

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY
THE HANSARD

Second County Assembly - Third Session

Wednesday, 3rd July, 2019

The House met at the County Assembly Chamber at 2.30 p.m.

[The Deputy Speaker (Hon. Odongo) in the Chair]

PRAYER

STATEMENT

INCONSISTENCY AND INADEQUATE DRUG SUPPLY IN HEALTH FACILITIES

Hon. Audi: Thank you, Mr. Deputy Speaker, Sir. First of all, I am a bit concerned about the time frame taken for response. There is a statement request I made almost 4 months ago that is to the department of Health on the inconsistency and inadequate drug supply in our Health facilities. Up to now, I have not received any response so I don't know when we will get the response. Can the chair tell us when we will get the response before I proceed?

Hon. Deputy Speaker: Yes, chair for Health.

Hon. Abigael: Thank you, Mr. Deputy Speaker, Sir. We in deed received response from the department but it was not sufficient to bring to this House so we had to write to them and send back to them so that they give us something comprehensive, which we will receive on Monday next week.

Hon. Deputy Speaker: Hon. Audi, are you satisfied?

Hon. Abigael: Yes, Hon. Deputy Speaker provided they give response in time.

Pursuant to SO 41 (2c), I rise to seek a Statement from the County Executive Committee Member (CECM) for Enterprise and Industrial Development on the improvement of drainage system and gravelling in Akala market, South Gem Ward. The project was allocated Kshs. 1, 500, 000 in the FY 2018/2019 and the payments made to Franco Agencies for work not done.

In the Statement the CECM should;

1. Explain why the contractor was fully paid the entire cost for work not done.
2. Explain the plans the County Government has in ensuring the project is completed by the contractor as per the specifications of the BQs.

Disclaimer: *The electronic version of the official Hansard report is for information purposes Only. A certified version of this report can be obtained from the Hansard Editor.*

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

3. Explain the plans the department has to avoid such occurrences and possible loss of public funds in projects that are paid for and not done. Thank you.

Hon. Deputy Speaker: I hope that the chair for Industrial Development is here and I would like to guide that the Statement will stand Committed to Finance and Trade Committee and we will give them 14 working days to respond. Is chair around? Are you okay with the duration given?

Hon. Oduor: Mr. Deputy Speaker, Sir, I don't have any objection.

Hon. Deputy Speaker: Thank you. I would like to remind the Hon. Member to use the Microphone.

Hon. Oyugi: Thank you, Mr. Deputy Speaker, Sir. On the same note on delay of responses, I also made a Statement request to the department of Water and Environment on the mining activities taking place in East Asembo Ward. That is a couple of months ago, up to date we have not received any response. So I don't know if there is any intention of a response given it was 4 months ago.

Hon. Deputy Speaker: Sorry! I think chair of Water Hon. Booker, is around and if not then the vice chair can respond or any Member of that Committee. Hon. Audi, you just complained here and your Committee has also failed to respond. How many days did you give for response and how long has it taken now?

Hon. Audi: Just 14 days, though on how long, that will need consultation between the Committee and the chair.

Hon. Deputy Speaker: So what is your response in regards to the issue?

Hon. Audi: We will sit down and discuss the same. So give us after the recess then we will give the response.

Hon. Deputy Speaker: So you are requesting for another week?

Hon. Judy, are you satisfied?

Hon. Oyugi: Yes.

Hon. Deputy Speaker: I want to remind the other Member who responded to Hon. Audi's delay that we are starting our recess from tomorrow, so Monday we will not be around and if you were to respond on Monday, we are giving you another week to work on the report.
Hon. Abigael.

MOTION

INQUIRY INTO LEVEL OF COMPLIANCE TO PROCUREMENT PROCEDURES IN BONDO HOSPITAL

Hon. Abigael: I beg to move:

THAT this House adopts the Report of Sectoral Committee on Health Services on Report on Inquiry into the Level of Compliance to Procurement Procedures in Bondo County Hospital laid on the Table of the House on Tuesday, 2nd July, 2019. I will go straight to the Report.

Article 43 of the Constitution of Kenya, 2010 gives all Kenyans right to health as illustrated below;

Disclaimer: The electronic version of the official Hansard report is for information purposes Only. A certified version of this report can be obtained from the Hansard Editor.

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

(1) Every person has the right—

(a) to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;

The underlying determinants of the right to health are availability, accessibility, acceptability and quality. The quality aspect has health systems strengthening and financing as components.

Siaya County is in the process of developing a policy that will drive the County towards the attainment of Universal Health Care (UHC).

For the County to reach this status it is a journey of consideration of so many factors and putting of health infrastructure in place. It is therefore paramount that facilities in the County are prepared to offer all the services that they should at their various levels.

The goals of UHC are to provide people with the service they need, offer financial protection and equity and finally render quality services. The other crucial aspect of UHC is efficiency in determination of progressive revenue sources.

