

Rwanda

Ministerial Instructions determining the Responsibilities, Powers and Functioning of Committees in Charge of the Management of Public or Subsidised Health Facilities

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The Minister of Health;

Basing on the principle that health facilities must provide quality services and strengthen their development programs focused on good governance of health facilities;

Having reviewed Ministerial Instructions n° no 7014 of 16/09/2020 determining the duties and functioning of committees in charge of the management of public or Subsidised health facilities operating in the District;

ISSUES THE FOLLOWING INSTRUCTIONS:

Chapter One **General provisions**

Article One – Purpose of these Instructions

These Instructions determine the duties and functioning of Committees in charge of management of public or Subsidised health facilities.

Article 2 – Scope of application

These Instructions apply to the following committees of health facilities:

- 1° Committee of a Referral Hospital;
- 2° Committee of a Provincial Hospital;
- 3° Committee of a District Hospital;
- 4° Committee of a Specialised Hospital;
- 5° Committee of a Medicalised Health Centre;
- 6° Committee of a Health Centre.

Article 3 – Definitions

In these Instructions, the following terms have the following meanings:

- 1° Referral Hospital: is a health facility that provides health services at a higher level than those of a Provincial Hospital determined by the Ministry of Health except the hospitals established by the law;

- 2° Provincial Hospital: a public or subsidised health facility that provides health services of a higher level than those of a District Hospital as determined by the Ministry of Health;
- 3° District Hospital: a public or subsidised health facility that provides high standard health services as determined by the Ministry of Health;
- 4° Specialised Hospital: public or subsidised health facility that provides specialised health services as determined by the Ministry of Health;
- 5° Medicalised Health Centre: a public or subsidised health facility that provides health services of a higher standard than those of a Health Centre and which has at least one permanent medical doctor working there;
- 6° Health Centre: a public or subsidised health facility that provides basic health services including disease prevention and other basic health services;
- 7° Health Post: a basic public or subsidised health facility that provides mainly health services for the prevention and treatment of minor diseases;
- 8° committee: organ in charge of supervising the proper functioning of a health facility;
- 9° area: administrative entity where a health facility is located.

Chapter II

Responsibilities, powers and functioning of Committees

Section One – Hospital Committees

Article 4 – Committees in Referral, Provincial, District or Specialised Hospitals

Committees of Referral, Provincial, District or Specialised Hospitals are the following:

- 1° Health Committee;
- 2° Management Committee.

Article 5 – Responsibilities and powers of Health Committee of a Referral, Provincial, District or Specialised Hospitals

The Health Committee is the supreme body for auditing, monitoring and evaluating a hospital's activities, administration and financial management.

In particular, it has the following responsibilities and powers:

- 1° to approve the strategic plan and annual action plan of the hospital;
- 2° to consider and approve the report on the recruitment, dismissal and sanctioning of medical and administrative staff and other employees of the hospital in accordance with laws and regulations in force;
- 3° to provide hospital's guidelines and vision;
- 4° to approve the annual budget of the hospital;
- 5° to evaluate and approve the hospital's budget execution report;
- 6° to follow up on the performance evaluation of employees;
- 7° to carry out the performance evaluation of the Director General of the hospital;
- 8° to approve the incentives granted to employees according to the guidelines of the Ministry of Health;

- 9° to approve the list of vacant job positions;
- 10° to resolve all problems that could not be resolved by the Senior Management and management committee;
- 11° to consider and follow up the implementation of the recommendations of the audit report;
- 12° to monitor the situation of health indicators on the basis of guidelines of the Ministry of Health and set up strategies where necessary.

Article 6 – Health Committee members

Members of a Health Committee are the following:

6.1 – Public hospital

a. Referral Hospital

Members of the Health Committee of a Referral Hospital are the following:

- 1° a representative of the Province;
- 2° a representative of the Ministry of Health;
- 3° a representative of the Council of the area where the hospital is located;
- 4° a representative of the District authorities where the hospital is located;
- 5° a representative of civil society in the District where the hospital is located elected by his or her peers;
- 6° a representative of the Private Sector Federation of the District where the hospital is located elected by his or her peers;
- 7° one of the Director General of a Provincial Hospital;
- 8° one of the Director General of a District Hospital of the area where the hospital is located elected by his or her peers;
- 9° a representative of private health facilities of the area where the hospital is located elected by his or her peers.

b. Provincial Hospital

Members of the Health Committee of a Provincial Hospital are the following:

- 1° a representative of the Province;
- 2° a representative of the Ministry of Health;
- 3° a representative of the Council of the area where the hospital is located;
- 4° a representative of the District where the hospital is located;
- 5° a representative of civil society in the District where the hospital is located elected by his or her peers;
- 6° a representative of the Private Sector Federation of the Province where the hospital is located elected by his or her peers;
- 7° one of the Directors of District Hospitals that collaborate with that hospital who is elected by his or her peers.

