

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY, 2ND JULY, 2025

Morning Sitting

3rd County Assembly

4th Session

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COUNTY ASSEMBLY OF BUNGOMA
THE DAILY HANSARD
WEDNESDAY, 2ND JUNE, 2025

The House met at the County Assembly Chamber at 9:30 a.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

PAPERS

**REPORT BY THE SECTORAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER
AND NATURAL RESOURCES ON THE BUNGOMA COUNTY CLIMATE CHANGE
FUND QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE PERIOD
ENDED 31ST MARCH, 2025**

Mr. Speaker: Yes, Hon. Orize.

Hon. Orize Kundu: Thank you, Mr. Speaker. I rise to table a report on the Bungoma Climate Change and Fund Quarterly report on financial statement for the period ended 31st March, 2025.

(Paper laid on the floor by Hon. Orize Kundu)

Mr. Speaker: Honourable members, the report by the Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Climate Change Fund quarterly report and financial statements for the period ended 31st of March 2025 is hereby tabled and it formally becomes the property of the House accordingly.
Next item.

NOTICES OF MOTION

**REPORT OF THE SECTORAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL
RESOURCES OF THE BUNGOMA COUNTY CLIMATE CHANGE FUND QUARTERLY REPORT AND
FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST OF MARCH, 2025**

Mr. Speaker: Hon. Orize, proceed.

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Hon. Orize Kundu: Thank you, Mr. Speaker. I rise to give a notice that the House adopts the report of the sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Climate Change Fund quarterly report and financial statements for the period ended 31st of March, 2025.

Mr. Speaker: Honourable members, a notice of motion has been duly issued by the sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Climate Change Fund quarterly report and financial statements for the period ended 31st of March, 2025.

I do urge the table clerks to share the said report with Honourable MCAs on their gadget, as the same will be coming up as a motion in our Order Paper in the course of the week or once the same has been scheduled by the HBC.

Next,

QUESTIONS AND STATEMENTS

RESPONSE IN RELATION TO MTEREMKO VOCATIONAL TRAINING CENTRE PERIMETER WALL

Mr. Speaker: Members of Education committee, where is the response?

Hon. Kennedy Wanyama: We are looking at the quorum.

Mr. Speaker: We are on the response first, look at the Order Paper item number 7 is Sectoral Committee on Education and Vocational Training...

Hon. Cornelius Makhanu: Thank you, Hon. Speaker for the opportunity. Two weeks ago, I sought response from the Chair of Education and Vocational Training, in relation to Mteremko Vocational Training Centre. I sought the following questions;

Mr. Speaker: Before we proceed, we need to know if the committee has a response or not? Yes Hon. Kennedy. Let us hear what they are saying, before we proceed. I am seeing this response is coming from the committee. Hon. Kennedy, proceed.

Hon. Kennedy Wanyama (Member Education): Thank you, Mr. Speaker. On behalf of the Chairman Committee of Education, we have a progress report in regard to the statement raised by Hon. Makhanu, MCA for Khalaba Ward.

Mr. Speaker: Proceed.

PROGRESS IN RELATION TO FENCING OF MTEREMKO VOCATIONAL CENTRE

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I hereby submit a progress report pursuant to the provisions of Standing Order No. 54 of the County Assembly of Bungoma Standing Orders, on the statement sought by the Hon. Cornelius Makhanu, in relation to Mteremko Vocational Centre perimeter wall.

The Committee on Education and Vocational Training considered the statement, and directed the County Executive Committee member to provide a response on issues raised in the statement, via a letter CAB/CC/SEC.4 VOL.4/15.

The CCM Education and Vocational Training response is yet to reach us, despite the letter directing the department to submit a report by 1st of July 2025.

I hereby request for 14 days to enable the committee and the owner of the statement to consider the response from the County Executive Committee Member in relation to THE MATTER BEFORE THE House.

Progress report is signed by the Hon. Benjamin Otsiula, Chairperson - Education and Vocational Training Committee.

Mr. Speaker: Hon. Cornelius, they have indicated that the report is not ready. I am seeing they are seeking for 14 more days. After next week Thursday's sitting, we will be adjourning the House for a short recess. So, they are asking for these 14 days, in essence they are going to after 14th. So Hon. Kennedy, we do not want to be very mean with time, we will give you more time, but give you the day of resumption at 2:00 p.m. because it is just a ten days break.

Hon. George Makari: *(On a Point of Order)* Hon. Speaker, just to add on what Hon. Cornelius Makhanu, the member for Khalaba has said. I have a statement in the department of Education, which I sought two months ago, and there is no response. I was invited to the committee. I told them in the presence of the Chief Officer that the response was not satisfactory. They promised to call for a meeting again so that they can be able to respond to my statement, but so far, I can see there are additional statements to which they are only giving progress reports and not answers. I think something should happen in that Committee.

Mr. Speaker: Hon. Makari, we have taken note of your sentiment. I will grant them 14 days, and if there will be no response by then we will be asking the CECM and the Chief Officer to appear before the House to answer questions from Honorable members. I'm seeing they are taking Honourable Member's statements casually and taking this House in circles. We will not allow that to happen to our Honourable Members. Hon Ipara, proceed.

Hon. Johnstone Ipara: Hon. Speaker, Hon Makari is misleading the Honorable House. We invited him to appear before the committee. This man hid in the Liaison Committee and he is here telling you that he appeared. Which committee did he appear to? Liaison or Education?

(Loud consultations)

Mr. Speaker: Hon. Chikati, I keep on wondering what you took for breakfast and lunch.

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(Laughter)

Mr. Speaker: Hon. Makari!

Hon. George Makari: Honorable speaker, when I appeared in the committee the two members were not even there, so I don't know which committee they are talking about. They were all absent. In fact Hon. Ipara is vice chair of the committee and he was nowhere to be seen.

