

LEGAL NOTICE NO. 172

THE MEDICAL PRACTITIONERS AND DENTISTS ACT

(*Cap. 253*)

IN EXERCISE of the powers conferred by section 23 of the Medical Practitioners and Dentists Act, the Cabinet Secretary for Health, after consultation with the Council, makes the following Rules—

THE MEDICAL PRACTITIONERS AND DENTISTS (TRAINING, ASSESSMENT AND REGISTRATION) RULES, 2022

1. These Rules may be cited as the Medical Practitioners and Dentists (Training, Assessment, and Registration) Rules, 2022.

Citation.

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

Interpretation.

“Certificate of Status” means an official document that proves the professional standing of a person registered under the Act;

“Committee” means the Training, Assessment, Registration and Human Resources Committee constituted in accordance with rule 3;

“recognized institution” means an institution accredited for the purposes of training under this Act;

“supervisor” means a medical or dental practitioner of specialist status, senior registrar or; community oral health officer of over ten years in practice; appointed by the Council to supervise the training of an intern in any one of the approved disciplines during the period of internship.

PART II—TRAINING

3.(1) Pursuant to section 4A(1)(c), the Council shall constitute the Inspections, Licensing, Finance And General Purposes Committee consisting of—

The Committee.

- (d) the chairperson who shall be a member of the Council who is a registered medical or dental practitioner;
- (e) two members of the Council; and
- (f) two other persons who have the knowledge and skills co-opted to the Committee by the Council.

(3) The quorum at meetings of the Committee shall be a simple majority.

(4) The chairperson of the Committee shall preside over all meetings of the Committee and in the absence of the chairperson, the members of the Council present at the meeting shall elect one of their number to chair the meeting.

(5) A person co-opted under paragraph (1)(b) shall attend the meetings of the Committee and participate in its deliberations.

(6) The decisions of the Committee shall be by consensus.

(7) The Committee shall present its decisions to the Council for approval and ratification.

(8) Subject to these Rules, the Committee may regulate its own procedure.

3. The Committee shall—

Functions of the Committee.

- (a) consider applications for approval and registration of universities, colleges, teaching hospitals and dental training centers, specialty training sites and internship training centers and any other institutions offering training for medical and dental practitioners;
- (b) develop core curricula for all training programmes under this Act;
- (c) develop guidelines on the requirements for all levels of training under this Act;
- (d) develop approved checklists for evaluating training programmes under this Act;
- (e) approve human resources policies and guidelines;
- (f) recruit and carry out performance appraisals for all senior management staff; and
- (g) perform any other functions on training, assessment, registration and human resources, that may be from time to time assigned by the Council

5. (1) A student shall be eligible for admission to the Bachelor of Medicine and Bachelor of Surgery degree, and Bachelor of Dental Surgery degree programme or its equivalent within the Republic of

Admission criteria for medicine and surgery and dental surgery.

Kenya or in any other jurisdiction if that student satisfies the following admission requirements—

- (a) in the case of the Kenya Certificate of Secondary Education or its equivalent hold the minimum university admission requirement with a score of B (plain) in each of the following cluster subjects—
 - (i) Biology;
 - (ii) Chemistry;
 - (iii) Physics or Mathematics; and
 - (iv) English or Kiswahili.
- (b) in the case of the Kenya Advanced Certificate of Education holders, a minimum of two principal passes in Biology, Chemistry and a subsidiary pass in either Mathematics or Physics;
- (c) in the case of International General Certificate of Secondary Education at advanced level, an equivalent of C or above in—
 - (i) Biology as a principle subject;
 - (ii) Chemistry as principle subject;
 - (iii) Physics or Mathematics as a subsidiary subject; and
 - (iv) a score of C in English or Kiswahili at ‘O’ level.
- (d) in the case of International Baccalaureate (IB); a diploma with a minimum of grade 5 or above—
 - (i) Biology at high level;
 - (ii) Chemistry at high level;
 - (iii) Physics or Mathematics at standard level; and
 - (iv) English or Kiswahili at standard level.
- (e) in the case of Diploma holders of medical sciences, a minimum of “O” level Division II pass on K.A.C.E or C+ (plus) mean grade and a credit C+ pass in the cluster subjects in K.C.S.E., in addition to a three-year diploma with a minimum credit of pass from a training institution recognized by the Council; or
- (f) in the case of clinical medicine, medical sciences, and community health practitioners a degree or diploma, where applicable.