c. District Hospital or Specialised Hospital

Members of the Health Committee of a District or Specialised Hospital are the following:

- 1° a representative of the Council of the area where the hospital is located;
- 2° a representative of the Ministry of Health;
- 3° a representative of the District authorities where the hospital is located;
- 4° a representative of civil society in the District where the hospital is located elected by his or her peers;
- 5° a representative of the Private Sector Federation in the District where the hospital is located elected by his or her peers;
- 6° one of the Heads of Health Centres operating in the District where the hospital is located elected by his or her peers;
- 7° a representative of community health workers in the District where the hospital is located elected by his or her peers.

6.2 – Subsidised Hospitals

Members of the Health Committee of a Subsidised Hospitals are the following:

- 1° a representative of the District Council of the area where the hospital is located;
- 2° a representative of the Ministry of Health;
- 3° three (3) persons representing the owner of a health facility;
- 4° a representative of the District authorities of the area where the hospital is located;
- 5° a representative of the Private Sector Federation in the District where the hospital is located elected by his or her peers;
- 6° one of the Heads of Health Centres operating in the District where the hospital is located elected by his or her peers;
- 7° a representative of community health workers in the District where the hospital is located elected by his or her peers.

Article 7 – Rapporteur of the Health Committee

The Director General of a hospital attends meetings of the Health Committee of the hospital which he or she leads and serves as rapporteur but he or she does not vote. In case of his or her absence, the committee members elect among them the rapporteur.

Article 8 – Modalities of selecting members of the Health Committee

Members of the Health Committee are chosen on the basis of their integrity and ability to give opinions that can contribute to the development of the hospital and are approved by the Council of the area where the hospital is located. They must hold at least a Bachelor's degree (A0) and three (3) of them must have knowledge of financial management, one (1) of them must have knowledge of financial auditing and one (1) of them must have knowledge of law.

The representative of community health workers may not have a Bachelor's degree (A0) if none of them has this degree.

Article 9 – Bureau of the Health Committee of a public hospital

A public hospital Health Committee has a bureau composed of Chairperson, Deputy Chairperson and rapporteur.

The Chairperson of the Health Committee of a Referral or Provincial Hospital is appointed by the authorities of the Province or the City of Kigali while the Chairperson of the District Hospital is appointed by the District Council. The Deputy Chairperson is elected by his or her peer members of the Committee.

Article 10 – Bureau of Health Committee of a subsidised hospital

The Health Committee of a subsidised hospital has a bureau composed of its Chairperson appointed by the owner of the health facility, the Deputy Chairperson elected by his or her peer members of the Committee and its rapporteur who is the Director of the hospital.

The owner of the health facility submits in writing to the Council, provides a copy to the Ministry of Health, the names of his or her representatives in the Health Committee and specifies the Chairperson of the Committee.

The remaining members of the Committee are appointed by the Council.

Article 11 – Frequency of hospital Health Committee meetings

Hospital Health Committee meetings are held quarterly and whenever necessary in an extraordinary meeting.

Extraordinary meetings must not be held more than once (1) per quarter.

Article 12 – Convening and holding of the hospital Health Committee meeting

The meeting of a hospital Health Committee is convened by the Chairperson within five (5) working days before the meeting is held or by the Deputy Chairperson in the absence of the Chairperson.

The Health Committee meeting is held when two-thirds (2/3) of its members are present.

Article 13 – Decision-making of the hospital Health Committee

Decisions of a hospital Health Committee are made by the majority of the members present at the meeting. In the event of an equal number of votes for and against a decision, the Chairperson of the Committee has the casting vote.

Article 14 – Decisions from meetings of the hospital Health Committee

Decisions of the meetings of the Referral or Provincial Hospital Health Committee are submitted in writing to the authorities of the Province or the Council of the City of Kigali.

The decisions of the meetings of the District Hospital Health Committee are submitted in writing to the District Council or Council of the City of Kigali.

The decisions of meetings of Health Committees are submitted within five (5) working days from the date of the meeting in order to give their opinions. In case they do not give their opinions within fifteen (15) working days from the date of receipt, the decisions are implemented.

A copy of these decisions is submitted to the Minister in charge of health. The Minister has the power to suspend the implementation of decisions that are contrary to the instructions governing health services in Rwanda or other laws in force.

Article 15 – Evaluation of the functioning of the Health Committee

The functioning of the hospital Health Committee is evaluated by the appointing authority. The evaluation is done on the basis the evaluation is submitted to the Province, the City of Kigali or the District and it is done once (1) a year or when necessary.

