

NATIONAL HEALTH ACT IN BRIEF THE CITIZEN'S RIGHT TO QUALITY HEALTH CARE

PREAMBLE

The highest attainable standard of health is one of the fundamental rights of every human being. The Nigeria Constitution recognizes this fact and makes provisions to promote family health and ensure adequate medical and health facilities for all citizens. However, the constitutional provision and other stand-alone laws enacted to address specific aspects of the health sector did not provide explicit guidance to effectively regulate the sector. It became necessary to enact a parent health Law that will regulate in a holistic manner, the health sector, its development and management.

The National Health Act (2014), therefore, provides the framework for the regulation, development and management of the national health systems and sets standards for rendering health services in the Federation - at federal, state, local, private, and community levels, including the provision of traditional and alternative medicines, and all other matters related to health in Nigeria.

The National Health Act provides a framework for citizens to hold local, state and federal governments accountable on their responsibilities to deliver quality health services to all Nigerians especially to the poor and the vulnerable.

Key provisions that most apply to the right to health for all citizens include:

- Entitlement to basic minimum package of health services in eligible primary or secondary health care facilities through the National Health Insurance Scheme.
 - All pregnant women, the elderly, the disabled and children are exempted from paying for services in public hospitals.
 - Every health establishment shall have a Certificate of Standards, which defines the minimum required standards for all health establishments.
 - All health workers are required to give health users relevant information on their health status, diagnosis and treatment options, risks and benefits in a language the user understands and which takes into account the user's level of literacy.
- Health care users have the right to refuse treatment unless there are exceptional circumstances.
 - A health provider may disclose a user's personal information to any other person, health care provider or health establishment as is necessary, for any legitimate purpose where such access or disclosure is in the interest of the user.
 - An aggrieved person may make a complaint about the manner in which he or she was treated at a health establishment and have the complaint investigated. The Law provides that the procedure for making complains shall be displayed by all health facilities in a manner visible to all health care users.
 - Public officers are barred from undertaking medical checkups, investigation or treatment abroad at public expense, except in exceptional cases approved by a medical board and the Minister or Commissioner of Health.
 - Post mortems and outlines can only be authorized by the deceased's spouse, child, parent, guardian, brother or sister, in that order.
 - Manipulation of genetic materials ("cloning") and the import or export of embryos are prohibited.

ABOUT HERFON:

The Health Reform Foundation of Nigeria (HERFON) is a nonprofit, non-governmental organization developed by a group of reform minded Nigerians who have come together in response to the deplorable health system and health status of Nigeria. The foundation aims to support and help to sustain the Health Reform Agenda in the country. It strives to support the government to achieve its health sector reform objectives. HERFON's main areas of focus are: health systems, immunization, and HIV/AIDS.

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ABOUT CHAMPIONS FOR CHANGE:

Champions for Change (C4C) invests in visionary local leaders and organizations to sustainably improve health outcomes for women, children and youth in Sub-Saharan Africa. C4C achieves large-scale impacts through advocacy, leadership development, organizational strengthening, and grant making. In Nigeria, C4C's national network is advocating for improved reproductive, maternal, newborn, child, and adolescent Health (RMNCAH). In Kenya, C4C works to prevent and combat Non-Communicable Diseases (NCDs) among young people through locally-led advocacy.

FOR MORE INFORMATION VISIT:

www.championingchange.org