6. (1) A student shall be eligible for admission the Diploma or Degree in community oral health programme or its equivalent within the Republic of Kenya or in any other jurisdiction if that student satisfies the following admission requirements—

- (a) for a diploma programme—
 - (i). in the case of Kenya Certificate of Secondary Education or its equivalent hold, the minimum college

Admission requirements for community oral health officers.

admission requirement with a score of C (plain) in each of the following cluster subjects English or Kiswahili, Biology, Chemistry, Physics or Mathematics;

(ii). in the case of International General Certificate of Secondary Education at advanced level, an equivalent of D or above in-

(A) Biology as a principle subject;

(B) Chemistry as principle subject;

(C) Physics or Mathematics as a subsidiary subject; and

(D) a score of C in English or Kiswahili at 'O' level.

(b). for a degree programme—

(i) in the case of Kenya Certificate of Secondary Education holders, the minimum university admission requirement of C+ (plus) with a score of C+ (plus) in each of the following cluster subjects, Mathematics or Physics, Chemistry, Biology, English or Kiswahili.

(ii) in the case of International General Certificate of Secondary Education at advanced level, an equivalent of C or above in—

(A) Biology as a principle subject;

(B) Chemistry as principle subject;

(C) Physics or Mathematics as a subsidiary subject; and

(D) a score of C in English or Kiswahili at 'O' level.

(iii) for International Baccalaureate (IB); a diploma with a minimum of grade 5 or above—

(A) Biology at high level;

(B) Chemistry at high level;

(C) Physics or Mathematics at standard level; and

(D) English or Kiswahili at standard level.

7. (1) Pursuant to section 4(1)(a) the Council shall maintain a record of medical and dental students—

Record of students.

(a) admitted for a training programme approved by the Council under this Act, within Kenya; and

(b) who are citizens of the Republic of Kenya admitted for a training programme approved by the Council under this Act, outside Kenya;

(2) The Council may with the authority of the Commission for University Education index the students pursuing medical and dental training programmes in universities.

PART III — ASSESSMENT

8. (1) A person who—

Examination
requirements.

- (a) is citizen of Kenya and
- (b) has acquired a Bachelor of Medicine and Bachelor of Surgery degree, or Bachelor of Dental Surgery degree or its equivalent from a university outside Kenya or outside the East African Community;
- (c) who seeks registration under the Act,

shall sit for an internship qualifying examination upon presentation of the following documents—

- (i) copy of National Identification card or passport;
- (ii) certified copies of high school certification;
- (iii) certified copies of degree certificates and transcripts; and
- (iv) certification from Commission of University Education.

(2) A person who —

- (a) is citizen of Kenya has acquired a Bachelor of Medicine and Bachelor of Surgery degree, or Bachelor of Dental Surgery degree or its equivalent outside Kenya and outside the East African Community; and
- (b) presents evidence of completion of internship in the country in which that person trained, who seeks registration under the Act,

shall sit for pre-registration examination upon presentation of the following documents—

- (i) copy of National Identification card or passport;
- (ii) certified copies of high school certification;
- (iii) certified copies of degree certificates and transcripts;
- (iv) proof of completion of internship; and
- (v) certification from Commission of University Education.

(3) A person who —

- (a) is a Kenyan citizen or a citizen of the East African Community Partner State;
- (b) is a holder Bachelor of Medicine and Bachelor of Surgery degree, and Bachelor of Dental Surgery degree or its equivalent; who is registered or registerable under the Act; and
- (c) has attained specialist qualification from a training institution outside the jurisdiction of the republic of Kenya,

which is recognised by the Council, making him or her eligible for specialist recognition, under the Act,

shall undergo a specialist assessment examination upon presentation of the following documents—

- (i) copy of valid passport;
- (ii) certified copies of high school certification;
- (iii) certified copies of degree certificates and transcripts;
- (iv) certification from Commission of University Education;
- (v) verification of qualifications by a body recognized by the Council;
- (vi) proof of registration;
- (vii) proof of licensure, where applicable from the country of origin or other jurisdiction; and
- (viii) certificate of status.

(4) A person who—

- (a) is not a Kenyan citizen or a citizen of the East African Community Partner State;
- (b) is a holder of a degree or other qualification recognized by the Council making that person eligible for registration or is registered under the Act;
- (c) has attained specialist qualification from a training institution outside Kenya, which is recognised by the Council, making him or her eligible for specialist recognition, under the Act,

shall undergo a specialist assessment examination upon presentation of the following documents—

- (i) copy of valid passport;
- (ii) certified copies of high school certification;
- (iii) certified copies of degree certificates and transcripts;
- (iv) certification from Commission of University Education;
- (v) verification of qualifications by a body recognised by the Council;
- (vi) proof of registration;
- (vii) proof of licensure, where applicable from the country of origin or other jurisdiction; and
- (viii) certificate of status.

