



KENYA MEDICAL PRACTITIONERS AND DENTISTS BOARD

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CHIEF EXECUTIVE OFFICER
MEDICAL PRACTITIONERS AND DENTISTS BOARD
Ensuring Quality Healthcare



LEGAL FOUNDATION



- Medical Practitioners and Dentists Act Cap. 253.
- Enacted in 1977, operational 1st January 1978.
- Various amendments and rules
- The Mandate is to regulate
 - training,
 - practice and
 - licensing of
 - medicine & dentistry and healthcare institutions



HEALTH LAWS AMENDMENT BILL (2018)



PROVISION	CURRENT ACT	AMENDMENT BILL
Name of the body corporate	<ul style="list-style-type: none"> Refers to the established body as a “Board” 	<ul style="list-style-type: none"> Refers to the established body as a “Council” in line with EAC Health Ministers
Size of the Board/Council	<ul style="list-style-type: none"> 17 members 	<ul style="list-style-type: none"> 9 members (In line with Mwongozo)
Composition of the Board/Council	<ul style="list-style-type: none"> Chairperson DMS DDMS Nominated members University Deans Elected Members 	<ul style="list-style-type: none"> Chairperson DG CS Appointees (Universities, KMA, KDA, KNCHR, Private Sector, Rep from Public)
Committees of the Board/Council	<ul style="list-style-type: none"> Does not outline the various committees 	<ul style="list-style-type: none"> Outlines the following Committees: <ul style="list-style-type: none"> Training Assessment Registration & HR Committee Disciplinary & Ethics Committee Inspections, Licensing, Finance Committee Audit & Risk Committee

PROVISION	CURRENT ACT	AMENDMENT BILL
Functions of the Board/Council	<ul style="list-style-type: none"> • Not clearly outlined. 	<ul style="list-style-type: none"> • A comprehensive list of functions of the Board including: regulation of training, registration and licensing of practitioners and institutions and disciplinary proceedings
Specialist Recognition	<ul style="list-style-type: none"> • Not provided 	<ul style="list-style-type: none"> • Outlined under Sec 11A which clearly defines the period of training and the experience needed for the recognition (Recom. by NA-Dpt. Comm. on Health)
Disciplinary Proceedings	<ul style="list-style-type: none"> • Focused mostly on convictions • Does not include health institutions • Sanctions were not provided 	<ul style="list-style-type: none"> • Clearly outlines who can complain and against who a complaint can be lodged • Process of inquiry • Sanctions/penalties
Professional indemnity	<ul style="list-style-type: none"> • Not provided 	<ul style="list-style-type: none"> • Outlined under Sec 15A for both practitioners and health institutions (Recom. by NA-Dpt. Comm. on Health)
Penalty for unregistered & unlicensed persons practicing	<ul style="list-style-type: none"> • Kshs. 10,000.00 or 12months jail term 	<ul style="list-style-type: none"> • Kshs. 5,000,000.00 or 5 year jail term as deterrent measure to quacks



FUNCTIONS OF THE BOARD



Education & Training:

- a) Approval of training institutions for Medical and Dental practitioners.
- b) Renewal of Annual Licenses of training institutions for medical and dental practitioners.
- c) Approval of curriculum and facilities for undergraduate and postgraduate students in medicine and dentistry.
- d) Approval and accreditation of Continuous Professional Development providers.
- e) Supervision of medical and dental education and regulation of training thereof; and
- f) Supervision of internship training.



FUNCTIONS OF THE BOARD



Registration:

- a) Indexing of medical and dental students upon admission to a University;
- b) Register eligible medical and dental practitioners.
- c) Maintain an up-to-date annual registers of eligible medical and dental practitioners; and
- d) Register eligible private, community and faith based medical and dental institutions.



FUNCTIONS OF THE BOARD



Licensing-

- a) Issue of Internship Licenses.
- b) Issue of Annual Private Practice Licenses;
 - i. Specialist Practice.
 - ii. General Practice.
- c) Issue Annual Licenses to all private, community and faith based institutions; and
- d) Issue Licenses for locum.