These are the fundamental building blocks to provision of comprehensive medical care and all facilities in Siaya County should have infrastructural, operational and human resource plans towards attainment of UHC.

Members of the Committee

The Committee on Health Services comprises the following members

Hon. Abigail Perpetua Awino	Chairperson
Hon. Benard Onyango Adalla	Vice chairperson
Hon Irene Shirley Oyuago	Member
Hon Emily Agnes Awitta	Member
Hon. Leonard Oriaro	Member
Hon. Vincent Otieno Odawa	Member
Hon. Fredrick Oluoch Omoro	Member
Hon. Judith Anyango Oyugi	Member
Hon. James Obiero	Member

BACKGROUND TO THE HOSPITAL VISITATION

The Committee during its sitting on 19th February, 2019 received complaints from a section of its membership on the complaints received from the public concerning the operations of Bondo County Hospital. These complaints included the delayed completion of the maternity block.

Further, these complaints pointed at the overall management or operations of the hospital including lack of drugs and commodities especially in the maternity department.

This prompted the Committee to make an impromptu visit to the facility on 20th February, 2019 to ascertain the actual state of affairs.

Executive summary

This report provides details of the Committee findings in the process of inquiring into the level of adherence to the Constitution of Kenya, The Public Procurement and Asset Disposal Act, 2015, the Public Finance Management Act, 2012 and the public procurement regulations.

***Disclaimer:** The electronic version of the official Hansard report is for information purposes Only. A certified version of this report can be obtained from the Hansard Editor.*

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

Chapter one of this report outlines the mandate and membership of the Committee. Chapter two of the report highlights the issues that prompted the Committee to undertake this inquiry and a summary of the report.

Chapter three of the report gives a detailed report of the state of the various departments in the Hospital, this includes an analysis of the three major development projects that have been going on in the hospital namely completion of the maternity wing, drilling of the borehole and renovation of the kitchen.

The law that guides procurement procedures in public entities with a bias on the aforementioned development projects has been well detailed in chapter four.

In Chapter five, the Committee does its overall analysis of the data collected from the whole exercise, makes its conclusions and finally recommends way forward on the subject matter of the report.

OVERALL COMMITTEE ANALYSIS

Having provided a detailed analysis of each department and the procurement process followed in the three major projects done in the facility, the Committee wishes to state as follows;

- i. That the CEC Member for Health Services admitted twice before the Committee that the anomalies witnessed in the projects being investigated by the Committee were as a result of inadequate capacity and emergency situations. The County Government of Siaya has a Supply Chain department which should provide assistance to the sister departments. Secondly, this admittance is a clear demonstration that the State Officer in charge of Health Services in Siaya County does not have sufficient knowledge of the PPADA Act, 2015 and its resultant regulations and has the impudence to oversee and authorize malpractices.
- ii. That the pharmacy is a very crucial and expensive department in a hospital and that means it requires proper documentation, record keeping and 24-hour operation. The hospital cites inadequate staff as reason for complete closure of this section of the hospital, which the Committee finds unsatisfactory since it, is possible to leave drugs used in emergency situations with the officers on duty at night and keep sound records of the same.
- iii. That it is extremely unfortunate for a pharmacy to run without running stocktaking, audit and tracking of drugs from delivery by supplier to dispensing to a patient.
- iv. That the next appointment booking fee of Kshs. 100 is unlawful, this claim by patients should be investigated, and accountability for the funds collected established.
- v. That lack of shelves in a recently renovated kitchen is an indication of miss-prioritization in the particular project because keeping foodstuffs on the floor exposes the same to too much risk and to make the matters worse, this is a hospital where the highest level of food hygiene ought to be observed. Shockingly, this kitchen was certified as fit for

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

preparation on patients' food by the Sub County Public Health Officer, Mr. George Ougo. (See page 28 of annex 1)

- vi. That the local maintenance of motor vehicles owned by the facility because dealers are expensive may compromise quality of the maintenance and increase the number of times the vehicles break down and thus end up still expensive.
- vii. That the lack of an asset register in the hospital means that no one knows how many assets the hospital has nor their status and whereabouts which is against government regulation.
- viii. That the record keeping department is still manually run and therefore slow, time consuming and inefficient.
- ix. That the procurement department in this facility is extremely inefficient and accustomed to law breaking. The Committee was shown minutes in a file without the dates and purpose of signing, and most significantly, being at the heart of this inquiry, the excessive violation of the provisions of PPAD Act, 2015.
- x. That the facility receives Linda Mama from NHIF which is reimbursement for deliveries done, which means the money should be used in buying commodities and improvement of the maternity department but this never happens and this crucial department is facing too many challenges.
- xi. That the current Hospital board has failed to advise the hospital management leading to colossal irregularities.

CONCLUSION

The Committee notes with concern that few months ago, this House passed into law, the Siaya County Health Services Act, 2018 whose main objective was to empower hospitals financially to smoothen their operations. However, going by the findings of this inquiry, it has come to the realization of the Committee that financial management including revenue collection and overall management systems in hospitals may be a serious challenge towards the realization of the purpose of the aforementioned law.