(5) The Council may request for additional information where it considers it necessary.

9. (1) The Council shall upon the recommendation of the Committee appoint a board of examiners, comprising of four medical

Board of Examiners.

practitioners, two dental practitioners and one community oral health officer.

(2) The board of examiners shall—

- (a) appoint examiners;
- (b) coordinate the setting, administration and marking of Council examinations;
- (c) moderating examinations;
- (d) to receive and consider appeals on examinations; and
- (e) prepare and submit examination reports to the Committee for consideration and recommendation to the Council.

(3) The examiners shall set, administer and mark examinations in accordance with the provisions under this Act.

(4) The board of examiners shall perform their duties in accordance with the examination policy and guidelines of the Council.

(5) The Council shall from time to time develop and review the examination policy and guidelines prescribed under the Act.

10.(1) The examinations shall be conducted by the board of examiners and shall be held at least three times a year or as prescribed by the Council.

Conduct of examinations.

(2) The board of examiners shall submit the results to the Council.

11. A person who fails an internship qualifying or pre-registration examination shall be allowed two more attempts to re-sit examinations and shall not be eligible for internship or registration if such person fails the examination three times.

Repeat examinations.

12. A candidate who sits an examination shall pay the prescribed fee, at every attempt.

Fees for examinations

PART IV — INTERNSHIP

13. A degree or diploma holder who has passed the internship qualifying examination under rule 8(1) and meets any other requirements set by the Council or shall undergo a prescribed period of internship.

Internship.

14. The Council shall issue an internship licence to a medical, dental, or community oral health graduate who meets the internship criteria upon application in accordance with the Medical Practitioners and Dentists (Training, Assessment, Registration and Human Resources) Rules, 2022 and payment of the prescribed fees.

Internship licence.

15. A person shall undertake internship for a period of twelve months set out in the Internship Guidelines.

Internship period.

16. A medical, dental or community oral health intern shall take and subscribe to an oath administered by the Council prior to proceeding for internship.

Oaths.

17. (1) An intern shall undergo internship at an approved internship training centre and shall during the period of internship be supervised by supervisors approved by the Council.

Supervision for interns.

(2) An internship training centre shall offer an intern every opportunity and facility to enable the intern undergo internship successfully.

18.(1) On completion of internship, an intern shall submit a duly completed logbook and internship assessment forms to the Council.

Internship assessment.

(2) Upon successful completion of internship the Council shall issue the intern with an internship completion certificate.

19. The Council shall recognize institutions for internship that meet the following requirements—

Conditions for recognition of institutions.

- (a) the institution must have published in the *Gazette* as approved health institution in accordance with the Act;
- (b) in the case of medical interns, capacity to provide constant supervision of interns and by at least one specialist and one other full-time medical practitioner with postgraduate qualification in each of the following disciplines—
 - (i) medicine;
 - (ii) paediatrics;
 - (iii) obstetrics and gynaecology;
 - (iv) surgery; and
 - (v) such other specialists or disciplines as may be specified by the Council, from time to time;
- (c) in the case of dental interns—
 - (i) capacity to provide constant supervision of interns, by at least one specialist and one full-time dental practitioner with postgraduate qualification in each of the following disciplines—
 - (A) Oral and maxillofacial surgery;
 - (B) prosthetics, restorative dentistry or periodontology;
 - (C) paediatric dentistry or orthodontics; and
 - (D) such other specialists or disciplines as may be specified by the Council, from time to time;
 - (ii) availability of a fully functional dental laboratory; and
- (d) in the case of Community Oral health interns capacity to provide constant supervision of inters by at least one community oral health officer and one dental practitioner; and

(e) availability of a medical library and resource centre.

(2) The Council shall inspect every institution offering internship training to ensure compliance with this rule, from time to time.

20. The Council shall each year publish in such manner as may be approved by the Council, a list of all recognized institutions where internship may be undertaken.

Publication of list of recognized institutions.

21. All approved institutions that provide internship training shall adhere to the standards set out by the Council.

Observance of Council guidelines.

22. Any institution that fails to meet the minimum requirements set out in the internship training guidelines shall have its approval withdrawn and the internship training programme suspended by the Council.

Withdrawal of approval.

PART VIII — REGISTRATION

23.(1) An applicant who is eligible for registration under the Act shall apply to the Council in the prescribed form together with payment of the prescribed fee.

Application for registration.

