

AN ACT TO ESTABLISH THE MINISTRY OF HEALTH 2015.

APPROVED: DECEMBER 27, 2016

**PUBLISHED BY AUTHORITY
MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA**

PUBLISHED: JANUARY 26, 2017



**AN ACT TO ESTABLISH
THE MINISTRY OF HEALTH**

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AN ACT TO ESTABLISH THE MINISTRY OF HEALTH

PREAMBLE

WHEREAS, Chapter 10, Article 89 of the Liberian Constitution empowers the Legislature to enact statutes for the creation of ministries, agencies and commissions as may be necessary for the effective operation of Government; and

WHEREAS, it is expedient to ensure equitable access of all persons, including women, children, the vulnerable, disadvantaged and marginalized persons, to the outcomes of development and good governance through promotion of health so as to reform and manage the healthcare sector in a manner to efficiently deliver comprehensive, quality health services within Liberia;

REALIZING that it is necessary to establish a Ministry of Health separate and distinct from Social Welfare as a new Ministry to focus on the development of the healthcare sector and to be more capable and responsive, both organizationally and functionally, in order to achieve its primary mandate of providing an affordable and quality healthcare system in Liberia;

ACKNOWLEDGING that the necessary and proper changes in the organizational and functional structures of the government, its agencies and instrumentalities, should be effected in order to promote planned and sustainable economic development, efficiency in deployment of resources and effectiveness in the delivery of public services;

NOW THEREFORE, it is enacted by the Senate and the House of Representatives of the Republic of Liberia in Legislature assembled:

SECTION 1: TITLE

This Act is and shall be called An Act to Amend the New Executive Law of 1972 to establish the Ministry of Health.

SECTION 2: SHORT TITLE

This Act may be cited as the "Health Ministry Act".

SECTION 3: OBJECTIVES

The objective of this Act is to amend the Act establishing the Ministry of Health and Social Welfare to create and establish the Ministry of Health.

SECTION 4: REPEALS AND AMENDMENT

The provisions of the following law are hereby expressly repealed insofar as they relate to the establishment of the Ministry of Health:

- (a) All provisions referencing health of Chapter 30, Ministry of Health and Social welfare of the Executive Law, Title 12, Liberian Code of Laws Revised, are hereby repealed and related functions and powers as are provided under Chapter 30, with respect to health are transferred to the Ministry of Health;
- (b) Notwithstanding the repeal of the aforementioned provisions of Chapter 30, all Acts as well as all Executive Orders amendatory thereto, any contract, order, decision or anything made or done before the coming into force of this Act, which was duly authorized in keeping with the repealed Act, shall be valid and continue to be in full force and effect as if made or done under this Act.

SECTION 5: CHANGE OF NAME OF CHAPTER 30, MINISTRY OF HEALTH AND SOCIAL WELFARE EXECUTIVE LAW, TITLE 12, LIBERIAN CODE OF LAWS, REVISED

Chapter 30, Ministry of Health and Social Welfare, Executive Law, Title 12, Liberian Code of Laws Revised is hereby repealed, and "Chapter 39 Ministry of Health" is hereby created to read as follows:

Chapter 39. MINISTRY OF HEALTH

- §39.1. Definitions
- §39.2. Establishment of the Ministry
- §39.3. Mandate of the Ministry
- §39.4. Functions of the Ministry
- §39.5. Structure of the Ministry
- §39.6. Appointment and Duties of the Minister of Health
- §39.7. Appointment of the Deputy Ministers
- §39.8. Duties of Deputy Minister for Health Services
- §39.9. Duties of Deputy Minister for Policy, Planning and M&E
- §39.10. Duties of Deputy Minister for Administration
- §39.11. Appointment of Assistant Ministers and Portfolio
- §39.12. Office of Financial Management

§39.1. Definitions.

