you, but they are hardly there. Now, this has not been brought out very clearly as far as I'm concerned. I don't know whether they were talking to patients or just any random person found at the hospital.

It also interesting to me that when you are talking about the hospital not being able to raise a lot of money, you have not asked the people of Siaya how much money they raise from their mortuary services. I think this is of great interest to me, why the hospital with all those structures, all the accountants, cannot provide their financial status. I think this hospital needs more investigation than these dispensaries which are doing a commendable job. The problem is at Siaya Referral Hospital. Thank you, Mr. Speaker.

Hon. Andiego: Mr. Speaker, indeed this Committee has done us proud. If we were to go for a competition of ranking reports among County Assemblies, I believe this report would emerge number one.

(Applause)

We need to give a big clap to the Committee. Mr. Speaker, when you go around, you'll find that ICAP has really employed many people, and Mr. Speaker, we know and we've been told that they are soon being laid off. I would recommend that if there is a way that we can involve a team that can go and negotiate so that these employees are not sent packing or if incase we are to recruit health practitioners, they should be recruited. They have a lot of ideas.

I also like to note that, this team never visited my Ward where there is facility called Uyawi health Center which is known in Siaya as the best in delivery services. I would have been rated No.1 on the issue of giving birth, Mr. Speaker. We are giving birth to a lot of citizens to this County, Mr. Speaker.

(Laughter)

Otherwise, thank you very much.

Hon. Speaker: Hon. Munda

Hon. Munda: Thank you, Mr. Speaker, for giving me a chance to air my views on this matter. I must start by thanking the Committee for a job well done. I'm happy that they have dealt with what brought about the go-slow in the County, which was the un-procedural posting orders No.3 and 4. The other one is about Ong'ielo health center which is in Rarieda. There is a maternity wing there which was really done well, but, has not been in good use for more than two years now because it has not yet been handed over. I would really ask the authorities to do something about it, now that it has been raised by the Committee.

Thank you Mr. Speaker

Hon. Asewe: Thank you. Mr. Speaker, I want to commend this Committee for the good work they have done. Mr. Speaker, Siaya is big and the health sector is also large. Time could not have allowed them to capture everything, but, we have to appreciate the much that they have done and we must also urge other Committees to emulate them.

Mr. Speaker, I only want to highlight the case of this employee whose conduct was being investigated. There are cases, Mr. Speaker, where some employees may gang against good employees who defend the law. This House also needs to make a follow up on such cases so that, such diligent employees are protected. There are cases where patients are mistreated in hospitals, dugs are stolen and when some staff stand firm and decide not to be party to such vices, they are considered traitors. We also need to look into this.

Thank you, Mr. Speaker.

Hon. Speaker: Hon. Kadera

Hon. Adera: Thank you, Mr. Speaker. I also wish to join other Members in congratulating the Ad-hoc Committee on health. Mr. Speaker, this is a good report which if implemented, will improve service delivery in the health sector. Mr. Speaker, I'm concerned with ICAP which has been a good provider of health services. If you go to most of our health centers, you'll find that they have staff, better trained than those employed by the County Government of Siaya. My concern is that, they will leave us next year by September. Mr. Speaker, I think the County government of Siaya should come in to persuade the ICAP management to extend their stay, even for the next ten years. There is no harm if they sit together and talk. They came with a good intention and their objective was to give good health services to the people, not only in Siaya, but to other areas such as Kisumu County and Homabay County. I used to see CDC people in the county, but, today I don't know what has happened. They are no longer here. They used to help our people and Mr. Speaker, perhaps this is why Siaya County is taking number three in HIV infections in the whole country. So, Mr. Speaker if we would be having people like CDC, ICAP and many more, then Siaya would improve in terms of service delivery. So, the Executive arm of the County government

of Siaya should come in handy to look for more donors, more service providers, so that the people of Siaya can get good service delivery. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Abayo

Hon. Abayo: Thank you Mr. Speaker. I rise as the vice Chair to this Committee to just give a few highlights. Mr. Speaker on page 14 as my able Chair did read through this report, under Human Resource, there is a critical element he did not mention. We move to the next page and that is under Human Resource Mr. Speaker, the issue of shortage of staff is critical and this Committee has proposed critical staff that have to be employed. That table shows the number of staff that must be employed.

The submission of Hon. Odinga has really shocked me. This Committee met and talked to the mortuary attendant who divulged a number of issues about the hospital and this committee will agree with me that, if there was a person to get a promotion, number one would be that gentleman. I'm surprised he has been sacked.

Mr. Speaker, the issue of --- has been raised, that it needs to be promoted to the level of a health center. Besides the fact that this is an old facility, it meets the threshold for a health center, so it's only a question of gazettelement.

Coming to the submission of Hon. Were, all of us will agree that he did not touch on any issue in this report. Nothing apart from the issue of drunk students.