Additionally, the publication of the Health Services Act, 2018 has faced serious frustration by the department of Health Services by failure to provide a substantive reason as to why this important legislation cannot be published three months after assent by the H.E the Governor of Siaya County. Further, critical sections of this legislation was to be effective from 1st July, 2019. The Committee wishes to state that this is an act of sabotage.

In furtherance to the above, hospitals being procuring entities with established procurement departments which is not an assured position since Bondo County Hospital for this case is running a shell of a department with no proper documentation and the worst is nonexistence of an asset register for a facility that has been operational since time immemorial.

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

The functions of a hospital board bestow a responsibility of approval and overseeing of financial transactions of a hospital. It is therefore undoubtedly true that the irregularities in the Bondo County Hospital were done in the clear purview of the hospital board.

RECCOMENDATIONS

That on adoption of this report by the House;

1. The CECM for Health services to immediately facilitate the publishing of the Siaya County Health Services Act, 2018 and forward the Act to the Assembly in fourteen days upon the adoption of this report.
2. The office of the Assembly Clerk forwards this report to the Public Procurement Regulatory Authority for a technical investigation of the tendering process of the three projects at Bondo County Hospital.
3. The Office of the Assembly Clerk forwards this report to the Ethics and Anti- Corruption Commission for probe on possible abuse of office by the Medical superintendent, the Hospital Board and any other relevant officer.
4. An operations and financial special Audit be undertaken at the Bondo County Hospital and extended to all the hospitals in the County by the office of the auditor general with a view of identifying loopholes in the management which are causing loss of public funds, including the legality and accountability for the Kshs. 100 'next appointment booking fee'.
5. A progress/ implementation plan for the recommendations herein shall be forwarded to the Assembly 90 days after the adoption of this report by the CECM for Health Services failure to which the officer shall face an impeachment motion for inefficiency.
6. The CECM for Health Services to immediately de-gazette the hospital board of Bondo County Hospital for overseeing massive irregularities in the facility and causing loss of public funds. A newly constituted board to be forwarded to the County Assembly by the CECM for Health Services 30 days upon the adoption of this report.
7. The CECM for health services to plan and budget for the installation of Health Management information system, which includes drugs monitoring in all hospitals and high volume health centers in the departmental budget for the F/Y 2020/2021.
8. The Chief Officer for health services to find mechanisms of ensuring all hospitals in the County have cashless payment modalities by allowing banks to have agents in the facilities so that money is deposited directly to the facility bank accounts by August 1st, 2019.
9. That the CECM for health services ensures that Linda Mama funds are strictly used for defraying expenses related to the maternity department from 1st August, 2019.
10. That the CECM for Health services in thirty days furnishes this House with the requisite documentation on the completion of the maternity wing. This documentation should include the plan to complete and operationalize the project and the recovery of the money

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

lent to the contractor. Since the CECM termed the contractor as ‘stubborn’ consideration of termination of the contact should be taken as an option.

11. The Chief Officer of Health Services to ensure that all facilities in the County keep and maintain an asset register by 1st August 2019.
12. The CECM for Health services to initiate audit of the office of the medical superintendent Mr. Willis Ochieng’ and the hospital board in regards to the procurement process of three projects as well as revenue collection and banking and report to this Assembly in 30 days, on the action taken on the medical superintendent for continual violation of the Public Procurement and Asset Disposal Act, 2015 and the hospital board.
13. Going forward the CECM Health Services to establish and streamline procurement departments in all hospitals within the NEXT TWO FINANCIAL YEARS AND ENSURE STRICT ADHERENCE TO RECORD KEEPING PROCEDURES AS ENSHRINED IN LAW.
14. That the Chief officer health services to ensure that the pharmacy department puts in place the requisite documentation procedures and keeps records of drugs as required by standards and that this department is digitized in all facilities and the progress of implementation of this recommendation be submitted to the Assembly in 90 days from the date of adoption of this report.
15. That the CECM for Health Services develops a transport management policy for all vehicles in the facilities in the County and their maintenance harmonized. The policy to be submitted to the County Assembly for approval in 90 days from the date of the adoption of this report.

I therefore ask Hon. Awita to second.

(Hon. Awita seconded)

(Question proposed)

Hon. Deputy Speaker: Yes, Hon. Oriaro.

Hon. Oriaro: Thank you, Mr. Deputy Speaker, Sir. Mine is just to say that this is a very standard report that has emanated from the Committee whose Membership I am, and I would urge the House to adopt it with speed so that we expect implementation.

Let me draw your attention to recommendation No.1, and your Hon. Membership, No.1 page 29 of 31 that the CECM for Health to immediately facilitate the publishing of The Siaya County Health Services Act of 2018 and forward the Act to the Assembly within the 14 days upon the adoption of this Report.