FUNCTIONS OF THE BOARD



Inspections

- a) Inspect and accredit institutions for medical and dental training;
- b) Inspect and approve internship training centres;
- c) Inspect and supervise public, private, community and faith based training institutions; and,
- d) Inspection of private and public premises of medical and Dental practice both.



FUNCTIONS OF THE BOARD



Database

- a) Approved training institutions for medical and dental practitioners;
- b) Approved register for private, community and faith based medical and dental institutions;
- c) Curriculum for undergraduate and postgraduate students in medicine and dentistry;
- d) Inspection reports;
- e) Approved internship training centres; and
- f) Approved and Accredited Continuous Professional Development activities providers.



FUNCTIONS OF THE BOARD



Disciplinary- PIC, PCC and Tribunal

i. Preliminary Inquiry Committee (PIC)

The functions of the PIC are highlighted under Rule 3 of the Medical Practitioners and Dentists (Disciplinary Proceedings) (Procedure) (Amendment) Rules, 2013

ii. Professional Conduct Committee (PCC)

The functions of the PCC are highlighted under Rule 4(1) of the Medical Practitioners and Dentists (Disciplinary Proceedings) (Procedure) (Amendment) Rules 2013,

iii. Full Board Tribunal

The Board undertakes “Quasi judicial functions” as contained in (Section 20 of Cap.253)



FUNCTIONS OF THE BOARD



Advisory

Advice Cabinet Secretary for health on: -

- a) Matters pertaining to health care and training.
- b) Medical and Dental training institutions
- c) Institutions that provide Health care; and
- d) Research regarding human subjects.



FUNCTIONS OF THE BOARD



Collaboration & Partnership

The Board collaborates with the following bodies in similar mandate:-

- a) At the International level, with the International Association Medical Regulatory Authority (IAMRA);
- b) At the African Region, with the Association of Medical Council of Africa (AMCOA);
- c) At the Regional level, with the East Africa Community Board's and/or Councils;
- d) Locally, Health regulatory bodies such as Nursing Council of Kenya (NCK), Pharmacy and Poisons Board (PPB), Kenya Medical Laboratory, Clinical Officers Council (COC) among others



BOARD'S SECRETARIAT



The Board has an established secretariat headed by the Chief Executive Officer.

Departments:

- Administration
- Finance
- Human Resource
- Registration and Licensing
- Legal Services
- Procurement and Supply Chain
- Standards and Compliance
- Information Communication Technology (ICT)

The staff establishment is 65 but currently only 43 officers are in place.

Recruitment, training and capacity building on progress.



COMMITTEES OF THE BOARD



- 1) Training, Assessment and Registration Committee (TARC)
- 2) Inspection and Licensing Committee (ILC)
- 3) Preliminary Inquiry Committee (PIC)
- 4) Professional Conduct Committee (PCC)- *constituted on recommendations of PIC at County level*



COMMITTEES OF THE BOARD



Training, Assessment and Registration Committee (TARC) Establishment

The committee is established under Rule 3 of the **Medical Practitioners and Dentists (Training, Assessment and Registration) Rules, 2014**

Functions

- Accredit and regulate all medical schools, dental schools, internship training centres, continuing professional development and continuing education programme providers;
- Inspect all medical schools, dental schools and internship training centres;
- Index all medical and dental students;
- Conduct examinations by the Board;
- Conduct internship qualifying examinations;

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COMMITTEES OF THE BOARD



Training, Assessment and Registration Committee (TARC)

Functions

- Review post-graduate qualifications for the purpose of awarding specialist recognition;
- Scrutinize applications for approving specialists and sub-specialist status;
- Conduct all pre-registration and pre-internship examinations by the Board and peer reviews;
- Approve the registration of medical practitioners and dentists;
- Implement the continuing professional development programmes by the Board;
- Monitor and ensure compliance with the continuing professional development;
- Perform such other functions as may be assigned to it by the Board from time to time.