(2) An application in the specified categories shall be accompanied by the following requirements—

(a) in the case of an application for full registration by a citizen of Kenya who holds a degree or other qualification obtained from a University in Kenya or the East African Community which is recognized by the Council as a medical or dental practitioner under section 6(1) of the Act—

- (i) certified copy of national identification card or passport;
- (ii) certified copies of high school certification;
- (iii) certified copies of degree certificates and transcripts;
- (iv) internship completion certificate;
- (v) a testimonial from a registered practitioner; and
- (vi) current passport size photograph.

(b) in the case of an application for full registration as a medical or dental practitioner by a citizen of Kenya who holds a degree or other qualification obtained from a University outside Kenya or outside the East African Community under section 6(2) of the Act—

- (i) certified copy of national identification card or passport;
- (ii) certified copies of high school certification;
- (iii) certified copies of degree certificates and transcripts;
- (iv) certified copy of certification by Commission of University Education on the qualification;

- (v) verification of qualifications by a body recognized by the Council;
 - (vi) copy of the results of the internship qualifying examinations;
 - (vii) internship completion certificate;
 - (viii) a testimonial from a registered practitioner; and
 - (ix) current passport size photograph.
- (c) in the case of an application for full registration as a medical or dental practitioner by a citizen of Kenya who holds a degree or other qualification obtained from a University outside Kenya or outside the East African Community which is recognized by the Council under section 6(3) of the Act—
- (i) certified copy of national identification card or passport;
 - (ii) certified copies of high school certification;
 - (iii) certified copies of degree certificates and transcripts;
 - (iv) certified copy of certification by Commission of University Education on the qualification;
 - (v) verification of qualifications by a body recognized by the Council;
 - (vi) internship completion certificate;
 - (vii) pre-registration examinations certificate;
 - (viii) a testimonial from a registered practitioner; and
 - (ix) current passport size photographs.
- (d) in the case of an application for reciprocal registration as a medical or dental practitioner by a citizen of the East African Community who holds a degree or other qualification recognized by the Council under section 6(4) of the Act—
- (i) certified copy of national identification card or passport;
 - (ii) certified copies of high school certification;
 - (iii) certified copies of degree certificates and transcripts;
 - (iv) certified copy of registration certificate from country of origin;
 - (v) certificate of status; and
 - (vi) current passport size photograph.
- (e) in the case of an application for registration as a temporary registration as a foreign medical or dental practitioner by person who is not citizen of Kenya or of a partner state of the East African Community who holds of a degree or other

qualification recognized by the Council under section 6(5) of the Act—

- (i) certified copy of passport;
 - (ii) certified copies of high school certification;
 - (iii) certified copies of degree certificates and transcripts;
 - (iv) certified copy of certification by Commission of University Education on the qualification;
 - (v) verification of qualifications by a body recognized by the Council;
 - (vi) registration certificate and practice licence, where applicable, from country of origin or any other jurisdiction;
 - (vii) certificate of status;
 - (viii) specialist assessment examination results; and
 - (ix) current passport size photograph;
- (f) in the case of an application for registration as a community oral health officer—
- (i) certified copy of national identification card or passport;
 - (ii) certified copies of high school certification;
 - (iii) certified copies of diploma or degree certificates and transcripts;
 - (iv) internship completion certificate;
 - (v) a testimonial from a registered practitioner ; and
 - (vi) current passport size photographs.

25. (1) The Council shall note in the register any higher qualifications obtained by a practitioner upon submission of duly filled application form and certified copies of certificate of the higher qualification.

Additional qualifications.

(2) For purposes of this rule, “higher qualification” means a post graduate qualification recognized by Commission of University Education.

26. (1) The Council may recognize a medical or dental practitioner as a specialist as provided in section 11B(1) of the Act in any of the specialty.

Specialist and subspecialist recognition.

(2) The Council may recognize a medical or dental practitioner who is a citizen of Kenya as a specialist upon application in the prescribed form and payment of the prescribed fees—