I want my voice on behalf of Central Alego to be heard on this very substantively, that this one, on your later pronouncements should be revised, because it doesn’t meet the threshold of Legislation to read that the CECM of Health to immediately facilitate the publication yes, not of the Siaya County Health Services Act 2018, but the Siaya County Health Services Regulation

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

of 2018 because the Act is already in place, date the current, and within 14 days be furnished to the House for the eventual scrutiny by the Health Committee.

It should be underscored here because regulations are always underscored to the Committees, and upon validation by the Committees, they become regulations automatically without participation of the House. My plea is that it be understood in that context because in the morning I also spoke but I was not understood.

Hon. Deputy Speaker: Thank you, Hon. Oriaro, but I would like to clarify something with regards to what happened in the morning. That if at all you are willing to amend a certain sentiment in our Motion, you should raise it, and request for a seconder so that I propose the question and put the question, is when it can be amended. We must follow the procedure, and I quoted it in our Standing Orders 59 (1)

Hon. Oriaro: Mr. Chair, if you read the Act well, maybe before a question is responded to, you have got the powers with the Standing Orders. You have got the sole power.

Hon. Deputy Speaker: We proceed, yes Hon. Odawa

Hon. E. Odawa: Thank you, Mr. Speaker. I would like to appreciate the Health Committee for a job well done. I took this Report yesterday and I went through it with a tooth comb, and I would say that Siaya County Health sector itself is in an ICU, and while I was going through this report I realized that there is no acceptance Committee that receives the drugs that come into Siaya County. There is absolutely no record keeping, the drugs, a good number of them are expired and even if they are not, no one is keeping tabs on them.

There are no shelves in the drug store, what a shame! And while I am speaking on this, equally, Sigomre Health Centre has a problem, and a very big one, very similar to this if not worse; very similar to this one if am not wrong. There are no forms of running stocks! Imagine that. How can a whole Hospital in Bondo Sub County not have running stocks? There is no routine auditing of drugs which are coming in or going out, which leads to a lot of pilferage.

That's why our people are not getting drugs in the Hospitals. The drugs come in and go out without any record keeping and it is by design. Same thing is happening in Sigomre. The drugs come in, they are siphoned out, by design, and they don't want to maintain the records simply because if they maintain the records, then they won't be able to steal these drugs from the common man.

Then they talk about shortage of drugs, they create a shortage which is not there, very unfortunate. As per this Report, the pharmacy does not work at night, yet patients fall sick any time of the day and night. The pharmacy in all these hospitals should be working 24 hours. There is no way you can be telling me that a Pharmacy cannot work 24 hours.

A Health center or a Hospital is supposed to be one of the cleanest places in the world, or in Siaya County. I was surprised to know that in Bondo Sub County Hospital, same again to Sigomre, there are no shelves in the kitchen and food is being put in the floor. What are we talking about here?

Hon. Members I would request you to go through that report deeply with a tooth comb and you will be shocked by the revelations of this Committee. It is shocking that in Siaya County

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

we boast of having the highest number of doctors, yet it has been performing dismally when it comes to matters of the Health Sector.

In terms of procedures, I noticed that a sum of payment had been made to a certain contractor who had not even finished the job. Why? What is happening to Siaya County? Time has come that someone must go home. Indeed if we want to have our authority on this, we must make sure that somebody goes home.

There is no way that you can give someone an advance payment, yet the project management Committee has been denied access to the Bill of Quantities. It is a basic right of the PMC. How will they be supervising a project that they cannot even know the scope of work? The retention fee for the project was pegged at 5%.

Contractually it's a standard procedure that the retention fee must be 10% of the sum, and it is retained for a period stipulated for that contract until the time that the defect liability period of the said contract elapses and the defects have been made to be deemed fit, or there are no defects at all, only then, can the 10% retention fee be given to the contractor. Here they are retaining 5%, for what reason, I don't know.

Bed space in the maternity. I am here to inform the House that I was born at 3pm and my mother died at 6 pm on the same day, so maternity issues are very pertinent to me. There is no way in 2019/2020, we don't have enough space for our mothers to sleep on, they are sharing bed space and Siaya County is just buying vehicles, left right and center. Corruption is on the run, and no one is doing anything about it, and you want to be happy, spending money on useless festivals.

We do not need those festivals if Siaya is not healthy. If anything, we should have got this report before we passed the budget. We would have scrapped them absolutely. We don't need them.

Hon. Deputy Speaker: Yes, Hon. Peter Oduor. What is your point of Order?

Hon. Oduor: Mr. Speaker, Sir, I am concerned by what the Hon. Member for Sigomre has just said. Is he insinuating that we should do away with Tourism Committee, and it's Ministry? Because that is where the festival falls in.

Hon. Deputy Speaker: Hon. Odawa proceed.

Hon. E. Odawa: Thank you, Mr. Speaker. I would maybe like to come clear on that. What I was simply stating here is that we cannot have ceremonies for sick people. We have to get health right, and then it's when we can celebrate.

