LEGAL NOTICE NO. 186
THE NATIONAL HOSPITAL INSURANCE FUND ACT
(No. 9 of 1998)

IN EXERCISE of the powers conferred by section 30 of the National Hospital Insurance Fund Act, the Board, in consultation with the Minister for Health, makes the following Regulations:—

THE NATIONAL HOSPITAL INSURANCE FUND
(ACCREDITATION) REGULATIONS, 2003

1. These Regulations may be cited as the National Hospital Insurance Fund (Accreditation) Regulations, 2003.

2. In these Regulations, unless the context otherwise requires—

"prescribed Form" means such form as the Board may, from time to time, prescribe for the purposes of these Regulations;

"District Health Management Board" means the District Health Management Board existing administratively under the Ministry of Health.

3. (1) Every hospital or health care facility wishing to avail itself of the claims and benefits from the Fund shall apply to the Board for accreditation, registration and gazettement, by filling the prescribed Form.

(2) The prescribed Form shall contain information on, such facilities and issues as are necessary for the delivery of the services for which the institution seeks accreditation, registration and gazettement.

(3) The information referred to in paragraph (2) shall include—

(a) general information on the type of buildings, environmental, suitability, floor area and such other information etc;

(b) facilities such as wards, pharmacy, laboratory, theatres, ear, nose and throat clinic, dental services, drug store, service room and, toilets;

(c) servicing such as training school, ambulance, family planning, and maternal child health;

(d) equipment such as x-ray, standby generator, scanning machine, test equipment, incubator, radiological unit, wheelchair, stretcher and, trolley;

(e) staff; and

(f) bed capacity, including baby cots.

4. (1) Upon receipt of the filled application form, the Board shall cause the institution to be examined by the District Health Management Board or such other body as the Board may deem
appropriate, for the purposes of verifying the information in the application form, and determining whether or not to accredit the institution and its category for the purposes of ascertaining the daily claim rates to be applicable.

(2) No benefit shall be payable to a hospital or health care facility that is not accredited in accordance with these Regulations, except as may be provided for in the National Hospital Insurance Fund (Claims and Benefits) Regulations.

5. An institution whose accreditation and registration is obtained through false or fraudulent information, or violates the provisions of the Act or any of the Regulations made there under, shall—

(a) be de-registered by the Board;
(b) be liable to the penalty provided for by section 25 (4) of the Act

6. (1) Where an institution has been de-registered under regulation 5, it may apply for fresh accreditation and registration at the end of two years from the date the de-registration takes effect.

(2) An institution seeking accreditation under paragraph (1) may be accredited and registered under such terms and conditions, as the Board may deem appropriate.

7. The Board shall, at least once every year, inspect every accredited institution to ensure compliance with the provisions of the Act and these Regulations:

Provided that for the purpose of this regulation, the Board may appoint, as its agent, any competent person, institution or authority, and such person, institution or authority shall have the same powers as those of an inspector under section 32 of the Act.

8. The Board shall order for a comprehensive inspection report to be done on any institution applying for accreditation by the management.

9. The Board shall order for a waiting period of two years by any medical institution applying for accreditation commencing from the date of approval by the Medical Practitioners and Dentists Board.


M. A. HASSAN,
Chief Executive Officer,
National Hospital Insurance Fund.

J. N. MUNGAI,
Chairman,
National Hospital Insurance Fund.