COMMITTEES OF THE BOARD



2. Inspection and Licensing Committee (ILC)

Establishment

The Committee is established under **Rule 3 (1) of the Medical Practitioners and Dentists (Inspections and Licensing) Rules, 2014**

Functions

- Issue licenses to all eligible medical and dental practitioners;
- Approve and license the premises for the practice by medical and dental practitioners;
- Inspect clinics, health centres, medical centres, mortuaries, maternity and nursing homes;
- Inspect hospitals including faith-based hospitals and Government hospitals;

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2. Inspection and Licensing Committee (ILC)

- Review, whenever it is in its opinion necessary, all applications for licenses to engage in private practice by medical and dental practitioners;
- Maintain a register of all persons and facilities licensed under these Rules;
- Review the fees charged in private practice by medical and dental practitioners, from time to time; and
- Undertake any other activity that may be necessary for the fulfillment of its functions under these Rules.



COMMITTEES OF THE BOARD



3. Preliminary Inquiry Committee

Establishment

The Committee is established under Rule 4 of the **Medical Practitioners and Dentists (Disciplinary Proceeding) (Procedure) Amendment Rules, 2013**

Functions:

- Conduct inquiries into the complaints submitted to it under these Rules and make appropriate recommends to the Board.
- Ensure that the necessary administrative and evidential arrangements have been met so as to facilitate the Board to effectively undertake an inquiry under rule 6;
- Promote mediation and arbitration between the parties and refer matters to such mediator or arbitrator as the parties may in writing agree; and
- At its own liberty, record and adopt mediation agreements or compromise between the parties on the terms agreed and thereafter inform the chairperson.



4. Professional Conduct Committee (PCC)

Establishment

The Committee is established under **Rule 4 A of the Medical Practitioners and Dentists (Disciplinary Proceeding) (Procedure) Amendment Rules, 2013**

Functions:

1. Conduct inquiries into the complaints within such counties as the Board may specify and make appropriate recommendations to the Board;
2. Ensure that the necessary administrative and evidential arrangements have been met so as to facilitate the Board to effectively undertake an inquiry under rule 6;
3. Convene sittings in respective counties to determine complaints;
4. Promote arbitration between the parties and refer matters to such arbitrator as the parties may in writing agree.



INQUIRY INTO COMPLAINTS



Complaints received by the Board are investigated by the following :

1. Preliminary Inquiry Committee
2. Professional Conduct Committee
3. Tribunal

The Committees in investigating and determining complaints/cases are guided by the following;

- Complaint filed by the complainant;
- the response by the Respondent;
- Medical reports by practitioners;
- the patient's file;
- Testimony of the parties.



TYPES OF CERTIFICATES/LICENSES ISSUED BY THE BOARD



- 1) Internship License
- 2) Permanent Registration Certificate as a Medical or Dental Practitioner
- 3) Retention Certificate
- 4) Private Practice License
- 5) Specialist Recognition Certificate
- 6) Locum License
- 7) Certificate of Status
- 8) Temporary License for Foreign Doctors
- 9) Health Facility Registration Certificate
- 10) Health Facility License

- 1. Construction and equipping of the new office complex at a cost of Kshs.550m from internally generated funds**





ACHIEVEMENTS OF THE BOARD



2. ICT Business Model

An interactive website with the following online services:

- a) Application for retention certificates
- b) Renewal of Private practice licenses (30mins)
- c) CPD Management Systems
- d) Application for Internship License
- e) Certificate of Status
- f) Internship feedback process
- g) Geo-mapping of health facilities in the country
- h) Online Registers
 - i. Retained doctors
 - ii. Foreign doctors on temporary licence
 - iii. Health institutions



ACHIEVEMENTS OF THE BOARD



3. Legal Reforms and policy documents

- a) Patient Referral Abroad Rules
- b) Categorization of Health Facilities Rules
- c) Fitness to Practice Rules
- d) Advertising Rules
- e) Medical Camp
- f) Inspections and Licensing Rules
- g) Training, Assessment and Registration Rules
- h) Disciplinary, Proceedings and Procedure Amendment Rules



CHALLENGES



- a) Medical legal issues & Court cases
- b) Quacks
- c) Decentralization of Board functions
- d) Financial and Human Resource
- e) Pending CAP 253 amendments



**“It always seems
impossible until its
done”....**

Nelson Mandela



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