Mr. Speaker: Which committee?

Hon. George Makari: Education

Mr. Speaker: Hon. Makari, now you are misleading!

Hon. Makari George: Sorry Hon. Speaker. Hon. Ipara is a vice chair in Lands not in Education but is a member in education but they were not in the committee when I went there.

Mr. Speaker: No, this one will come to an end. These misconceptions will come to an end. I will give you up to 22nd of July for your response. Honorable members of the Education Committee, take keen interest in what Hon. Makari sought because when we are going to invite the CEC and Chief Officer, you document all the pending statements in the department so that they answer once. Hon. Sudi Busolo!

Hon. Isaiah Sudi: *(On a point of information)* Honorable Speaker, I also have the same problem with the same sentiments to the department.

Mr. Speaker: Which department?

Hon. Isaiah Sudi: Education. Honorable Speaker, we have been buying land to start the ECDE centres, I want to be told who should register them, because many Honorable members have new ECDE centres but they are not registered, so ECDE teachers cannot be deployed there. I shared with the Chair Education but to date there's no progress.

I wish we have the CECM and the Chief Officer here because I have three ECDE which I bought land for construction in the last session, but they are not registered. There are enough classrooms there but now they want me to register. Who should register? It is the department of Education,

Hon. Timothy Chikati: It is lands.

Hon. Isaiah Sudi: What do you mean? We facilitate the purchase of land, but the user department is Education. You are not the CEC or the Chief Officer Hon. Chikati. Allow the CECM and the Chief Officer to come and tell us what we should do.

Mr. Speaker: Hon. Waiti, you are online,

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Hon. Wafula Waiti: Honorable Speaker, although my point has been overtaken by events, but I want Honorable...

Mr. Speaker: Which event has overtaken you?

Hon. Waiti Wafula: Hon. Speaker, I was worried when Hon. Ipara Okasida was using a very simple word hiding. How did Hon. Makari hide himself in Liaison when you had given permission as the Speaker of this House?

(Hon. George Makari Inaudible)

Mr. Speaker: Hon. Makari, you are out of order! Honorable Leader of Majority, you are in line.

Hon. Joseph Nyongesa: Thank you, Mr. Speaker. When a member comes here with a statement, it is meant for the whole County. So whether the Honorable member didn't appear in the committee, we should own it as an Assembly so that at least we push for it because our role is to see that projects are implemented as budgeted. So ownership goes to every member here not the owner of the statement only.

Mr. Speaker: I think up to that level; let me hear Hon. Makhanu.

Hon. Cornelius Makhanu: Thank you, Hon. Speaker. I agree with you to extend time. I was attributing the delay maybe because the ministry was moving from the old offices to the new offices but reactions from other members indicates that this department is always delaying or they don't respond on time. I agree with them that maybe let the CECM and the Chief Officer to appear before this House to respond to all the questions.

Mr. Speaker: Honorable members, first and foremost, the committee has sought for 14 days to respond. If we don't have one forthcoming, then I will direct that all questions sought from the department to be answered in a single sitting in an open plenary. So in the meantime, I will ask the Principal Clerk Assistant to combine all pending statements in the department so that they can clarify because it appears the department is in a very precarious position where it's just hiding away from responding to all the members' queries.

So Hon. Cornelius Makhanu wait until 22nd of July 2025; if there's no response coming then we will invite them to appear before the plenary session. Members of Education Committee, I have seen you defending you with all the energy on this floor of the House. Ask the CEC to respond before that day, because we'll end up now inviting them to appear and answer queries from the floor of the House.

Next item,

MOTION

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**REPORT BY THE SECTORAL COMMITTEE ON HEALTH SERVICES ON
IMPLEMENTATION OF HOUSE RESOLUTIONS FOR THE YEAR 2022 AND 2023**

Mr. Speaker: Hon. Job Mukoyandali, you have the honor of moving the committee report. You do proceed.

Hon. Job Mukoyandali: Thank you, Honourable Speaker.

Mr. Speaker: I have seen the quorum is over-flowing; can you be upstanding for them to confirm? Hon. George Makari, Hon. Meshack Simiyu, Hon. Joan Kirong', Hon. Anthony Lusenaka, Jackson Wambulwa, Hon. Milliah Masungu, Hon. Vitalis Wangila , Hon. Job Mukoyandali, Hon. Wafula Waiti, Hon. Jacob Psero, Hon. Orize Kundu are present. That quorum is overflowing, Hon. Isaiah Sudi. Can we proceed!

And I wish Hon. Isaiah Sudi, you become the Chair of the Committee to see how it's not easy whip Members to be here, especially for morning sessions. No Hon. Cornelius Makhanu, the adoption of the report is by the quorum. Hon. Catherine Kituyi, you are out of order. Proceed Hon. Job Mukoyandali.

Hon. Job Mukoyandali: Thank you, Honourable Speaker. I'm here on behalf of the Committee on Health to move a report on implementation of the House resolutions for the financial year 2022/2023 in the Department of Health and Sanitation.

Executive Summary

Since the advent of the third Assembly, the County Assembly has enacted several pieces of legislation, given policy guidelines and directions through sector committee reports for effective functioning of the county government. It is worth noting that after the adoption and communication of the House resolutions to the relevant executive departments, implementation reports have not been forthcoming despite various attempts by the relevant committees to request for them from the executive.

Pursuant to Standing Order No. 205(2) of the County Assembly of Bungoma Standing Orders, the relevant County Executive Committee Member under whose portfolio the implementation of the resolution falls, is mandated to provide a report, within sixty days of a resolution of the House or adoption of a report of a Select Committee, to the relevant Committee of the County Assembly in accordance with Article 183 (3) of the Constitution.