Section 2 – Hospital Management Committee

Article 16 – Responsibilities and powers of the hospital Management Committee

Each Referral, Provincial, Specialised or District Hospital has a Management Committee which has the following powers and responsibilities:

- 1° to make monthly follow-up of the expenses and the accounts status of the hospital;
- 2° to submit to the Health Committee the files relating to recruitment, dismissal and sanctions of employees in accordance with the laws in force;
- 3° to review and approve the annual report and action plan before they are sent to the Health Committee;
- 4° to prepare and submit the list of vacant job positions to the Health Committee;
- 5° to monitor the implementation of salaries and other benefits allocated to staff in accordance with laws and regulations governing salaries and benefits;
- 6° to regularly monitor the functioning of a health facility.

In order to carry out its responsibilities, the Referral, Provincial, Specialised or District Hospital Management Committee sets up necessary special committees including the Hospital Procurement Committee established in accordance with the laws governing public procurement.

Article 17 – Members of the hospital Management Committee

Members of the hospital Management Committee are the following:

- 1° the Director General of the hospital who is the Chairperson;
- 2° the Director of medical and allied health sciences services unit, the Deputy Chairperson;
- 3° the Directors of other units who elect among them a secretary;
- 4° an officer representing the allied health professionals elected by his or her peers;
- 5° an officer representing the non-medical staff elected by his or her peers.

Article 18 – Meeting of the hospital Management Committee

The hospital Management Committee meets regularly once (1) per month and whenever necessary.

The hospital Management Committee is convened by its Chairperson within five (5) working days before the meeting is held. In the event of his or her absence, it is convened by the Deputy Chairperson.

The Management Committee meeting is held when two-thirds (2/3) of its members are present.

Section 3 – Committees of a Health Centre or Medicalised Health Centre

Article 19 – Committees of a Health Centre

Committees of a Health Centre are the following:

- 1° Health Committee;
- 2° Management Committee.

Article 20 – Responsibilities and powers of the Health Committee

The Health Committee of a Medicalised Health Centre or Health Centre is the organ that monitors the Health Centre activities, its administration and its financial management.

In particular, the responsibilities and powers of a Medicalised Health Centre or Health Centre's Health Committee are the following:

- 1° to approve the strategic plan and the annual action plan of the Health Centre;
- 2° to review and approve the report on the recruitment, dismissal and sanctioning of medical and administrative staff and other employees of the Health Centre in accordance with laws and regulations in force;
- 3° to provide the Health Centre's guidelines and vision;
- 4° to approve the annual budget of the Health Centre;
- 5° to evaluate and approve the budget execution report of the Health Centre;
- 6° to follow up the performance evaluation of the staff;
- 7° to approve the benefits granted to employees in accordance with relevant laws;
- 8° to approve the list of vacant job positions;
- 9° to resolve all problems that could not be settled by the Senior Management and the Management Committee;
- 10° to review and approve the quarterly health activity report;
- 11° to follow up the functioning of the health posts that are within the area of the Health Centre.

Article 21 – Members of the Health Committee of a Health Centre or Medicalised Health Centre

A. Public Health Centre or Medicalised Health Centre

Members of the Health Committee of a Health Centre are the following:

- 1° a representative of the Sector Council where the Health Centre is located;
- 2° a representative of the Executive Secretary of the Sector where the Health Centre is located designated by the District;
- 3° a representative of civil society in the Sector where the Health Center is located elected by his or her peers;
- 4° a representative of the Private Sector Federation in the Sector where the Health Center is located elected by his or her peers;

- 5° a representative of the hospital to which the Health Centre is affiliated;
- 6° one of the heads of Health Posts operating in the Sector where the Health Centre is located elected by his or her peers;
- 7° a representative of community health workers in the Sector where the Health Centre elected by his or her peers.

B. Subsidised Health Centre or Medicalised Health Centre

Members of the Health Committee of a Subsidised Health Centre or Medicalised Health Centre are the following:

- 1° a representative of the Sector Council where the Health Centre is located;
- 2° two (2) representatives of the owner of the health facility;
- 3° a representative of the Private Sector Federation in the Sector where the Health Centre is located elected by his or her peers;
- 4° a representative of the hospital to which the Health Centre is affiliated;
- 5° one of the heads of the health posts operating in the Sector where the Health Centre is located elected by his or her peers;
- 6° a representative of community health workers in the Sector where the Health Centre is located elected by his or her peers.

Article 22 – Rapporteur of the Health Committee

The Head of the Health Centre attends the meetings of the Health Committee of the Health Centre that he leads and serves as its rapporteur, but he or she does not vote.

Article 23 – Modalities of selection of members of the Health Committee of a Health Centre or Medicalised Health Centre

Members of the Health Committee are selected on the basis of their integrity and ability to give opinions that can contribute to the development of the Health Centre and are approved by the Sector Council.