(Laughter)

Mr. Speaker, this particular mandate was tabled in this House twice. We discussed it and the Hon. Member did not make any comment. I'm taking note of the issues he has talked about, such as; statutory bodies, the Ksh.98 million for recruitment. All these are not part of our report, but they are a reaction to maybe, parts of this report that he has not mentioned. So, the innuendo that he is trying to raise is not really in good spirit.

On the issue of snake bites, personally I'm aware of the cases cited by, Hon. Gare and each case led to death. Though, we might have not put this in writing, but the assurance we were given is that, these drugs are available. The only challenge with the anti-snake venom is its lifespan. This is not a drug that can last for 48 hours; it expires within a short period. It is something we addressed and they said they will try to keep it more so in areas such as Bondo and Sakwa.

Regarding the issue of HIV/AIDS in this County, Mr. Speaker, I wish to share with the House that ICAP, their core business is on HIV, and if you look at our recommendation on page 15, it states and we are proposing a strategy of what needs to be done. It is only in Siaya where ICAP is operating in every health facility.

I wish to support this Motion.

Hon. Speaker: Hon. Omwende

Hon. Omwende: Thank you, Mr. Speaker, Sir. First and foremost, I support the report and there is only one issue that I need to address in relation to Sigomre ward whose health center has serious issues. My expectation was that, the Committee would have identified the problems and come up with solutions. But, I will seek for a Statement later about this.

Hon. Owii: Mr. Speaker, Sir, I rise to support. There are times when we come up with very good reports, but, the recommendations are never effected. This particular report will be sent to Executive and later on, you will be surprised that not even one recommendation will be implemented. I want to request the Committee on Health to try and do a follow up, so that the efforts of this Ad-hoc committee are not in vain.

I would not commend any other person other than our Chair who could not allow you to go out anyhow. We were like in a classroom situation. It was not easy my friends; this guy did not allow us to even go for short calls. And anytime you were out, or not participating, the hon. Muhulah would easily suspend you for 30 minutes for being not being useful.

(Laughter)

Mr. Speaker, let me highlight on recommendation No. 5 which touches on all wards. It recommends the establishment of one model ward health center to act as a referral facility in each and every Ward. In his presentation, Hon. Muhulah said, the House should make a recommendation that, 25% of the money going to the Wards should be given to the health center. I want to challenge all of us, more so the elected Members, to strive and ensure that our wards have a model health facility. You'll find like in my Ward, we only have dispensaries, and we have to refer all cases to Madiany which is our Sub County hospital.

This is a good report that cannot be challenged by anyone. Hon. Were was just trying. You can use all kinds of English, but it won't change anything here. We give him back his words. He can rest with them

(Laughter)

Hon. Speaker: Hon. Chairman, Health

Hon. Onduru: Thank you, Mr. Speaker, Sir. I was a Member if this Committee and I want to appreciate the Chairman, whose strictness ensured the Committee deliberations went on well. Let me also appreciate Hon. Abayo, who was so resourceful to the Committee by being the typist, clerk and secretary to the Chair.

(Applause)

Mr. Speaker, how I pray that, the recommendations Tabled will be implemented for the betterment of Siaya County health. Mr. Speaker, Sir, maybe, you can give a direction on this; after a report has been done and recommendations given, is it the work of the concerned committees to follow up and ensure there is implementation, or is it a prerogative of the implementation committee? As a Committee, we agreed that whichever way this goes, we'll do follow ups to ensure there's implementation. This is a good report and if other Committees can borrow a leaf from this Committee, then our performance as an Assembly will be great.

Hon. Speaker: Hon. Rosemary

Hon. Ogotu: Thank you, Mr. Speaker. Mine will be very brief. I was also a Member of the Committee and all of us deserve a pat on the back because we deliberated very soberly.

Let me talk about the issue of Ukwala and remind Members that, it should be dealt with immediately, because, we assured the junior staff that the Committee had the powers similar to a high court and whoever will threaten them, will be the first to go. That is why

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they opened up to us. If this is the first casualty, maybe there are so many casualties coming. So, this issue should be taken up with immediate effect.

When we went to Sikalame, there were a lot of complaints. The road is impassable that the nurse even told us that reaching Sikalame, you have to remove your shoes, get up your skirt and cross the river. I think such cases should go to the Representatives of the area so that something is done.

Hon. Osuri: Thank you, Mr. Speaker. I stand to support this report. I was a Member of this Committee and I do concur with hon. Members that we were very serious. I want to echo only two issues. One, for us to reduce the number of HIV cases, there's need to have trained counselors. Doctors should also be factual. I've seen cases where people die of HIV and on their death certificates; it's indicated that they died because of pneumonia. This should be corrected.

On the issue of snake bites, this needs an integrated approach so that, bushy areas inhabited by snakes are cleared and cultivated. Otherwise, I support and hope the recommendations will be implemented for this report to be useful.