I am not underestimating or underscoring the role of the Tourism Committee in this County, but at the same time, Health comes first, you cannot tour if you are not Healthy, hence we need to get our priorities right and do first things first, at the right time. The record offices, there are no records, so I heard the Chairman talk about streamlining the report within 2 years.

Hon. Member, Abigael Perpetua, I humbly feel that 2 years is too long a time. I think what we need to do as a matter of urgency, we must digitalize, these hospitals, and we want to get our things right such that we should give them 6 months at most, because we are talking about 2 years, 2 years we are going to be dying.

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

Furniture in our Hospitals. I have been asking several times, that why is it that when our Governor goes out the Country, we don't see anything returning in investment. These are the things I am talking about. We would expect that when the Governor comes back, he would have atleast 50-200 beds etc. instead of health centers, the beds are taken there when the Governor is going to launch them, and after that the beds are folded and they go with the Governor.

These things are happening and my brother Hon. Oriaro would attest to that, very unfortunate. This was happening in Nyadhi Hospital. Now we are even conning our sick patients. What kind of Government did Siaya County vote for? Is it a Government worth its salt? What are we doing here if these are the things that are happening? Members, this is now time for action, someone must go.

Inadequate Staff. How can we have inadequate staff in the health sector which is a very important sector in the County? Health sector is key, and we are having a lot of officers for example Liaison officer doing nothing. They don't add any value, they just come even to make noise in the Assembly canteen, in fact they should even be banned from coming here. This is a Hon. Compound with Hon. People and it is time Mr. Speaker with all due respect, you must ban such bootlickers. They are not worth stepping in this compound

Staff motivation: In Sigomre, I am sorry to say this here; they literally tell Members after being butchered by thugs at night, 'who told you to move around at night!' and they let them bleed on the bed until the next morning. There are no draping on the bed, there are no linens, no bandages, there is absolutely nothing happening in Sigomre Hospital.

There is only one clinical officer who is working, the rest are sleeping, arrogant and absolutely doing nothing. Please Chairlady for health, looking into the issue of Sigomre, it is pressing, it is dire, it is bad. The toilets are dirty, sometimes there is no water, the perimeter fence is open, in Uloma dispensary there is no perimeter fence, In Uluthe Health Centre there is no fence, and health is terrible in Siaya County.

On the de registration of the Board, this should have been done yesterday. Those people should be even declared to be persona non grata in that facility they should even be behind bars. What are they doing in that facility? They are the management, what are they managing? Instead they are mismanaging.

We don't want a Board of mismanagement, and I don't know if some of these boards should be vetted by the Assembly? Because some of them are put not because of their interest in the Society but they are put because they are affiliated to some people in high places and this is not the right way to go.

The issue of EACC. We have done EACC too long, and if anything, from the sources that I may not be able to say here, we are literally making for them a sumptuous meal. Let us stop this EACC thing. The things will go to the EACC, they will come to the Executive, they will be bribed, they will be compromised, and things will remain the same, and the Executive will laugh at us.

Time has come to discipline and streamline this department. Let us start impeaching one by one. I would like to draw our attention to the report, page 12, of the maternity block. All the

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

documents submitted were not of the procurement, and cannot answer important dates like contract award dates, contract sum, contract agreement, part payment, payment made, scope of the BQ etc.

What are we talking about! We are literally talking about a contract which does not exist, because the items mentioned here are basics, basic requirement of any contract. This means that that contract should be declared null and void, and the works done should be reviewed for quality and no payments should be made. The House should make sure that no payment is done to that effect.

If you look at page 13 again, quality analysis of the submitted documents. Failure to provide procurement and PMC records is an indication that payments have been done in respect to this projects which have not had any recommendations and supporting documents. Surely, how can you make payment without any supporting documents? These people don't even follow the public procurement act as the Committee noted.

Going down again to page number 14, drilling of the borehole, that is item number 2.13. The following issues were raise about the project.

1. Invalid Tender advertisement, 19th of September 2018. Incomplete Tender opening and minutes, the tender opening and minutes were not complete, on 2nd November, the BQ was not there, verification of the award was not there, letter of award was not there, contract agreement was not there, board meeting was not there, what is happening here! This is a rot. Totally rotten. Incomplete negotiation report, inspection and negotiation Committee report is not there, completion certificate is not there, valid requisition documents are not there, this is a complete mess, and ,Members I say this because someone must go home.

The CECM of Health must come to this House and explain herself because if she cannot then she is doing nothing there and we don't need people just filling seats just for the sake and be flower girls for the Governor. We want people who can go there and work for the people of Siaya.

I want to appreciate your recommendations, they are quite deep but my request is that let us expunge these EACC people because they are doing us a big disservice because by the time that they will act, the CECM Finance would have gone, the Governor will have finished his term, our term would have elapsed and the people of Siaya would be dying.