It is upon this premise that the county Assembly through the Liaison committee requested implementation status of the House resolutions for sector committees for financial year 2022/2023 from the respective departments. The reports were to clearly outline actions

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undertaken, progress achieved, challenges encountered, and timelines for full implementation of both the resolutions and recommendations contained in the adopted reports, as well as the provisions of the enacted county legislatures relevant to the department. Written submissions were brought through the office of the clerk to facilitate interrogation and reporting by the respective committees on 13th and 16th May, 2025.

Further, this decision sought to enhance the oversight role of Assembly committees through the Implementation committee by pushing for implementation of the House resolutions as provided for in Assembly Standing orders no. 212.

Finally, the Committee has comprehensively considered the implementation of four reports and one bill and hereby presents this as the committee report for consideration by this House.

Committee Membership

The Committee currently comprises the following Members;

1. Hon. George	Makari	Chairperson
2. Hon. Jerusa	Aleu	Vice – Chairperson
3. Hon. Meshack	Simiyu	Member
4. Hon. Tony	Barasa	Member
5. Hon. Jack	Wambulwa	Member
6. Hon. Orize	Kundu	Member
7. Hon. Wafula	Waiti	Member
8. Hon. Franklin	Simotwo	Member
9. Hon. Joan	Kirong'	Member
10. Hon. Vitalis	Wangila	Member
11. Hon. Jacob	Psero	Member
12. Hon. Anthony	Lusenaka	Member
13. Hon. Job	Mukoyandali	Member
14. Hon. Milliah	Masungu	Member
15. Hon. Grace	Sundukwa	Member

Acknowledgement

On behalf of this Committee, I wish to express gratitude to the Offices of the Speaker and the Clerk of the County Assembly for the support provided to the Committee.

May I take this opportunity to thank all Members of the Committee for their effort and time during the interrogations and their participation and contributions in writing this report.

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It is now my pleasant duty on behalf of the Committee to present this report to this Honorable House for consideration and adoption.

Report Signed by Hon. George Makari Chairperson, Sectoral Committee on Health Services

Analysis of the committee Reports for FY 2022/2023

During liaison committee meeting, it was resolved that housing resolutions for FY 2022 and 2023 be considered in terms of how far the relevant departments have adhered to the implementation of the recommendations of Assembly committees contained in the adopted reports by the House. The following three reports and one legislation and the recommendations contained therein were considered by the committee on health services;

1. Report on the fact-finding activity on the status of the collection and usage of own generated revenue on development projects in respect to the department of Health and Sanitation.
2. Report on Health Services on the Bungoma County Government nine months financial statements for FY 2022/23 with respect to the Department of Health and Sanitation.
3. Report on the allegations of negligence, inadequate supply of drugs, corruption and understaffing at Bumula Sub-County hospital and Ndalul Health Centre.
4. Report by the joint committees of justice, cohesion and legal affairs committee & health and sanitation on the petition by Kenya National Union of Nurses (KNUN), Kenya National Union of Medical Laboratory Officers (KNUMLO) and Kenya Union of Clinical Officers (KUCO) on the Bungoma County Health Services Act, 2019.

Interrogation of the implementation status of the house resolutions

On 15th May, 2023, the committee held a consultative meeting with the department of health and sanitation to examine the implementation status of the house resolutions in the four reports by the committee. The department submitted as follows:

Submission of implementation reports

On the requirement to provide an implementation report to the relevant Committee of the County Assembly within sixty days after adoption of a report by the House, in accordance with Article 183 (3) of the Constitution read together with Standing order 205(2) of the County Assembly of Bungoma Standing Orders, the CECM health submitted to the committee that her department has always responded to all resolutions sent to the office within the stipulated timelines. There was no evidence to prove the assertions of the CECM.

Implementation status of committee recommendations

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The following are the four reports handled by the committee, departmental responses, committee observation and recommendations on their implementation status of the committee recommendations;

Report on the fact-finding activity on the status of the collection and usage of own generated revenue on development projects in respect to the department of Health and Sanitation.

HOUSE RESOLUTION No. 1

THAT, the department should expedite to form and gazette new Hospital Management Boards for seamless operations at the facilities. A progress report on the measures taken should be submitted to the committee within thirty (30) days of adoption of this report.

Committee Observation

The department implemented the recommendation. Hospital boards are in place and gazette notice was availed to the committee as evidence.

HOUSE RESOLUTION No. 2

THAT, County Health headquarters should ensure full automation of all hospital operations and revenue collection for all the facilities to avoid revenue leakages. To ensure this is implemented, the County Health headquarters must include the program in the budget planning process and ensure budgetary allocation in the FY 2023/2024.

Departmental response

A parallel program was undertaken by the department of finance to develop and implement Health Management Information System (HMIS).

Committee observation

The department did not implement the recommendation in time. The system was procured by the Finance department. The functionality of the HMIS is currently under the committee's investigating and a fact finding report will be submitted to the House.

HOUSE RESOLUTION No. 3

THAT, the Department should ensure timely remittance of exchequer releases as per the facility approved budgets to enable the facilities to eliminate the issue of pending bills. Henceforth, facilities should limit expenditures to activities that were strictly budgeted for and approved by the Hospital Management Boards and in proportion to the revenue collected.

Departmental response

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Facility operations are based on Appropriation in Aid (AIA) that is normally generated from various mapped revenue streams to sustain its operations.

Committee observations

The department did not act on the recommendation. Mostly, level one and two hospitals depend on support from the head-quarter through the exchequer for recurrent and development programmes. Level 4 and 5 facilities have AIA whose expenditure is still outside IFMIS hence difficult to monitor expenditure by mother department. The recommendation therefore, should be acted upon.