Hon. Awuor: Thank you, Mr. Speaker. I rise to support this report. I was also a Member of this Committee, but, due to engagements in other Committees, I left my deputy, hon. Osuri, to represent the Governance and Administration Committee. Let me not take too much time because a lot has been said, but allow me to request Members to be free to engage Committees during report writing so that their ideas are captured before the final draft is made.

Mr. Speaker, I made a Statement before this House over issues of Yala Level Four Hospital and the report has captured it well. It has been like that in the hospital. And because members of the press are here, I want to say that, the Executive incharge of health should not be waiting until the last minute to dispatch drugs to hospitals. I want to tell our people to go to these hospitals now that we have a good report that there are drugs in the hospital.

Mr. Speaker, the issue of ICAP is very key. Last year, Mr. Speaker, Yala as a level four hospital, enjoyed the support of Millennium Village project. But due to financial constraints, the Millennium Village projects withdrew all the staff without giving a notice and ICAP came in to support the hospital. I want to reiterate that follow-ups should be given first priority so that we don't lose these ICAP staff.

Otherwise, I support. Thank you.

Hon. Speaker: Hon. Majority Leader

Hon. Otieno: Thank you, Mr. Speaker. I rise to support this report. Just as my colleagues have said, this report is really worthwhile. The Committee that did this report has really done a wonderful job. I remember meeting Hon. Abayo and he told me that they were preparing the best report ever, and today, I can confirm that. I also remember meeting this able Committee one day on their way to Ugunja Sub County to meet people at Ambira Sub County Hospital and am glad that the issues I had raised earlier on about Ambira have been articulately mentioned in this report. Ambira needs more patients and delivery beds and I hope the CEC in charge of health will handle this. We are told the state of mattresses, linen and beds in Ambira is quite bad and they are out of use at the moment. So, I stand here to urge the Chair, that, something should be done about this.

Another grave issue I have seen captured in the report is the manner in which the police have raided the staff houses meant for the health personnel at Ambira. Something ought to be done about this, Mr. Speaker. This encroachment has prominently featured in this report and it should be dealt with. Mr. Speaker, I rest my case. As I support this important document.

Hon. Nguni: Thank you, Mr. Speaker. I'll be brief. I just want to appreciate the team that came up with this report. Some of us who have been there for long know the sorry state of these hospitals. 15-20 years ago, Madiany hospital which is under the care of hon. K'owii, was in such a situation that all the patients who went there, were to look for help elsewhere since the medical attendants were either absent or attending to their private businesses. This report is quite elaborate and I know it will address such issues.

Mr. Speaker, Sir, I just want to reiterate what my colleagues have said about the implementation of this report and I hope it will be fully implemented so that good results can be seen. If we continue like this, I'm sure that all the sectors in our County will be taken care of. If people thought that MCAs are just councilors per say, they are wrong. These are people who go deep into the root cause of problems, bring them out and follow up, so that work is done and proper care is given to our people.

Thank you, Mr. Speaker.

Hon. Speaker: Hon. Ben

Hon. Omondi: Thank you, Mr. Speaker. Permit me to join colleagues in saluting this wonderful Committee for job well done. However, having read the mood of the House, it seems this report has been exhaustively deliberated on and it's high time the Mover is called upon to respond.

(Applause)

And for that, I call upon, Hon. Elisha, to second me. Thank you, Mr. Speaker.

Hon. Speaker: Maybe, hon. Ombee has a point before I put the question. Yes, hon. Ombee.

Hon. Ombee: Thank you, Mr. Speaker. I rise to support this report. My request for the Committee is that they consider the case of Akala Health Center which is 20metres squared and on the Bondo- Kombewa highway and doesn't have an ambulance. Mr. Speaker, Sir, the community of South Gem ward is praying that Akala health centre be upgraded to level four. Thank you!

Hon. Speaker: There was a suggestion that, the Mover be called upon to reply and even without secondment, I'm not seeing anybody contesting. So, I would like to call upon the Mover to reply.

Hon. Muhulah: Thank you so much, Mr. Speaker. I would like to appreciate the support that we have received from the hon. Members, even from those Members who were a little bit disgruntled about the report. Mr. Speaker, I want to inform the hon. House that, there's even a more detailed report on health centers and dispensaries that we visited. So, should there be anybody who is interested, you can just approach us and you'll get a copy.

I also want to state to the House that, the concern of Madam Zilpa through you Mr. Speaker, is that the Siaya County Referral Hospital is doing a report and we have not yet received it. We're expecting it from Dr. Omondi, the Director, as soon as possible.

Mr. Speaker, just as my colleagues have stated, it is also my concern that the recommendations in this report, be implemented and also as a member of the Implementation Committee, we'll follow it up to see that all the suggestions made in this report are responded to. The health sector is very critical; and all efforts must be made to improve and transform it.

Thank you, Mr. Speaker.

(Question put agreed to)

(Applause)

HON. SPEAKER'S DIRECTION
ON IMPLEMENTATION
OF A REPORT

Hon. Speaker: However, Hon. Members, allow me to quickly give direction on the matter of implementation of a report.