In this Act, unless the context otherwise requires:

"Minister " means the Minister of Health;

"Ministry" means the Ministry of Health;

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“M&E” means Monitoring and Evaluation;

“ICT” means Information, Communication and Technology.

§39.2. Establishment of the Ministry

There is hereby established in the Executive Branch of Government, the Ministry of Health hereinafter referred to as the Ministry.

§39.3. Mandate of the Ministry

The Ministry shall be responsible for the formulation, implementation monitoring and evaluation of health policies, plans and standards; deliver, coordinate the delivery of decentralized medical care in public facilities; develop health manpower; undertake preventive and promote health services including specific health interventions.

§39.4. Functions of the Ministry

The Ministry’s core functions shall be to:

- (a) develop and coordinate the development of sector policies, plans, standards and regulations;
- (b) maintain national health management information system which includes data relating to births, deaths and burials;
- (c) coordinate and promote the conducting of health and health-related research;
- (d) provide medical care and treatment through public health facilities and decentralize such medical care and treatment ;
- (e) deliver preventive services and promote family, environmental and occupational health services;
- (f) coordinate with healthcare institutions, stakeholders and/or donor community to formulate and support healthcare interventions;
- (g) pursue de-centralization of the health sector within the limit of the National De-centralization Agenda and promote preventive, family, environmental and occupational health services;
- (h) conduct fiscal management and enhance support systems of the health sector; and
- (i) administer this Chapter, the Public Health Law as well as perform such other powers and functions as may be provided by law.

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§39.5. Structure of the Ministry

The Ministry of Health shall be organized in such manner and with such personnel as shall be determined by the Minister, subject to the approval of the President. Each Department in the Ministry shall be composed of Divisions, Sections, Units and other structures dedicated to implementing the mandate and core functions of the Ministry as established by law and/or policy. The Ministry is hereby structurally organized to include:

- (a) Office of the Minister;
- (b) Department of Policy Planning and M&E;
- (c) Department of Health Services;
- (d) Department of Administration;

§39.6. Appointment and Duties of the Minister of Health

The Ministry shall be headed by a Minister who shall be appointed by the President with the consent of the Senate. The Minister shall further be assisted by Deputy Ministers. The respective assignments and reporting procedures to be followed by Deputy Ministers shall be determined and established by law; where not specified in the Law, then same shall be done by the Minister. In addition to the duties and functions of each Deputy Minister as provided for herein, the Minister may determine additional assignments for said deputies. The Minister shall also be charged with duties including to:

- (a) formulate policies and standards on prevention and control of diseases that contribute to high disease burden and of public health significance in Liberia;
- (b) formulate policies, programs and set standards to facilitate and promote improvements in public health;
- (c) oversee and participate in the development of national health standards, guidelines, and plans for implementation of programmatic activities and public health interventions;
- (d) oversee implementation of policies, procedures and guidelines on disease prevention and control, reproductive health, child survival, emergencies/epidemics and environmental and occupational health;
- (e) oversee development of services to promote improved public health;
- (f) oversee and direct the rapid response to epidemics and re-emerging diseases of public health importance;
- (g) oversee the development of capacity for emergency preparedness and implementation of a rapid response strategy to public emergencies;
- (h) oversee the preparation and implementation of the Recurrent and Development Budgets;

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- (i) recommend, at any time, based on result of empirical findings/facts, research issues of national and global health priorities to the National Public Health Institute of Liberia;
- (j) ensure the evaluation and analysis of the health status;
- (k) ensure Public health surveillance, problem investigation, and the control of risks and threats to public health; and
- (l) oversee the fiscal management of all resources.

§39.7. Appointment of Deputy Ministers

The Minister shall be assisted by Deputy Ministers. Each Deputy Minister, under the supervision of the Minister, shall oversee a Department within the Ministry. The President, with the consent of the Senate, shall appoint a medical doctor as Chief Medical Officer (CMO)/ Deputy Minister for Health Services. The CMO shall be appointed based on the recommendation of the Liberian Medical and Dental Association which shall nominate three qualified persons to the President for consideration. The President shall also, with the consent of the Senate, appoint a Deputy Minister for Policy, Planning and Monitoring & Evaluation and a Deputy Minister for Administration. Each Deputy Minister shall be responsible to the Minister.