HOUSE RESOLUTION No. 4

THAT, the Department of Health should develop a policy on reimbursement of waivers and exemptions to alleviate health facilities from delayed reimbursement of funds by NHIF and Linda Mama schemes;

Departmental response

The revamped medical of SHA has no provisions for waivers and exemptions thus allowing full claims. CHPs have boosted SHA registration among indigents to boost the numbers hence ensure affordable access to healthcare.

Committee observations

No evidence availed to support the departmental position. Department did not comply with committee's recommendation before SHA came in place. The committee notes that not everyone is currently enrolled on SHA and the PFM Act still provides for waivers and exemption, hence the department should adhere to the committee's recommendation and report progress within 30 days of the adoption Of this report.

HOUSE RESOLUTION No. 5

THAT, there is need for harmonization of the rates paid to casual workers per hospital for uniformity purposes to avoid frequent exits by the casual workers in pursuit for better remuneration in other facilities;

Departmental response

The transitioned the casual workers to contractual workers with a prescribed pay scheme.

Committee observation

A communication on the same availed. It is observed that this is a recent development and not all casual workers were transitioned. The department should categorize harmonization of rates paid

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to both contractual and casual workers. A progress report should be shared with the committee 30 days from adoption of this report.

HOUSE RESOLUTION No. 6

THAT, the Department of Health should develop a policy on infrastructure development and financing of health services in the health facilities. This will guide in infrastructure development for specialized units like theatre rooms, x-rays, dental and eye units and acquisition and installation of equipment where there is great demand; hence reduce cases of frequent referrals and increase revenue collected from the facilities.

Departmental response

The department has domesticated the national policy to offer guidance to facilities.

Committee observations

The department availed a copy of the National Health Infrastructure policy, February, 2017, which is yet to be domesticated. The departments should fast-track and domesticate the National Health Infrastructure Norms and Standards policy and share with the committee within 30 days of the adoption of this report.

HOUSE RESOLUTION No. 7

THAT, each County health unit in accordance with provisions of section 30 of the Bungoma County Health Services Act, 2019, should expedite in developing strategic plans for the facilities to aid in preparation of annual estimates of income and expenditure and implement county health policies and programs at the respective levels.

Departmental response

The department has recently developed the health strategic investment plan 2025-2027 on whose facility strategic plans shall be anchored on. The strategic plans for various facilities are at different stages.

Committee observations

The Health Strategic Plan, which is not approved by the Assembly, was availed to the committee. The department should submit the plan for approval by the County Assembly.

Report on Health Services on on half year financial statements for the period ended 31st December 2023, in respect to the department of health and sanitation.

HOUSE RESOLUTION No. 1

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THAT the county treasury should urgently investigate the reasons behind the low overall absorption of approved budgets. Identify and address bottlenecks in procurement, cash flow and budget execution.

Departmental response

The department implements the work plan as per the budget, however the reporting is done based on the actual paid majorly affected by exchequer releases.

Committee observations

The department did not provide information whether the county treasury did investigate low overall absorption of approved budgets.

No evidence provided on this. The committee observes that since the report was copied to county treasury, the county treasury should follow up on the recommendation and report to the committee within 30 days of adoption of this report.

HOUSE RESOLUTION No. 2

THAT the chief officer Health and Sanitation should establish and enforce budgetary discipline as an expenditure control measure, especially for travel, imprest, committees, and utilities, to prevent unsanctioned over-expenditure

Departmental response

The department of Health and sanitation has endeavoured to use IFMIS platform for purposes of control and has done mapping for facilities and opened special purpose account as a road map to on-board IFMIS platform.

Committee observations

The department of Health and sanitation has not implemented the recommendation. Facilities are still spending outside IFMIS. The department should adhere to committee's recommendation and report progress within 30 days.

HOUSE RESOLUTION No. 3

THAT the department should prioritize putting more funds on core medical supplies to ensure steady supply throughout the year, and in future budgets should have funding re-allocated from non-essential areas.

Departmental response

The department has enhanced budgetary allocations under AIA. to ensure adequacy of provisions with comparison of FY 2023/2024 and 2024/2025.

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Committee observation

No evidence availed to support this position. The department should avail evidence to the committee.

HOUSE RESOLUTION No. 4

THAT all sub county health units must use IFMIS for all financial transactions, in compliance with the PFMA and county government acts. Training and support should be provided to sub county staff on how to effectively use IFMIS for budgeting, expenditure management, and reporting. The department should report implementation status to the committee within 90 days from the adoption of this report.

Departmental response

The department of Health and Sanitation has undertaken gradual on board to IFMIS platform starting with high volume facilities.

Committee observations

The department of Health and sanitation has not implemented the recommendation. Facilities are still spending outside IFMIS.

No evidence was availed show steps towards spending through the IFMIS. The department should adhere to committee's recommendation and report progress within 30 days from adoption of this report.

HOUSE RESLUTION No. 5

THAT the department should standardize reporting formats across all units to enable easier consolidation, comparison and analysis

Departmental response

The department has developed standard documents for purpose of reporting in uniformity by facilities.

Committee observations

There are efforts in implementation of the standard reporting format by the department as shown in the documentation provided. The department should hasten and complete the formulation of a standard format for reporting for facilities.

HOUSE RESOLUTION No.6

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THAT the department should build the capacity of facility staff in financial management and reporting to ensure data quality and adherence to timelines

Departmental response

The department reported that it is doing on-job training for officers.

Committee observations

No evidence was provided. The department should ensure that the staffs acquire certification in financial management and reporting to avoid audit queries arising from poor financial reporting.

Report on the allegations of negligence, inadequate supply of drugs, corruption and understaffing at Bumula Sub-County hospital and Ndalul Health Centre

HOUSE RESOLUTION No. 1

THAT, there is need for urgent induction of the newly inaugurated hospital board members across the county to enable them perform their duties and create smooth operation with hospital managements.