The work of the Committee on Implementation is to scrutinize the resolutions of the County Assembly including adopted committee reports, petitions and the undertakings given by the County Executive Committee Members and examine whether or not such decisions and undertakings have been implemented. Two; whether or not legislations passed by the Assembly have been operationalized.

On the same breath, the role of Sectoral Committees.

To go through our Standing Orders, gives you the authority, like health, to deal with all matters related to County health services including, in particular, County health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, veterinary services etc.

Therefore, the direction is that, the Committee of Implementation can pursue implementation of resolutions of the House and also, a Sectoral Committee is mandated to do the same. On your own motion, the Committee on Implementation, make sure that this report is implemented, and that does not stop the Sectoral Committee from doing the same.

(Applause)

Next Order!

MOTION
ADOPTION OF REPORT REGARDING
HEALTH FACILITIES
IN CENTRAL SAKWA

Hon. Were: Mr. Speaker, Sir, allow me to move a Motion as petitioned by, Hon. Joanes Andiego, regarding health facilities in Central Sakwa as laid in this House today.

In the petition presented before this hon. House on 17th July, 2014, hon. Joanes Andiego, MCA, Central Sakwa Ward, requested among other things; gazettelement, equipping and staffing of Minyiri, Mbeka, Rapogi facilities. Upgrading of Uyawi, Ndeda, Oyamo and Sirawongo health facilities.

On 18th August, 2014, the sectoral committee of health visited these facilities.

Mbeka Facility.

History

The facility was started by funds raised by the community through harambee and the completion was done by the CDF.

The facility has a big fenced compound, approximately 2ha, with a gate, standard toilets and piped water.

Findings

1. The facility has not been gazetted.

The M.O.H, Bondo Sub County informed Members that prior to devolution; they had carried out inspection and recommended six dispensaries to be gazetted by the Ministry of Health

The Ministry of Health responded with an advisory that health services had been devolved and it was now the responsibility of the County Government to gazette the facilities.

2. The facility lacks essential equipment.
3. The Health Management Committee is interim.
4. The facility has got no staff.

Recommendations

1. The County Government of Siaya should expedite legislation and gazette the facility as a matter of priority.
2. Essential medical equipment should be put up.
3. We note that in the budget for financial year 2014/15 funds have been set aside for recruitments of health professionals and considerations should be given to Mbeka facility when that time comes.
4. The Health Management committee should be formalized and gazetted.

Rapogi Health Centre

Findings

1. The building is structurally weak and was constructed without consultation with the public health department.
2. The facility is lying in waste without any equipment
3. It has not been gazetted

Recommendations

1. The County Engineering department should carry out inspection and take the necessary action.
2. Gazettement, equipping and staffing should follow.

Uyawi Health Centre

There was request that the health center be upgraded to a sub county hospital.

Findings

1. It is the main referral centre in the area and serves a bigger outreach.
2. Staff are few and overworked.
3. Essential facilities both diagnostic and curative are inadequate.
4. The facility has ICAP sponsored staff whose contracts are ending in September 2015.
5. It's a centre of excellence in Bondo Sub County.

Recommendations

1. The following facilities should be put in place before upgrading Uyawi Health centre to a Sub county hospital.

- a) Mortuary
- b) In patient ward
- c) Staff Houses
- d) X ray department
- e) Emergency unit

2. There is need for more staff.

3. Funds should be set aside to acquire more land to accommodate up grading the facilities.

4. The County Government to make arrangements to absorb ICAP sponsored professionals to avoid any disruption in service delivery.

Thank you, Mr. Speaker

Hon. Speaker: Who is the seconder?

Hon. Were: Hon. Anastasia Augo

Hon. Augo: Thank you, Mr. Speaker. I rise to second the report.

Hon. Speaker: Hon. Members, allow me to propose the question which is;-

THAT, this House adopts the report of the Committee on Health Services on the petition by Hon. Andiego, MCA Central Sakwa Ward, regarding health facilities in Central Sakwa laid on the Table of the House, yesterday, 26 August, 2014.

Yes, it's time for debate.

Hon Andiego: Thank you, Mr. Speaker. I want to appreciate the Committee that visited these health facilities to identify the problems bedeviling them. It's now clear to this House that my petition was true, that we have idle facilities where nothing takes place. A good example is Mbeka health facility which was started by locals, to show how much they needed a health care centre. The CDF chipped in later. It's very disheartening that over the years, the community still suffers because they cannot get a clinical officer to attend to their problems. In their recommendations, the committee should have suggested for a temporary measure on how a clinician can be brought on board to serve the people so that they do not continue suffering as they wait for the long term solutions.

Mr. Speaker, I'm still not certain with the report, because, it doesn't assure me that there will be somebody to attend to my people. It means, my people will continue suffering until somebody is brought in later. The committee should have indicated when a clinician should be available to help my people. Mr. Speaker, I agree that Rome was not built on a single day, but it is our request that, Uyawi health centre be upgraded to a Sub-County hospital. We don't have the money to meet the requirements listed. Upgrading it will come with all those requirements they have mentioned.