We need action immediately we report back to the Assembly, we want to get this CECM here to come and answer these questions and failure to which I humbly request we need to hasten the impeachment of this CECM. If we want to streamline Siaya, let us make sure we impeach at least 3 CECMs.

The water section is also a mess, contractors are being paid for boreholes which are sunk 150m yet they have only done 34m like in Got Osimbo. The roads sector is a total mess; contractors are being paid for works done yet no work has been done at all. When we went checking on PMC in Migwena, we were surprised that contractors have been paid hefty monies

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

and no work has been done. In my report as the Chairman of Roads Committee---skewed awarding of contracts whereby six contractors were getting 97% of the jobs in Siaya County.

This is corruption and that is why the same thing is escalating in the health sector, water sector and we even know the people who are being given contracts not because they merit but because of their political alignment. So Chairman, I want to appreciate a job well done but let us have some very stringent measures, thank you.

Hon. Deputy Speaker: Yes, Hon. Awita:

Hon. Awita: Thank you, Mr. Deputy Speaker, Sir and my fellow Hon. Members. I first want to complement the Committee on Health under the Chair, Hon. Abigail. I have really read this report, I have gone through it and apart from that also going through the hospitals of Siaya County I strongly feel I support what Hon. Odawa, has said.

Docket of health is a rot and I think I will emphasize and I want to push, let Members push for overhaul of the whole of this docket otherwise we will talk today, we will talk tomorrow, repeat the same thing. Another thing that I want to say here, I am crying for women of Siaya because I am a lady. You go to the maternities, it is pathetic, actually the ladies are using lessos after giving birth yet we have this money of 'linda mama'.

Where does the money go? They should come up and explain to us where money of 'linda mama' is going. Otherwise I am a disappointed lady and please push for impeachment, thank you.

Hon. Deputy Speaker: Yes, Hon. Willis!

Hon. Ochieng: Thank you, Mr. Deputy Speaker. First I want to commend the job well done by the Health Committee of this Hon. House. As you know, in this entire world there are two ministries that when looked well that Country must and will automatically prosper. These are Ministry of Health and Agriculture where I Chair.

Having looked at this report, I want to thank the Committee for a job well done because from what took them there they have really done a thorough investigation and come up with a very comprehensive report detailing everything that they found on the ground.

Let me start with 'linda mama' kitty, you find in the report, there is indication on how women who give birth in this facility are really suffering and the services they are getting in the facility is not upto the standard. I can compare this Government with a servant whose main role is taking care of a dairy animal whereby the owner of the dairy buys the food, buys everything for the animal while the animal doesn't get feeds that have been bought.

We know very well that the 'linda mama' takes money to this facility and every woman who gives birth in this facility, I beg to be reminded but I think it is roughly Kshs. 4,000 to Kshs. 5,000 that they are paid to each and every woman who gives birth in the facility. If you compare the services these women are given it is below average.

I want to stress, as one of the recommendations has been given here that these monies for 'linda mama' let it take care of women who have gone to give birth at this facility. At one point, I had a patient at the Referral Hospital and when you look at the renovation done, it was on the

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

wards and the main facility and when you go to Wards that these mamas give birth in, they very pathetic.

When the rains fall, it falls on those mamas and the kids. I think something must be done! Hon. Odawa said that someone must go home! I want to put it very clearly that he was not specific on who must go home. If we fail to impeach these people who are misappropriating funds, it is we Hon. Members that will go home come 2022. So it is better we fire before we are fired and the time is now.

Someone talked of the kitchen that was just renovated. I fail to understand if at all it was really budgeted for and do we really have the BQs? Unless this contractor just went and started doing his shoddy jobs. I think sometimes our engineers should be questioned. How can an engineer give a BQ for a kitchen facility like Bondo and fail to include the shelves?

These are terrible mistakes whereby even these engineers should be investigated. And it is not in this facility only; you find that a number of facilities that are being constructed in our Wards, when the contractor starts work it is when you find the loop holes. It is high time the County Government of Siaya bring very competent employees to do a competent work so that the public can get value for their money.

At the time we are in, everybody is singing digital and even way back in 2013, I can remember when the Jubilee team were campaigning they said that their team is digital and the other team is analogue. 10 years down the line, we are still doing things in the analogue way whereby in a facility like Bondo Sub County Hospital things are still done manually.

It's high time things were done electronically. For us to do things systematically such a gadget should be put in place and that is a very big facility that should bring more money. Maybe there are loop holes where these monies are being stolen. Something must be done.

I want to also comment on a recommendation that was given, recommendation number 13, 'Going forward, the CECM Health Services establish and streamline procurement departments in all hospitals within the next two financial years and ensure a strict adherence to records'.

I want to believe that we have these laws, there is no need of indicating here doing it within the two years. If the two years elapse, should it be left because the one who was monitoring on this implementation is not there? Let us adhere to the laws that are there so that the services are rendered to the people. Let me finish by echoing recommendation number 1. I want to believe that our health department will be a number 1 department within the County Government.