Departmental response

The board was inducted on financial management and is up and running.

Committee observations

The recommendation was adhered to. Evidence of training of board members was availed.

HOUSE RESOLUTION No. 2

THAT, County Health headquarters expedite and fully automate collection of revenue to avoid leakages being experienced.

Departmental response

A parallel program was undertaken by the department of finance to develop and implement Health Management Information System (HMIS) to ensure efficient administration of finance.

Committee observation

There was delay in implementation. The program to develop and implement Health Management Information System (HMIS) was undertaken by the department of finance. The matter is being interrogated by the committee. The committee will report its findings to the house.

HOUSE RESOLUTION No. 3

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THAT the county government should give clear policy guidelines on waivers, exemptions and reimbursements which are cited as major contributors to the low revenue base in the county.

Departmental response

The advent of SHA /SHIF, no provision for waivers and exemptions were made.

Committee observations

Department did not comply with committee's recommendation before SHA/SHIF came in place. The committee notes that not everyone is currently enrolled on SHA and that since the PFM Act still provides for waivers and exemption, the department should adhere to the committee's recommendation and report progress within 30 days from adoption Of this report.

HOUSE RESOLUTION No. 4

THAT county government should expedite and deploy a pharm-technician at Ndalu Health Centre.

Departmental response

The department undertook staff rationalization earlier in the year.

Committee observation

A schedule on rationalization of staff was availed as evidence to the committee.

HOUSE RESOLUTION No. 5

THAT the county government should pay the technical and support staff working at Ndalu Health Centre

Departmental response

The department accomplished this through the recent staff rationalization.

Committee observations

The department did not provide evidence of payment to staff at the facility. This evidence is required as proof of implementation of the recommendation.

HOUSE RESOLUTION No. 6

THAT the county government should meanwhile, take up motor vehicle maintenance and fueling of vehicles and electricity bills at Ndalu Health Centre to assist the facility to offer services.

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Departmental response

The department does not have an inventory for the said motor vehicle, the government cannot commit itself on its maintenance and operations.

Committee observation

The department did not implement the recommendation. The motor vehicle is said to belong to a partner who is unwilling to hand it over to the county government.

HOUSE RESOLUTION No. 7

THAT there is an urgent need for additional recruitment of medical personnel for the two facilities to ensure patients receive the highest level of care possible.

Departmental response

Staff rationalization was undertaken and this matter was considered.

Committee observations

A schedule to support new recruitment was shared to the committee.

HOUSE RESOLUTION No. 8

THAT any courtesy call to the facility by leaders and other stakeholders should be coordinated and be done during regular working hours. This will minimize disruptions of normal operations and patient care.

Departmental response

The department suggested that a prior notice should be given before any visit.

Committee response

The department should adhere to committee recommendation and its suggestion as leaders and stakeholders provide oversight all health facilities.

HOUSE RESOLUTION No. 9

THAT there should be continuous improvement in maternal healthcare services including efforts to address blood supply challenges and optimize community education and healthcare-seeking behavior to reduce delays in seeking medical care by management of Bumula Sub- County Hospital.

Departmental response

The department submitted that there is improved care after operationalizing the maternity wing.

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Committee response

No evidence was availed to the committee. The department should provide evidence to the committee within 30 days from adoption of this report.

HOUSE RESOLUTION No. 10

THAT, the Bumula Sub-County hospital management should establish systems for timely referral of expectant women with complications to higher-level healthcare facilities to avoid loss of lives as has been experienced in recent times.

Departmental response

The facility depends on a referral strategy for its operations.

Committee observation

A referral strategy was availed to the committee.

HOUSE RESOLUTION No. 11

THAT, the Bumula Sub-County hospital management should involve the community in maternal health programs, raise awareness about the risks of home births and encourage facility-based deliveries in Bumula Sub-County and its environs.

Departmental response

The facility has been undertaking of outreach programs to enlighten the community.

Committee observation

No evidence availed was availed to the committee as proof of the allegation.

HOUSE RESOLUTION No. 12

THAT, there should be a clear communication on user-fees to level three and two hospitals in tandem with the relevant laws in place

Departmental response

The advent of SHA/SHIF has comprehensive listing for user-fees

Committee observations

The department did not adhere to the recommendations of the committee until SHA/SHIF came in place.

HOUSE RESOLUTION No. 13

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THAT, the monthly wage bill of Ksh. 115,000 and the accrued bill of Ksh. 684,450 comprising motor vehicle repairs of Ksh. 144,250 wages for Casuals of Ksh. 418,200 and electricity bill of Ksh. 122,000 is not sustainable. The department should come in to assist the facility to offer better services to the community.

Departmental response

Due to budgetary constraints the department can only offer support for drugs and non-pharms up to level two hospitals

Committee observations

The committee observes that the department can take advantage of registration to SHA where the facility can raise funds to support its operations.

THAT, this House adopts the Report by the joint committees of Justice, Cohesion and Legal Affairs Committee & Health and Services on the petition by Kenya National Union of Nurses(KNUN), Kenya National Union of Medical Laboratory officers(KNUMLO) and Kenya union of clinical officers(KUCO)

HOUSE RESOLUTION No. 1

THAT the implementation of the new organizational structure should be halted and due process be followed in the formulation of a compliant organogram. In the meantime, the joint select committee recommends that the status quo obtaining prior to the formulation of the new organogram be maintained.

Departmental response

The status quo was maintained by the department of Health and Sanitation.

Committee observation

No evidence was availed to the committee to support the departmental position. The department should submit evidence to the committee.