Except for the representative of community health workers, the others must have at least a high school diploma.

Article 24 – Establishment of the management of a Health Centre or Medicalised Health Centre's Health Committee

The Chairperson of the Health Committee of a public Health Centre is appointed by the Sector Council after appointing members of the Health Committee while the Chairperson of the Health Committee of a Subsidised Health Centre is appointed by its owner.

The owner of a health facility submits to the Sector Council in writing, with a copy to the Ministry of Health, the names of his or her representatives on the Health Committee and specifies its Chairperson.

The remaining members of the Health Committee are appointed by the Sector Council.

The Deputy Chairperson is elected by members of the Health Centre's Health Committee in their first meeting.

Article 25 – Frequency of the Health Centre or Medicalised Health Centre’s Health Committee meetings

A Health Centre’s Health Committee meets once (1) a quarter and whenever necessary. Its convening and the decision-making comply with the provisions of Articles 12 and 13 of these Instructions.

Article 26 – Decisions of a Health Centre or Medicalised Health Centre’s Health Committee

Decisions of the meetings of a Health Centre’s Health Committee are submitted in writing to the Sector Council where the Health Centre is located before being implemented and their copy is given to the Mayor of the District and the Director of the District Hospital within five (5) working days from the day the meeting was held.

The Sector Council authorises the implementation of the decisions within fifteen (15) days from the day of its receipt. Should this period be exceeded without authorisation, the decisions are implemented.

The Mayor of the District has the power to suspend the implementation of decisions contrary to the instructions governing health services in Rwanda or other laws in force.

Article 27 – Evaluation of the functioning of the Health Committee

The functioning of a Health Centre’s Health Committee is evaluated by the appointing authority. The evaluation is done once (1) a year on the basis of the guidelines of the Ministry of Health which are submitted to the District.

Article 28 – Responsibilities and powers of the Management Committee of a Health Centre or Medicalised Health Centre

Each Health Centre has a Management Committee with the following responsibilities and powers:

- 1° to follow up monthly the expenses and the Health Centre’s accounts status;
- 2° to review at the first level, the recruitment, dismissal and sanction files of medical and administrative staff and other employees of the Health Centre before submitting them to the Health Committee;
- 3° to review and approve the annual report and action plan before they are submitted to the Health Committee;
- 4° to prepare and submit the list of vacant job positions to the Health Committee;
- 5° to monitor the implementation of salaries and other benefits allocated to staff in accordance with laws and regulations governing salaries and benefits.

Article 29 – Members of the Management Committee of a Health Centre or Medicalised Health Centre

Each Health Centre must have a Management Committee composed of the following persons:

- 1° the Head of the Health Centre who is the Chairperson;
- 2° the person in charge of finance of the Health Centre who is the Deputy Chairperson;
- 3° a representative of medical staff elected by his or her peers;
- 4° a representative of the non-medical personnel elected by his or her peers;
- 5° a representative of the owner of the health facility for subsidised health facilities. He or she must be different from the member of the Health Committee.

Article 30 – Meetings of the Management Committee

The Management Committee of a Health Centre meets once (1) per month and whenever necessary.

The Committee is convened by its Chairperson within five (5) working days. In his or her absence, it is convened by the Deputy Chairperson.

The rapporteur of the Management Committee is elected by members of the Committee by a majority of votes.

Article 31 – Evaluation of the functioning of the Management Committee

The functioning of the Management Committee of a health facility is evaluated by the appointing authority. The evaluation is done once (1) a year on the basis of the guidelines of the Ministry of Health which are submitted to the District.

Section 4 – Benefits granted to members of Committees of health facilities and their term of office

Article 32 – Benefits granted to members of Committees of health facilities

The Council of the area where the Health Centre is located determines benefits granted to Health Committees.

Members of the Management Committee have no other benefits as their meetings are considered working meetings.

Article 33 – Term of office of Committees and procedures for replacement of a member who ceases to hold office

The term of office of a Health Committee is four (4) years renewable once (1).

Management Committee members elected by their peers or appointed by the owner of a health facility have a two (2) year term renewable once (1).

In the event that a member of a Health Committee ceases to hold office, he or she is replaced within ninety (90) days following the same process through which his or her predecessor was designated.

If a member of the Management Committee ceases to hold office, he or she is replaced within fifteen (15) days following the same process through which his or her predecessor was designated.

Chapter III Final provisions

Article 34 – Repealing provision

Ministerial Instructions n° 7014 of 16/09/2020 determining the duties and functioning of committees in charge of the management of public or subsidised health facilities operating in the District and all prior provisions contrary to these Instructions are repealed.

Article 35 – Commencement

These Instructions come into force on the date of their signature.