§39.8. Duties of Chief Medical Officer / Deputy Minister for Health Services

Subject to the authority and direction of the Minister, the Chief Medical Officer/ Deputy Minister for Health Services shall be responsible to:

- (a) formulate program policies to facilitate and promote improvement in public health
- (b) work in close collaboration with the Director General of National Public Health Institute of Liberia (NPHIL)
- (c) ensure surveillance system is established and effective to monitor priority diseases of public health importance;
- (d) coordinate the development of national standards, guidelines, and plans for implementation of programmatic activities and public health interventions
- (e) ensure program operational plans are integrated at all levels and health sector contingency plans for emergencies are developed;
- (f) ensure programs and units under a Division maintain high levels of coordination and communication to facilitate horizontal rather than vertical integration;
- (g) ensure provision of quality curative and rehabilitation of health care services through accessible and quality medical care and support services and adequate and viable pharmaceutical products and laboratory services are accessible; promote collative and mutually beneficial coordination with complementary medicine services;

- (h) ensure the development and periodic revision of national policy, treatment guidelines and standards related to pharmaceutical supplies and services;
- (i) provide effective supervision over county health services;
- (j) identify training needs and promote staff capacity development in consultation with the Departments of Administration and Policy Planning and M&E;
- (k) coordinate training in collaboration with the Department of Planning and M&E based on programmatic and public health sector needs; and
- (l) perform duties the Minister may, from time to time, assign to the office of Deputy Minister for Health Services.

§39.9. Duties of Deputy Minister for Policy, Planning, and M&E

Subject to the authority and direction of the Minister, the Deputy Minister for Policy, Planning, and M&E shall be responsible to:

- (a) prepare and coordinate the preparation of sector policies and plans,
- (b) adapt national planning guidelines and issues sector planning guidelines;
- (c) develop and coordinate the development of medium/long term manpower training plans in Liberia in collaboration with the Department of Administration;
- (d) establish and coordinate a human resource information system;
- (e) develop framework for the enhancement of health manpower training institutions in Liberia;
- (f) coordinate sector M&E of plan implementation;
- (g) prepare annual health sector performance report; and
- (h) perform duties the Minister may, from time to time, assign to the office of Planning, Policy and Monitoring and Evaluation

§39.10. Duties of Deputy Minister for Administration

Subject to the authority and direction of the Minister, the Deputy Minister for Administration shall be responsible to:

- a) administer the Ministry's financial management system, including budgeting, petty cash management, financial accounting and reporting, and internal and external audits, ensuring that they are consistent with the Public Financial Management law and regulations;

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- b) administer the Ministry's human resource management system, including recruiting, selecting, training, and retention, ensuring that they are consistent with civil service law, policies and regulations;
- c) administer the Ministry's procurement of goods, supplies, works and consulting services, ensuring that they are consistent with the laws and regulations of the Public Procurement and Concessions Commission;
- d) manage the Ministry's general services, such as warehousing and accessing of goods and supplies; transportation and communication; power and water systems; and security and maintenance, ensuring that they are consistent with policies and regulations of the General Services Agency;
- e) perform such other duties that are incidental to being the Deputy Minister for Administration of the Ministry; and
- f) perform duties the Minister may, from time to time, assign to the Office of Deputy Minister for Administration.

§39.11. Appointment of Assistant Ministers and Portfolio

There is hereby established the following post to be known as Assistant Ministers which shall be appointed by the President to assist the Minister and the Deputy Ministers with proper running of the Ministry:

- a. Assistant Minister for Curative Services;
- b. Assistant Minister for Preventive Services;
- c. Assistant Minister for Planning and Policy;
- d. Assistant Minister for Vital Statistics;
- e. Assistant Minister for Administration.