HOUSE RESOLUTION No. 2

THAT the County Department of Health and Sanitation within thirty (30) days of adoption of this report, to initiate and submit to the County assembly, amendments of Sections 5,(4)(a) and the Third Schedule of the Bungoma County Health Services Act, 2019 to comply with the High Court ruling in *PHARMACEUTICAL SOCIETY OF KENYA & ANOTHER V ATTORNEY GENERAL & 3 OTHER (PETITION 85 OF 2018)(2021)KEHC 85 (KLR)*

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Departmental response

The department through advisory of a taskforce on the report did an overhaul review of the Act.

Committee observation

A reviewed bill was not availed to the committee and the committee observes that the department should hasten to implement the recommendation.

HOUSE RESOLUTION No. 3

THAT the Department should expedite the formulation of Regulations to operationalize the Bungoma County Health Services Act, 2019 pursuant to section 48 thereof as read together with paragraph 10 of the second Schedule to the Act and submit the same to the County Assembly within sixty (60) days from the adoption of this report.

Departmental response

The regulations will be formulated once the Act has been reviewed.

Committee observations

The committee urges the department to move with speed and review the health Act to pave way for formulation of the regulations to operationalize the Act.

HOUSE RESOLUTION No. 4

THAT henceforth, the Department **MUST** ensure stakeholder engagement and public participation in the formulation of the organogram, departmental policies and guidelines pursuant to the provisions of article 10(2)(a) of the Constitution, section 87,88,89,91,94,95 and 96 of the County Government Act, 2012 and other relevant legislation.

Departmental response

The department has taken the advisory and any engagement to this end incorporates stakeholders

Committee observations

No evidence availed to the committee as proof of engaging the stakeholders in departmental issues. Labour Unions are still approaching the Committee with complaints of non-involvement in the affairs of the department.

HOUSE RESOLUTION No. 5

THAT henceforth, the Department of Health and Health Sector Unions should embrace dialogue and make use of internal dispute resolution mechanisms to resolve any emerging issues.

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Departmental response

The department informed that committee that dialogue has been embraced and things are back to normalcy.

Committee observations

The department did not support its position and the committee still demands evidence of there being and use of internal dispute resolution mechanisms to resolve any emerging issues.

HOUSE RESOLUTION No. 6

THAT since the Divisions created are new offices, the department after adoption of the Regulations, must follow the right procedure in creation and abolishing of offices. Consultations should be done with the Board to have the offices created before being filled competitively pursuant to provisions of section 59 (1) and 60 of the County Government Act, 2012.

Departmental response

A review of the health act, 2019 is underway; a draft bill has been developed

Committee observations

No draft bill was availed though the department alleged to be undertaking a review of the Act.

HOUSE RESOLUTION No. 7

THAT the recruitment in the offices of head of divisions, the sub- County Health management teams and the County Health Management MUST be done in compliance with provisions of Article 27 of the constitution specifically non-discrimination on the basis of race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth and MUST portray the face of Bungoma County.

Departmental response

This advisory was considered in the recent recruitment

Committee observations

A list of the names of the newly employed staff was availed to the committee corresponding to the provisions of the law on non-discrimination.

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

Committee Observations

1. Despite the health department being the user department of the HMIS, the programme was initiated and implemented by Finance department. The committee has undertaken a fact-finding mission to ascertain its effectiveness since installation.

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2. All facilities in the county are still spending outside IFMIS hence accountability of resources not ascertained for example pending bills for facilities are not disclosed in their financial statements and reports.
3. The Department of Health domesticated and is using a national policy on Infrastructure Development and Financing of Health Services in facilities. A domesticated policy has not been developed yet.
4. The department has developed standard documents for purposes of uniformity in reporting by facilities. This format has not yet been adopted in facilities.
5. The department has developed a draft bill on the health Services Act, 2019 but has yet to share with the committee.

Committee Recommendations

1. THAT, the department should adhere and implement all the committee recommendations illustrated herein and within the timelines stipulated. In case of any failure, the committee will forward the matter to Implementation Committee of the County Assembly for further action.

Hon. Job Mukoyandali: One member did not sign the report.. Let me call upon Hon. Wafula Waiti to second the report.

Mr. Speaker: Yes Hon. Wafula Waiti, kindly proceed.

Hon. Wafula Waiti: Thank you, Honorable Speaker for allowing me this time to second our report. First of all, I want to applaud Hon. Mukoyandali who has been very eloquent in presenting the report to this House. I equally want to applaud the Committee on Health which put in efforts to come up with this wonderful report.

The report is self-explanatory and upon adoption by this House, the observations and recommendations will be considered by the department. Looking at the overall resolutions across the report, the department is hands off. The best example is observation number one. The general observation number one; where the department came up with Health Management Information System, but when we followed very keenly the same is administered by the department on Finance. So that means the department is not fully in charge of the same. So I wish that as a committee, we came up with an observation number five, where the department informed the committee that they are coming up with a draft bill. When that bill is finalized, it will assist the department now to establish health management system team, which shall be responsible for the management and running of the system.

If also that bill is put in place, it will define the roles, structures and management systems for the health services delivery, so the bill will bring order in the sector department in matters health.

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Otherwise, I want to request this House to approve this motion so that our county can be well-placed in matters health.

Mr. Speaker: Thank you, Hon. Waiti, for seconding the report that was aptly moved by Hon. Job Mukoyandali. Honorable Members, allow me people to proceed now, people to propose a motion for debate, 2022-2023 laid on the table of the House on Wednesday 11th of June 2025.

(Question proposed)

Hon. Everton Nganga: Thank you, Honorable Speaker for giving me a chance to give my submission on the report that has been moved eloquently by Hon. Job Mukoyandali and seconded by Hon. Wafula Waiti. These are the resolutions that were passed by this House and they were supposed to be implemented and from the report, it remains up-to-date. These resolutions actually have not been implemented as per the reports that were forwarded from this House. This is a problem and it's like the Department of Health, they are not ready to implement what has been passed in this House.