Number 1 recommendation, 'The CECM for Health Services to immediately facilitate the publishing the Siaya Health Services Act 2018 and forward the Act to the Assembly in 14 days upon the adoption of this report'. I want to start counting from today because I know that this is a report that cannot fail in this Hon. House. We are going to pass this report within the next 10 minutes.

In our 15th day, I will call upon our Chair for Implementation to brief this Hon. House on what has been done on the said report. We can't live in a County whereby we pass reports here

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

and nothing is done. We also need a progressive report, as much as they might not have implemented but a progressive report should be availed. All recommendations should be implemented equally so that we get value for our money. Otherwise thank you and I support the report.

Hon. Aringo: Thank you, Mr. Deputy Speaker. Today I must start by clarifying my name because at times I am called Hon. Abudi, at times it is Chief Abudi but I am Moses Asewe Aringo. I want to start by admitting that this Committee has done a very good job.

The report before us is on Bondo Hospital and I am concerned because that is where I was born and Bondo falls within West Sakwa Ward where I represent and Bondo is the largest health facility in that region. Members, we have a problem in Bondo Hospital.

Even as I speak here today it is not clear who the Med. Supp. is. The other time it was Dr. Willis, who was brought to take over from a doctor who was kind of demoted! And this doctor was not removed from Bondo! Just imagine that situation and he was a senior doctor.

As we talk now, there is a doctor in the name of Medical Superintendent and just last week when we were to remove a body from the morgue, the order was from Dr. Willis, whom I know is no longer there. I don't know whether he is on suspension or on leave. The order was from him that the body was not to be removed; it was a court order to that effect. It is difficult to know.

Renovations were carried out in Bondo Hospital, staff houses which were later turned to offices were being renovated but the materials which were removed from those houses are not there. They did not follow public procurement and disposal Act. As I talk here, there is ---in that facility because the staffs are divided right in the middle.

A clique is for Dr. Willis, others are for another Dr., while others are for the dentist in Bondo. Action must be taken immediately and must be taken by this House. I am wondering how a facility like that with qualified health officers can just decide to place human food on the cold floor.

I want to say that I am a farmer, I keep pigs and even my pigs I never place their feed on the floor that is inhuman! The report touches on the health of people of Siaya and you know whatever touches on the health of a particular community touches on their lives.

If you are not careful then I am sure we will start dying like chicken, you can wake up in the morning and find 100 chicken dead and that is the way we will be. I want to say that the Government of Siaya should not and must not be allowed to make Bondo Sub County Hospital a battle field for those officers.

In a facility like that, they cannot manage it without a running stock. Even an old mama in the village knows very well that if one of its goats died in January, the other in February then she will start dealing with the first meat, the meat of the goat that died in January because she knows first in first out!

If you don't have a record, for instance, how would you know that these drugs were brought in January and they are about to expire? I also equate it to a farmer who just goes with the animals to graze on the grass; this farmer may not be in a position to know the amount of

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

grass remaining for its animals but a farmer who feeds his animals will know that his animal eats 10kilos in a day. He will be in a position to replenish the stock in good time and that's what should be done in our health facilities.

Fellow Hon. Members I have stated here that the health department is rotten in Siaya; it is not only rotten but it stinks. I want to urge this House to ensure that remedial action is taken immediately to rescue the health docket within Siaya, thank you very much.

Hon. Oyuago: Thank you, Mr. Deputy Speaker, Sir; I rise to support the Report which came from the Committee on Health where I'm a Member. We know that health department is an essential docket and within that department we also have very essential departments within the department.

Pharmacy is a very key docket within health and Bondo Sub County hospital is a big hospital that used to serve Bondo and Rarieda and even right now we know that Rarieda Sub County hospital is Madiany but you still find patient from Rarieda Constituency going to Bondo Sub County hospital.

This Report came when I raised a concern to Members based on what I heard and saw personally when I took my sister to the hospital at around 1am. I reached at the hospital at around 15mins past 1am and what I found shocked me. When we arrived at the hospital there was a mother with her baby who was around 3years old; we couldn't be served. We were told that the department of pharmacy was not operational because of lack of enough staff at the same time at the nursing department they didn't have the essential drugs like painkillers to help the patient.

I had to call the CECM and chief officer to come to my rescue because my sister is asthmatic so I couldn't go back with her but the mother who has the 3year old baby couldn't get help and this made me raise a concern to the Committee and we had to visit the hospital and we came up with the recommendations in the Report before the House.

When we visited the pharmacy; the pharmacist in charge ran literary when he saw coming in. He couldn't wait for us to engage him. He just left some lady who was in charge of cleaning; we couldn't get facts and even the outlook of that pharmacy itself could show that there was a serious problem within that department. During the Committee visit at the hospital even the superintendent himself refused to welcome us in his office and to talk to us.

Those are the real findings from that hospital and if such things can happen in our hospitals then it means we are in a wrong place as Siaya County. We all know that health is a very key and essential docket to our lives and if we continue this way then we are doomed as a County Government.