- (3) An application under subrule (2) shall be accompanied by—

- (a) certified copy of master of medicine or master of dental surgery degree certificate and transcripts or the equivalent, awarded after a period not of at least three years in a training institution recognized by the Council; and
 - (b) a specialist recognition recommendation form duly filled by a specialist, with at least five years' experience, recognized by the Council who has been supervising the applicant for a period not less than two years.
- (4) The Council may recognize a medical or dental practitioner who is a member of the East African Community Partner States as a specialist upon application in the prescribed form and payment of the prescribed fees.
- (5) An application under subrule (4) shall be accompanied by—
- (a) certified copy of the national identity card or passport;
 - (b) certified copy of master of medicine or master of dental surgery degree certificate and transcripts or an equivalent as provided for under Schedule—
 - (i) awarded after a period not less than three years in a training institution recognized by the Council;
 - (ii) certified copy of certification by Commission of University Education on the qualification;
 - (iii) verification of qualifications by a body recognized by the Council;
 - (iv) specialist assessment examination certificate, where applicable; and
 - (v) a recommendation letter from a specialist recognized by the Council who has been supervising the applicant for a period not less than two years.
- (6) The Council may recognize a foreign medical or dental practitioner as a specialist upon application in the prescribed form and pay the prescribed fees.
- (7) An application under subrule (6) shall be accompanied by—
- (a) certified copy of passport;
 - (b) certified copies of degree certificate and transcripts;
 - (c) certified copy of master of medicine or master of dental surgery degree certificate and transcripts or an equivalent awarded at least than three years in a training institution recognized by the Council;
 - (d) certified copy of certification by the Commission of University Education;
 - (e) verification of qualifications by a body recognized by the Council;

- (f) registration certificate as a specialist and practice licence, where applicable, from the country of origin or any other jurisdiction;
- (g) certificate of status; and
- (h) specialist assessment examination certificate.

(8) The Council may recognize a medical or dental practitioner who is a citizen of Kenya or a citizen of an East African Community Partner State, as a subspecialist under section 11B(3) of the Act in any sub-specialty, upon application and payment of prescribed fees.

(9) An application under subrule (8) shall be accompanied by—

- (a) certified copy of the national identity card or passport;
- (b) certificate of specialist recognition in the basic specialty;
- (c) certified copy of master of medicine or master of dental surgery degree certificate and transcripts or an equivalent provided for under Schedule;
- (d) certified copy of sub specialist training qualification certificates and transcripts as provided for under Schedule, awarded after a period not less than six months in a training institution recognized by the Council; and
- (e) a recommendation letter from a subspecialist recognized or recognizable by the Council who has been supervising the applicant for a period not less than one year.

(10) The Council may recognize a foreign medical or dental practitioner as subspecialist shall upon application in the prescribed form and payment of prescribed fees.

(11) An application under subrule (10) shall be accompanied by—

- (a) certified copy of passport;
- (b) certificate of specialist recognition in the basic specialty from country of origin or any other jurisdiction as provided in the Schedule;
- (c) certified copy of master of medicine or master of dental surgery degree certificate and transcripts or an equivalent provided for under Schedule;
- (d) certified copy of sub specialist training qualification certificates and transcripts, awarded after a at least six months in a training institution recognized by the Council; and
- (e) certificate of registration as a sub specialist and practice licence, where applicable, from the country of origin or any other jurisdiction; and
- (f) certificate of status.

(12) The Council shall in each year publish in such manner as the Council may determine a list of all recognized medical and dental specialties and sub-specialties.

(13) Any other requirements that the Council may from time to time require.

27. The Council shall maintain registers for the following—

Registers.

- (a) interns ;
- (b) medical and dental practitioners;
- (c) foreign doctors;
- (d) foreign students;
- (e) Kenyan doctors practicing abroad;
- (f) community oral health officers; and
- (g) health institutions.

PART IX—CONTINUING PROFESSIONAL DEVELOPMENT

28. (1) The Council shall develop and continuously review continuing professional development guidelines.

Conduct of continuing professional development programmes.

(2) The Council shall accredit eligible continuing professional development providers in line with the continuing professional development guidelines.

29. The Council shall assign continuing professional development points for each continuing professional development activity.

Award of points and certificates.

30. (1) The Council shall keep a register of all accredited continuous professional development providers.

Register of accredited providers.

(2) The Council shall use the online iCPD platform to keep track of points earned by practitioners from various continuing professional development activities.

31. Every continuing professional development or education programme shall emphasize ethical, practical and professional aspects of clinical practice or strategic health planning relevant to the practice of medicine and must be aimed at the improvement of the professional competence of the medical and dental practitioners.

Requirement for continuing educational Programmes.

32. (1) Any person seeking accreditation as a continuing professional development provider shall make an application in that regard to the Council in the prescribed form, and upon payment of the prescribed fees.

Application for accreditation.

2) The Council shall consider the application for accreditation and shall approve or reject the same, having regard to the following—

33. Every application for an annual retention certificate shall be accompanied by proof that the applicant has secured fifty points upon attending and participating in the continuing education programmes during the preceding year.

Proof of compliance.

34. The Medical Practitioners and Dentists (Training, Assessment and Registration) Rules, 2014 are revoked.

Revocation.
LN. 37/2014

Made on the 5th August, 2022.

MUTAHI KAGWE,
Cabinet Secretary for Health.