All in all, Mr. Speaker, this report is not complete to me since it doesn't solve any of my problems. Thank you, Mr. Speaker.

Hon. Owii: Thank you very much, Mr. Speaker, Sir. I would like to appreciate Hon. Were and his team for bringing this report. However, how I wish it came earlier. Because, just in a couple of minutes ago we were discussing a report, now we want to discuss something that looks like a report.

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(Laughter)

Mr. Speaker, Sir. Allow me to say something. Some of us who have been there for a while know that if you use your position well, you can push quite a number of things to happen. You don't have to wait for the County government to do some things. Like the issue about gazettelement of these facilities. I know Hon. Andiego is a very aggressive man, we can liase and then we also assist you in pushing for the gazettelement, because it's now being done here at the County. Once gazettelement is done, then personnel will most definitely be posted to run the facility. Even before that is done, Hon. Andiego, you can liase with the M.O.H and his team and more particularly, the Sub-County Hospital Superintendent who will assist you in at least engaging somebody to assist the locals. The community should also try and engage one or two people to assist in record keeping and a few other things. That is how I started two of my facilities and fortunately, they have now been gazetted. Hon. Were's findings were just to find out your problems and make recommendations on how you can be helped. Hon. Were can not help you.

(Laughter)

I want to suggest that when you will be considering Rapogi for gazettelement, you don't need to make a mistake that, you behave like a monkey that instead of climbing a tree right from the bottom, you climb by jumping on top.

(Laughter)

Hon. Augo: Point of order, Mr. Speaker!

Hon. Owii: Rapogi is---

Hon. Speaker: Yes, Hon. Auko

Hon. Augo: Mr. Speaker, is it in order for a hon. Member to refer to hon. Members in this House as monkeys?

Hon. Speaker: Hon. Augo, I thought he just gave an analogy. He didn't refer to anybody as a monkey. Or hon. K'owii did you call anybody a monkey or did you intend to?

Hon. Owii: Not even one! I think I will conclude by not even making that mistake.

(Laughter)

I was only saying that, if we are gazetting Rapogi, we should not start by gazetting it as a health centre, let us start by gazetting it first as a dispensary and then it will graduate with time. This report says it should be a health centre.

Lastly, my biggest concern is that, in the report which we brought here, we talked of a model health centre. We have heard about Uyawi for a long time and I believe this can be the first model health centre which can be used as a referral. Just find a few things that you can put there and when you will put your 25% in this facility, then it will be the first model health centre in the County. If you go that direction, then certainly even the Office of the Governor will put some money to assist you.

Thank you, Mr. Speaker and I'm happy that at least we have something to discuss.

Hon. Speaker: May I just make a clarification on something. I wouldn't want it appear that when the House takes over a matter, then it is tossed back to the Member who brought it up. It becomes a House business and the House should commit itself to the content of that report

Yes, Hon. Augo

Hon. Augo: Thank you, Mr. Speaker. I rise to support this Motion. The community in Mbeka has really worked tirelessly. They bought the two acre land, cupboards and the facility has very modern toilets. Mr. Speaker, we were with the MOH at the facility and he really stressed to us that they have a shortage of staff. If gazetted, the facility will really serve a large number of people.

As for Uyawi, it is a very nice facility. We were with the Mover of the Motion when the MOH told us that, the facility cannot be upgraded to a Sub- County Hospital and reasons have been stated here. So, even if the hon. Member is requesting for it to be upgraded, this cannot happen because it doesn't have wards, a mortuary and the space is quite small. Even though he says we have not solved his problems, we've put recommendations and I think Hon. K'owii has answered him well by giving him the facts and how he can get more help. Mr. Speaker, I would like the House to endorse this report. I rest my case

Hon. Speaker: Hon. Asewe

Hon. Asewe: Thank you, Mr. Speaker. I was really dismayed by some of the comments from our Members. I think this House should handle all cases with decorum and there is no case where some reports should be regarded as better than others. A report is a report, whether it is a one page document, eight or even a hundred, because it contains the resolutions of the committee that went out.

Mr. Speaker, there are a number of health facilities that have been started by the community and some of them were funded by the CDF. They are so many Mr. Speaker, that it may be difficult to fund all of them. But, it is necessary that with the help of the health team, we should identify some that are in strategic places that need to be upgraded. so that they can serve a good number of people. Otherwise, large sums of money will be wasted because once a facility has been erected and it is not in good use, there will be vandalism.

Mr. Speaker, I'm happy that the health team has done a good job and I request the House to ensure the Committee recommendations are implemented. I rest my case.

