

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

**Tuesday, 9<sup>th</sup> June, 2020**

*The House met at the Senate Chamber,  
Parliament Buildings, at 2.30 p.m.*

*[The Speaker (Hon. Lusaka) in the Chair]*

### PRAYER

**Sen. Olekina:** I thank you, Mr. Speaker, Sir. I was in the other room listening to the Senator raising this Statement and had to wait, so that I can comment.

Article 43(2) of the Kenyan Constitution gives every Kenyan a right to emergency medical treatment. When I hear that a patient was at a hospital and because of the delay in raising funds, that patient could not be given access to medical services, I believe that hospital does not deserve to have a license.

I think in 2018, the National Assembly was reviewing the amount of fees charged by hospitals in this country, so that it ensures that this right, which is enshrined in the Constitution, is not only there in paper. Most of the things that we experience in country are simply written, but in practice, you cannot really enjoy the freedoms.

If this is the only thing we will be remembered for doing, so be it. We need to work closely with one another to ensure that we have a healthcare system that can help Kenyans.

Mr Speaker, Sir, there are several horror stories of people dying in big hospitals in this country. There is a story I know very well of a young man from ukambani who died in one of the hospitals and his body stayed there for three years because he could not raise Kshs200,000. By the time he was being buried, the bill was Kshs2.5 million. I raised that issue with the Governor of Makueni, Hon. (Prof.) Kivutha Kibwana. I had expected that the issue would be taken up.

As I speak here, the horror stories that make it to this House are a quarter of all the horror stories of how we have an inefficient healthcare system in this country. We cannot continue pretending that we care about Kenyans. We cannot pretend that the money allocated to COVID-19 is benefiting Kenyans. We are lamenting and raising issues, but we cannot get to the root cause and punish those people, including taking away their licenses.

This right enshrined in our Constitution should be exercised. This is an opportunity that the Health Committee can come out and ensure that these people pay for these wrongs. The MP Shah hospital is not new in all these scandals. In 2018, the National Assembly spent a lot of time. If you listen to the Chief Executive Officer (CEO)

of the hospital, he says they had to charge a lot of money to offer quality medical treatment to their patients.

The Constitution clearly says that every Kenyan has a right to access emergency medical care. What should happen to those people who violate that right? I support this Statement by Sen. Were. I hope that this time around the Health Committee, which has failed us in some cases, can act and ensure Kenyans who are dying because of an inefficient healthcare system are punished.

Mr. Speaker, Sir, it is a shame that we continue allocating the Ministry of Health billions of shillings and send peanuts to our county governments. The money allocated to the Ministry of Health is five times the money allocated to some counties the size of Murang'a. It is a shame and embarrassing that when you read the Finance Act, you will see there is a lot of money that will go to the Ministry of Health, but they sit pretty in their offices. Nowadays, we are just entertained with the updates on COVID-19. However, when you ask tough questions of how that money is being spent, no one is willing to come out and tell you. Shame on us! I hope that this Committee will try and redeem itself.

**The Speaker** (Hon. Lusaka): I commit the Statement to the Committee on Health. You have heard the sentiments of Members. This is a serious matter and we expect you come up with a comprehensive report and recommendations on what we should do as a country moving forward.

We will go to Division. I note what we have a problem with numbers. Next Statement by Sen. (Dr.) Milgo.