We have had very many audit queries. Initially, in the past, most of the health facilities in this government of Bungoma were not audited, but it's recently when the Auditor General flagged out issues from our health facilities, including our Bungoma County Referral Hospital. The issue of spending money outside the IFMIS, we should actually stand our authority and make sure that as an oversight team, we don't just pass here reports and they just lie there for around two years or three years, then we go back, we check the implementation status and we discover that nothing has been done. This is an oversight House and all the activities that we are doing here are facilitated by public coffers, it is actually sad that resolutions we passed two to three years ago have not been implemented.

What are we really doing? It's a big shame when our County Executive officers with the Governor, when they visit the Senate, they are bashed and they have nothing to defend themselves before the Senate.

When you look at the last resolution and the recommendation, the mover of the motion has said that the County government should implement all the resolutions. Let us again go back, after this report, it will be submitted to the Executive. Let us make a follow-up within the period specified time for all these recommendations to be implemented. Otherwise we are not supporting our County well and it is the common *mwana nchi* who is suffering. I support the report.

Mr. Speaker Thank you, Hon. Nganga. To that extent, I think there are no more contributors. I will ask the mover of the report to reply.

Hon. Job Mukoyandali: Thank you, Honorable Speaker. Let me first of all appreciate Hon. Wafula Waiti for ably seconding the report and also thank Hon. Nganga for the sentiments put

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forth to this House. He's had a very good experience in visiting the Senate in relation to the reports that we normally pass over on this House and their implementation by the Executive. So we must agree that as a County, we are not doing so well especially in terms of implementing the resolutions that are passed by this House. Remember, the resolutions that are passed by this House form the basis of running of this government. And I think these people have been taking us for granted, but I want to thank this House for now standing firm and making sure the government is working.

Let's go ahead as a House and prepare such reports in other sector committees so that we put these people on task, so that we don't just sit back and wait for the implementation committee to follow up everything. If we take this direction, I'm so sure that at the end of the day, we will push these people to begin working.

I agree with Hon. Nganga that we should make proper follow-up, especially after passing such reports, so that at the end of the day, the government is put on task. I urge this House to actually support this report so that we can push the Executive to work.

(Applause)

Mr. Speaker: Thank you Hon. Job for the reply to the motion that was beforehand. Members, now allow me be able to proceed and put a question to the motion before us here.

(Question put and agreed to)

The ayes have it!

(Applause)

The report and its recommendations are hereby adopted by the House accordingly.

ADJOURNMENT OF THE COUNTY ASSEMBLY TO ALLOW MEMBERS HAVE A MEETING WITH CAF REPRESENTATIVES

Hon. Joseph Nyongesa: Thank you, Mr. Speaker. Allow me move the adjournment motion although as we want to adjourn, I have been looking around to see our CAF representatives, but none is in. So I don't know how our presentation will be but let me move the motion.

I move that pursuant to provisions of the Standing Order 31 (4) as read together with the Standing Order number 34 (1) this House do now adjourn its sittings of the afternoon of

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Wednesday, 2nd, July, 2025, to allow Honorable Members of the County Assembly to engage with the leadership of the County Assemblies Forum (CAF) on the critical matters touching on the welfare of Honorable Members, autonomy and independence of the County Assemblies and other pressing institutional concerns.

Further, that the House shall reconvene on Thursday, 30th July, 2025, at 2:30 p.m. and the business scheduled for consideration on Wednesday, 2nd July, 2025, at 2:30 p.m. be referred to the House Business Committee for re-scheduling and be reallocated time in the Order Paper in the subsequent sittings of the House.

Having reached there, allow me call the Leader of the Minority, Hon. Vitalis, to second the motion.

Mr. Speaker: Hon. Vitalis, you do have the honour of seconding the motion.

Hon. Vitalis Wangila: Thank you, Mr. Speaker. First of all, let me appreciate the mover who is none other than the Majority Leader of this particular House for moving this particular motion.

Today might be the day we are coming very close to one-on-one interaction with this leadership of the CAF; this is a body that champion the welfare, autonomy and other pressing issues that affect members in this House. So I am also in agreement that we adjourn so that we can meet the leadership of the CAF.

Mr. Speaker: Thank you, Hon. Vitalis our Minority Leader and Majority for moving and seconding the motion. Honorable Members, allow me to propose a motion for debate.

(Question proposed)

Hon. Nganga, I see you are online!

Hon. Everton Nganga: Thank you, Hon. Speaker. First, I would like to thank the mover and the seconder of the motion. In most cases we have our CAF representatives here in the House and we are members of CAF. To be a member means we adhere to all the rules and requirements of CAF.

As an Honorable House, we normally subscribe to show that we are members. When I was teaching at Sang'alo Institute, employed by Board of Management and what inspired me to join politics, I was thinking that there are many goodies. When I was elected, it is a problem. We Honorable Members in the County Assemblies in Kenya do the same functions as the Senate and the National Assembly, but when it comes to welfare, there is a very big gap and disparity

When I was re-elected for the second time, electorates in my ward are now saying that Nganga that I'm in a better position, that I will be getting pension, which is not the truth. Honorable Members of the County Assemblies are never paid pension if we do not fight well. It is a nice

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motion and when these people come in, let them not cheat us because this body has been there and they are consuming our County Assemblies' money because we normally subscribe.

Let us have an engagement and today when they just mention that now County Assemblies are now operating independently, after the completion of your second term, you will be given a pension, I will be the happiest person.

Mr. Speaker: Thank you, Hon. Nganga. Let me have Hon. George Makari.

Hon. George Makari: Thank you, Mr. Speaker for the opportunity also to contribute to the issue of CAF. It is true Hon. Nganga was my teacher at Sang'alo, but they ate my money for exams.

(Applause)

They swallowed my money for exams. So, as much as he taught me, I never did the exam. That Institute must also be investigated.