Hon. Speaker: Hon. Elisha

Hon. Okuku: Thank you, Mr. Speaker, Sir. I want to appreciate the findings by this Committee. The findings at Mbeka facility really caught my eyes; it's stated in point 4 that the dispensary has no staff and I kept wondering how patients are being attended to, while there's no staff in that facility. I don't know if they wanted to say they have few staff and it's a typing error or there's no staff at all. And if there's no staff, this Committee should have recommended and engaged the County Director of Medical Services even before Tabling this report so that a way could be found of even taking some staff from other facilities in Siaya to that place.

So, Mr. Speaker, even as we adopt this report, I request the House to look at that. The people of Mbeka deserve healthcare services as any other people in Siaya County and I want to believe that the people of Central Sakwa are not second class citizens; they are equally important, Mr. Speaker.

Thank you.

(Applause)

HON. SPEAKER'S RULLING ON
THE HANDLING OF PETITIONS

Hon. Speaker: Hon. Members, allow me to give some guidance. This being the first petition we are handling, we will excuse ourselves. But, the manner in which we should handle petitions are in standing orders No. 200- Presentations of Petitions- which I will not read because this is something that we had done before.

No.202- Committal of petitions and it goes;

(1) Every Petition presented or reported pursuant to this part, shall stand committed to the relevant Sectoral Committee.

(2) Whenever a Petition is committed to a Sectoral Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the County Assembly and no debate on or in relation to the report shall be allowed, but the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petitions for not more than twenty minutes.

(3) The Clerk shall, within fifteen days of the decision of the County Assembly, in writing, notify the petitioner of the decision of the County Assembly on the petition.

No. 203. Copies of responses

The Clerk shall forward copies of responses received under Standing Order 202 (Committal of Petitions) to the petitioner or petitioners.

No.204.

(1) The Clerk shall keep and maintain a register in which shall be recorded all petitions and supporting documents, and the decisions of the County Assembly.

(2) The register of petitions under subsection (1) shall be accessible to the public during working hours.

Hon. Members, that being the case, you realize that a Petition once it has been submitted, the best way would have been that, during our investigations, we were to see the CEC incharge of health, he was to give us his commitment in addressing the issue that was raised. Because, this is not a matter addressed by Hon. Andiego, but a statement question sought by the petitioner for the intervention of the County Assembly. So, when you seek the indulgence of the CEC in charge of health, then he would have given you a detailed report on interventions he has put in place systematically on how to handle health matters.

Then, the report was to be presented here, debated if the Speaker allows and the petitioners are served with copies of---and this having been the case, I just want to advise that the office of the Clerk takes note of that response of the investigation by the committee on health and when the same committee gets a commitment from the CEC incharge and then that be addressed to the petitioners, so that they get to know the position of the Assembly on this matter.

(Applause)

Next Order!

MOTION

ADOPTION OF REPORT
ON THE FATE OF CASUAL LABOURERS/EMPLOYEES
INHERITED FROM DEFUNCT
LOCAL AUTHORITIES

Hon. Speaker: Yes, Hon. Madialo

Hon. Madialo: Mr. Speaker, I have looked at the Order Paper of today and I can see we have a long way to go. But, Mr. Speaker, there is an issue that is quite pressing in the County which must be addressed tomorrow; I don't think we have an option. Mr. Speaker, I fear that time might catch up with us so permit me to move this Motion on the fate of casual labourers.

Mr. Speaker, I rise to move the Motion:-

THAT, this Assembly does Adopt the Report of the Ad-hoc Committee of the County Assembly of Siaya on the positions and fate of the casual labourers/ employees inherited by the Siaya County Government from the defunct local authorities and that that report be then addressed to the petitioners that brought the petition through Hon. Leonard Oriaro and Hon. Elisha Okuku.

Mr. Speaker, Hon. Walter Okello will second.

Hon. Okello: I second

Hon. Speaker: We are on the next Order!

ADOPTION OF REPORT
ON THE STATE
OF NG'IYA MARKET

Hon. Munda: Thank you, Mr. Speaker. I rise to give the report of the Trade, Industry and Cooperative Development on the issues raised by Hon. Abayo on the state of Ng'iya market. I request Hon. Ombee to second.

Hon. Ombee: Mr. Speaker, Sir. I rise to second.

Hon. Madialo: Point of order, Mr. Speaker!

Hon. Speaker: Yes, Hon. Madialo.

Hon. Madialo: Mr. Speaker, would it be in order for the Chairman to give a response to a question raised by a Member who is not present?

Hon. Speaker: It is in order, Hon. Madialo, because, this Member has a copy of the Order Paper. The Member has been in this House and he is not absent with my permission. As far as I'm concerned, he should be in. May we proceed.

Hon. Munda: Thank you, Mr. Speaker for correcting me----

Hon. Speaker: Protection!

Hon. Munda: Thank you so much. Mr. Speaker, Hon. Abayo raised some issues on Ng'iya market and we were tasked with the work to go and look on those matters and this is what we came up with.

1. **Water**

The committee found out that, installed water pump was handed over to SIBO water company by the then Sub-County Administrator Alego Usonga for assessment so as to repair

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it. The assessment had been done and the estimates are as attached. Hon. Members, you can check the attached copy from SIBO and you can notice what is needed there. It's very clear. I hope all of you have the copies from the SIBO.