Bondo Sub County hospital is the second largest after the County Referral; you will only find maternity wing which was built by CDF in FY 2013/14. In fact, it was not a maternity wing the ward was meant to be a surgical ward and due to the problems that the hospital had they changed it to be a maternity wing. We all know what is required to be in a maternity wing and all that is needed in a surgical ward and even the structure itself wasn't meant for a maternity wing.

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

The County Government of Siaya which started functioning 7years ago has not done a maternity ward in a Sub County hospital; it's so pathetic.

There is a ward that stands unfinished at the hospital and its now 4years down the line; what's happening? We have the money; they are collecting revenue; what are our priorities? They even refused to produce tender documents during our visit. When you walk into that ward that is empty the roofs are already leaking, the window shutters, doors and specifications are not for a maternity wing and yet over Kshs. 6million was paid to the contractor.

Hon. Ayika said that these people are eating too much and they should eat wisely; at least there are some dockets that we shouldn't be eating money from i.e. health. There was a time we summoned the CECM health and she herself admitted to the Committee that she is not aware of the tender documents and that's why we are for this recommendation that somebody must go home.

Our health centers and dispensaries are pathetic and those are our primary health cares. I will request the Hon. Members to support our Report and you need to give directives Hon. Deputy Speaker for this Report to be implemented within the situated timeframe.

Lastly, there was an issue raised by a Member on our first recommendation; which says that the CECM for health services to immediately facilitate publishing of the Siaya County health services Act 2018 and forward the Act to the Assembly in 14days upon the adoption. I think it is in order for the Committee to tell the docket to publish the Act because it is the Act that guides on how to come with the regulations. After publishing the Act it's in that Act that we give timeframes of coming up with regulation, thank you.

Hon. Akoth: Thank you, Mr. Deputy Speaker, Sir; health is very important even we can discuss it up to night time. Thanks from the recommendations from the health Committee; they have done a wonderful job. Not only in Bondo even Nango health centre is bad; at Nango you are told to go buy drug in the nearest identified pharmacy; the ones they have connections with. We need to release these people to go home.

Hon. Deputy Speaker: Thank you, Hon. Members before we proceed---. Hon. Majority you have something?

Hon. Oor: Yes, Sir.

Hon. Deputy Speaker: Permission granted.

Hon. Oor: Thank you, Hon. Deputy Speaker, Sir; I rise to support the Health Committee who have made this Report; it is a wonderful Report. I want to request that some of the dispensaries should be upgraded to health centres so that they can help people instead of traveling far to get proper health care.

Hon. Oyuago: Point of Order!

Hon. Deputy Speaker: What is your Point of Order?

Hon. Oyuago: I remember the Chair Moving a Motion Here on Report on status of Bondo Sub County and the Hon. Oor is busy telling us to upgrade dispensaries to health centers which is not part of the Report.

Wednesday, 3rd July, 2019 COUNTY ASSEMBLY OF SIAYA DEBATES

Hon. Deputy Speaker: Majority kindly speak to the point and concentrate on the Motion on the Floor.

Hon. Oor: I apologize for that; the funds collected at the hospital should be monitored properly to have good record of collection and for those who are not performing in their work should be disciplined properly. Lastly, there are people who can't afford to pay for health care at the hospitals; I would like the Committee to look into that and see what can be done.

Hon. Deputy Speaker: Hon. Members I am aware and I have heard a lot of concern on Members emphasizing on the impeachment Motion. I would like to indicate that Members have all the Constitutional tools at their disposal to act wherever you establish that someone is sleeping on the job.

I would also like to add that it's not only the implementation Committee that is supposed to be following; all Committees have got mandate to follow up and it's in regards to Standing Order no. 192. All Committees have the powers to do the follow ups. I would like to call the Mover to reply. Hon. Odawa; do you have something?

Hon Odawa: Thank you, Hon. Deputy Speaker, Sir; I'm a Member of this Committee and I feel obligated to support. I don't want to repeat what Members have said because almost everybody has supported the recommendation, thank you.

Hon. Abigael: Thank you, Hon. Members for your immense contribution regarding the health department. Actually our health department is in ICU as one of the Members had already said and I would like to ensure Members that in our next Financial Year work plan we have included all health facilities within the Wards and if any Member has anything touchy, kindly furnish the Committee with the same because my Committee cannot be cowed into doing their oversight roles and to deliver to the House. Otherwise, thank you so much.

(Question put and agreed to)

Hon. Deputy Speaker: Members let us be upstanding for adjournment.

ADJOURNMENT

Hon. Deputy Speaker: There being no other business this House stands adjourned until tomorrow, Thursday 4th 2019 at 2.30 p.m. in board room 3.

The House rose at 3.35p.m.

Disclaimer: The electronic version of the official Hansard report is for information purposes Only. A certified version of this report can be obtained from the Hansard Editor.