Mr. Speaker: Hon. Makari!

Hon. George Makari: Hon. Speaker, I want to support the motion. As I support the motion, you realize that we are affiliated to CAF. It's our umbrella body but I always doubt our representatives of CAF. Do you know that they hardly attend the sessions and even if you look around they are not in this House? In fact, one of them is very notorious in not attending. One of them who is my neighbour tries to attend, but most of the time our representatives in CAF never attend our meetings in this plenary. So it is good that we have a session with CAF and we must actually get an explanation of our benefit in this body.

For a long time, CAF has seemed to be championing the welfare of members, as Hon. Nganga has explained. So, with an opportunity to meet them, I think let's be very frank with the leadership, so that we can get an explanation that can assist this House moving forward and not only Bungoma County but the entire country, so that we know our position. Either we are moving forward or we disengage.

Mr. Speaker: Thank you, Hon. Makari. Hon. Job, proceed.

Hon. Job Mukoyandali: Thank you, Honorable Speaker for allowing me to speak on this floor. Let me first of all laud the Majority Leader for bringing up that motion. I want to support the engagement at 2:00 p.m. I hope these people are coming with the matters of welfare, which is so important. We have, stagnated in one job group for a long time. I think since the inception of the Counties the MCAs have been put on just one job group.

I hope when we meet them at 2:00 p.m., they are ready for that important engagement of our welfare and in particular matters of our job group and to us members maybe just to request

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through our leadership that our Whips do their work, so that we are a full House when we engage these members, so that the resolution we reach in this House is part of what is going to make the Assemblies across the country to actually grow and move.

Mr. Speaker: Thank you, Hon. Job. Hon. Ipara.

Hon. Johnston Ipara: Thank you, Honorable Speaker. I also rise to support the adjournment because it will offer an opportunity for us to get a direct feedback from those we entrusted with responsibility to negotiate on our behalf with the national government in terms of welfare of the Honorable members across the country.

As Hon. Makari put it, I thought that our representatives could be taking some opportunities to give us details of the meetings they always hold; particularly recently they had a retreat in Mombasa. I thought that the first thing as they came back, they were supposed to give us the details of what they are planning for us, but that does not happen. The reason is that they rarely have an opportunity to sit in this House, and if there's anything, they are always busy on their phones walking in and out.

(Laughter)

And we wonder.

Mr. Speaker: Hon. Ipara, now the only challenge I'm having is this, all our reports for the House discussions are on gadgets, so I can't be able to know whether they're always in chat room or following up the report, that's the challenge I'm having, but because I'm sure everyone is having a gadget here. Proceed!

Hon. Johnston Ipara: Hon. Speaker, you are always our referee, they rarely debate.

(Applause)

They rarely contribute to serious matters and when they do they are under pressure. Let me go to the main issue, I want to thank the mover and seconder of the report, it will offer us an opportunity to listen and raise serious questions on the gaps that we shall see.

(Applause)

Mr. Speaker: Thank you, Hon. Ipara. Honorable Members, allow me invite the mover of the motion to make a brief reply, so that we are able to make a decision over the same and be able to move forward. Hon. Majority Leader, proceed.

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Hon. Joseph Nyongesa: Thank you, Mr. Speaker. First, allow me appreciate the members for their support, especially on the issue of maybe the key people that we sent to CAF, and we hope that they will also be told that we need their full presence in this House so that at least they know what we are going through as Assemblies.

I also want to humbly request our members to keep time because if these leaders find us well-seated, ready to listen to them and maybe share some challenges that we are facing, it could be better and again members, I wish that when those leaders are around, for the purpose of respect, let's just be full House and also be keen and listen to them, so that at least we can also have some questions, because severally, the Auditor General has been questioning the legality of this movement, so that at least they tell us where they are so far.

We are told that County Assemblies are a replica of the National Assembly, but our colleagues in the National Assembly after maybe serving for two terms, their welfare is automatically enhanced. Whether you fail to come, you may lead the rest of your life because the government will be paying you, so those are the issues that we want, because the leadership of CAF are our colleagues, so they have to tell us issue of this sitting allowance since 2013 up to now there no increment since we started with Kshs.3, 900 up to now.

As we speak, the burials that MCAs are handling minus the welfare, it is really shaming and you see some of us are opting also to change even lines to be off because a lot of pressure is on us as MCAs. As we engage our leaders from CAF, let them also be candid to tell us the efforts they have done. For our people, if they are not representing us well and they are earning allowances in Mombasa, Nairobi and they are not attending to our needs, we should also take action.

(Applause)

Mr. Speaker: Thank you, Hon. Leader of Majority for your reply to the motion. .

(Question put and agreed to)

The Ayes have it.

I need just to confirm that the Records Department has sent out messages to all Honourable Members to be here at 2:00 p.m. I also confirmed that the president of CAF who is Honorable Speaker for Kwale, is on the way coming from Kisumu. I sent one of our vehicles to pick him. The Secretary General Hon. Chege Mwaura from Nairobi is on the way coming.

Equally, I can confirm the CEO of CAF is also on the way coming from Kisumu, she will be here in the next one hour. Part of the secretariat of CAF is in our public gallery that is Ms. Jacqueline Waithaka and Mung'ari. They have heard your sentiments already, so they ought to prepare in advance for the respective replies.

(Applause)

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They have heard from the horse's mouth, so I think we be here full House. The issue we may want to raise, that is the best forum of asking. We will be seating these sides; it's more of welfare, and the only people who will be allowed in are maybe Serjeants, Clerk and Deputy Clerk so that we discuss our issues above board.

ADJOURNMENT

Mr. Speaker: So Members, we adjourn now and resume tomorrow at 2:30 p.m. in our normal sitting.

The House rose at 10:58 a.m.