2. **Toilets**

Mr. Speaker, currently a toilet has been constructed within the market by Accurate Communication Ltd and it is complete. Commissioning for use is to be done after the assessment.

3. **Lighting**

Mr. Speaker, all electricity bills are paid by the Finance Department and a follow up on the actual payment by the department is to be confirmed through the office of the Sub County Administrator concerned. There is a bill there of around Ksh.16, 000 which has not been paid.

4. **Insecurity**

Mr. Speaker, the CEC Member incharge of Governance reported that, due to the breaking-ins that took place at the market on 6th March, 2014, the security officers have intensified patrols in the area and its surroundings at night. He has also directed that the Sub-County Administrator should sensitize area residents on the need to report gang members who may be living in their midst. We found out that this has been done and these days the security in Ng'inya us a bit better and things are going on smoothly.

5. **Bus Stop**

Information from the surveyor is that bus stop was surveyed in 1989 and development of the same needs to be ratified by the County Government of Siaya including the relevant development plans and requisite budgetary inclusion. Mr. Speaker, according to the surveyor even the plot which Hon. Abayo was saying had been grabbed is still intact and nothing has been done on it.

Mr. Speaker, I rest my case there and I would like Hon. Were to second. Thanks.

Hon. Were: I second

Hon. Speaker: Allow me therefore to propose the question which is:-

THAT, this House adopts the report by the Committee on Trade, Industry and Cooperative Development on a Statement request by Hon. Abayo on the trade boundary of Ng'inya market laid on the Table of the House, today, Wednesday, 27th August, 2014.

Contributions. Yes, Hon. Otare.

Hon. Otare: Thank you. Mr. Speaker, I just want a clarification. If I look at the Order Paper and motion No.10 is different from what the Chairman is referring to there. Is it a typing error?

Hon. Speaker: Motion No.10. Hon. Munda, is there a variance, is it the same thing you are talking about?

Hon. Munda: Mr. Speaking, it seems like a typing error.

Hon. Speaker: What is the true position?

Hon. Munda: The true position is that I was supposed to reply to Hon. Abayo's petition today. But the other one is not in my docket. It is in Hon. Otare's docket.

Hon. Speaker: Hon. Otare, what is the issue?

Hon Otare: Mr. Speaker, I just want a clarification because how can we hear a report from the Chairman, yet it is not in the Order Paper. Is it in order?

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Hon. Speaker: It is there. No.10

Hon.Otare: Mr. Speaker, No.10 reads that, the House will adopt a report of the Committee on Trade, Industry on Hon. Jared Abayo about the boundary of Ng'iya market. The same to No.11

Hon. Speaker: Ok. Thanks. Your narrative is not responding to the concerns of the boundary. You remember this is one statement in two, where we are talking about the physical dispute on the physical land and then the other one was on trade. I ruled that you handle the one for physical. He was to handle the business bit. I think it is in order. Hon. Zilpa.

Hon. Awino: I think, Mr. Speaker; Hon. Otare's concern is that the wording of No.10 is exactly the same as the wording of No.11.

Hon. Speaker: Well, let me give direction. As long as he has handled the business element and as long as hon. Otare will handle the land physical element, because it was one question that was referred to the Committee on Trade, and then the Committee on Land and Physical Planning requested that this is a matter within their jurisdiction, I did advise that they handle the land component. So, let's stick to hon. Munda's.

Any contributions on the same?

Hon. Okuku: Mr. Speaker, when you look at what hon. Munda has just read to this House, there is no any composition of membership. I don't know whether it was singlehandedly done or the Committee went at large and did it Mr. Speaker. There's no mandate in what he has given us. I suggest to him to look professional on his findings because it takes time and resources from this County when people are doing such reports and he has even talked on the issues of water, SIBO---- and the Committee on water was not even in the picture.

I don't understand where he got all these information concerning water in Ng'ya. I just think that hon. Munda was out to misguide this House and therefore this report should be put aside for the time being so that he brings a more comprehensive report which can be adopted in this House. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Any other contribution before I put the question?

Yes, Hon. K'owii

(Laughter)

Hon. Owii: Mr. Speaker, Sir, any report that comes to this hon. House should be very---and the only rubber stamp that we should have there are the signatures of the people who worked on that report. Finally, we need the signature of the author of the same. If possible, with the secretary. This is not the case with this particular report. We would be doing harm to this House if we accept such reports for discussion. I want to request that we discourage ourselves from discussing Hon. Munda's report. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Yes, any contributions before I put a question on that report, whether it would be rejected on the basis of the lacking elements or it would be accepted.

Yes, Hon. Andiego.

Hon. Andiego: Thank you, Mr. Speaker. It is true that a report must be derived from a committee and a committee is not one person, they must be many. And if you can see from

the report Mr. Speaker, we don't know whether hon. Munda just sat in his house, wrote the report and presented it to the Assembly. We are requesting that hon. Munda go consult his team and bring us a good report which includes the whole team. Thank you, Mr. Speaker.

Hon. Speaker: Yes, Hon. K'awuor

Hon. Awuor: Mr. Speaker, I want to thank you for the chance you have given me. I don't know my friend and colleague, because I'm not seeing the secretary of this committee and the membership---

(Laughter)

Mr. Speaker, I want to request the Chair of the trade committee to kindly withdraw this report and go and work on it very well with his team.

(Applause)

Hon. Speaker: Hon. Augo

Hon. Augo: Thank you, Mr. Speaker. I stand here to reject this report. Mr. Speaker, the report looks more like a statement and I don't know who it is addressed to. I would like the hon. Member to go and consult his team and bring to us a good report. I rest my case.

(Applause)

An. hon. Member: Mr. Speaker, Sir, first of all as a Committee on Trade we apologize for that report--

(Laughter)

I request my Chair to withdraw the report. Thank you. Chair, please withdraw.

(Laughter)

Hon. Speaker: What's your take Mr. Chairman?

(Laughter)

Hon. Munda: Thank you, Mr. Speaker for allowing me to speak. First of all, this is the mistake of the secretary of the Committee, it's not mine. Mine is to chair the meeting and all these other things are done by the secretary, not I.

Hon. Members: No! No! No! Check

Hon. Munda: Secondly, there was lack of power and I think she was rushing. These things we did just now when we are here. It was done hurriedly Mr. Speaker---

Hon. Speaker: Are you withdrawing it or not?

Hon. Munda: I withdraw.

(Laughter)

Hon. Speaker: I'm asking you, are you withdrawing the report?

Hon. Munda: I'm withdrawing Mr. Speaker---

(Laughter)

And I request for time. Not today, maybe tomorrow.

(Laughter)

Hon. Speaker: Hon. Munda has withdrawn his report before debate.

(Laughter)

Allow me just to share with us how committee reports should look like. It's detailed, but I want just to be very brief. Committee reports is accumulation of an enquiry by a committee to matters that fall under the jurisdiction of that committee. In adopting a committee report, you give two positions; the majority decision and the minority.

Then how a report should be structured; we should have the introduction which serves to state the subject matter of the committee's enquiry, it also gives brief background of the problem which gives rise to the need for an enquiry.

At the important aspects of introduction is a set of guidelines to the enquiry otherwise normally referred to as the terms of reference. Then we always talk about the seedings, how it happened and the findings of the Committee, then we give recommendations.

But that is not the matter being contested; the matter being contested in this report is that, Members were feeling that it is not an in-depth enquiry that does not show even ownership in your narrative as to who are the Members of this committee. And therefore, because it's withdrawn, I have nothing else to say, but just to urge us that we better present reports that are owned by the committee.

(Applause)

Yes, Hon. K'owii

Hon. Owii: Thank you very much. Mr. Speaker, reading the mood of the House, I'm seeing that hon. Members, time is not on our side and we have issues of importance to this County that we are supposed to address and deliberate on. I wanted to request very kindly if this House can accept to adjourn and the issues that we were supposed to address today, we can continue with them in our Order Paper tomorrow and then see if we can finish. Because, this element of fatigue that you are seeing here, will make us not debate effectively. Even the one of Hon. Munda, if at all that kind of oversight was not seen by one of us, people were blind about such things, only because they are tired and we would have finished discussing it.

I want to request the Office of the Speaker and the hon. House that if you well please, we can adjourn until tomorrow for further discussions on issues remaining here.

Thank you, Sir. I want to request hon. Oluoch K'awuor to second.

Hon. Awuor: Thank you, Mr. Speaker. I rise to second. Mr. Speaker, looking at the way people are and the way they are leaving the House, the Motion that I have will not be heard properly and appropriately and I wish that if given time, tomorrow we'll get full House.

Mr. Speaker, I second.

Hon. Speaker: Hon. Otare, what's your take? I want to put the question.

Hon. Otare: Thank you, Mr. Speaker. I would just like the House to allow me to give this report. It's not as the other one presented here. I'll only need five minutes.

(Loud consultations)

ADJOURNMENT

Hon. Speaker: Hon. Otare, just take your seat. Depending on the how the mood of the House will respond, you'll know whether they want you to present your report or they would like it deferred.

(Question put and agreed to)

(Applause)

Hon. Members, just allow me to make one Communication. Tomorrow is a heavy day. We had a target as an Assembly that, we have to pass our three Bills tomorrow and we said that, the business that we'll start with tomorrow is the business of the Committee of the whole House on the three Bills. So, Hon. Members, when you come tomorrow, let's give the Bills first priority, then the report of the Ad-hoc Committee on casuals, after which, those other issue that are pending now will be discussed depending on the availability of time.

Therefore with that, this House adjourns until tomorrow, at 2.30 p.m.

The House rose at 5.41 p.m.