§39.12. Office of Financial Management

The Office of Financial Management shall be headed by a Comptroller who shall report to the Deputy Minister for Administration and be responsible for the smooth running of the Ministry; and the Comptroller shall be at the level of Assistant Minister.

SECTION 6: This Act shall take effect immediately upon publication in handbills by the Ministry of Foreign Affairs.

ANY LAW TO THE CONTRARY NOTWITHSTANDING

2016

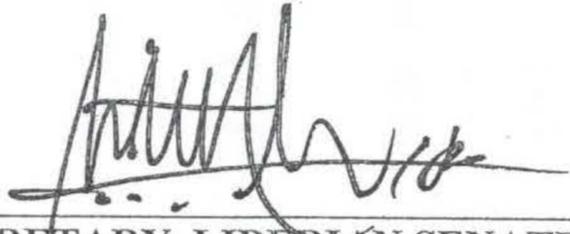
FIFTH SESSION OF THE FIFTY-THIRD
LEGISLATURE OF THE REPUBLIC OF LIBERIA.

SENATE'S ENGROSSED BILL NO. 25 ENTITLED:

AN ACT TO ESTABLISH THE MINISTRY OF HEALTH
2015"

On Motion, Bill read. On Motion, the Bill was adopted on its first reading, and sent to Committee Room on Thursday, September 8, 2016 at the hour of 12:40 G.M.T.

On Motion, Bill taken from the Committee Room for its second reading. On Motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Tuesday, September 29, 2016 at 14:45 G.M.T.



SECRETARY, LIBERIAN SENATE, R.L.

2016

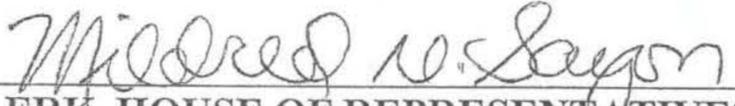
FIFTH SESSION OF THE FIFTY-THIRD
LEGISLATURE OF THE REPUBLIC OF LIBERIA.

HOUSE'S ENDORSEMENT TO SENATE'S ENGROSSED
BILL NO. 25 ENTITLED

AN ACT TO ESTABLISH THE MINISTRY OF HEALTH
2015"

On Motion, Bill read. On Motion, the Bill was adopted on its first reading, and sent to Committee Room on Tuesday, November 15, 2016 at the hour of 13:42 G.M.T.

On Motion, Bill taken from the Committee Room for its second reading. On Motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Friday, December 8, 2016 at 18:15 G.M.T.



CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.

2016

ATTESTATION

AN ACT TO ESTABLISH THE MINISTRY OF HEALTH 2015”

VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/PRESIDENT OF THE SENATE

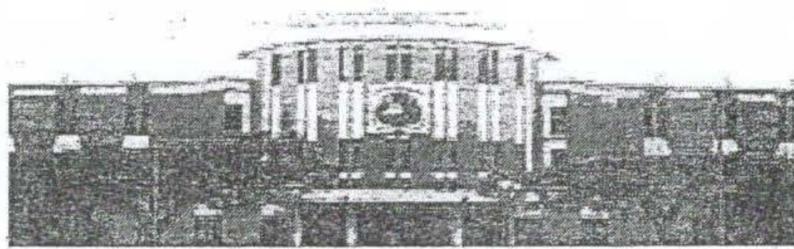
THE SECRETARY, LIBERIAN SENATE

THE SPEAKER, HOUSE OF REPRESENTATIVES

THE CHIEF CLERK, HOUSE OF REPRESENTATIVES



Secretary of the Senate



The Liberian Senate

CAPITOL BUILDING, CAPITOL HILL, MONROVIA, LIBERIA
WEST AFRICA

FIFTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF THE REPUBLIC OF LIBERIA.

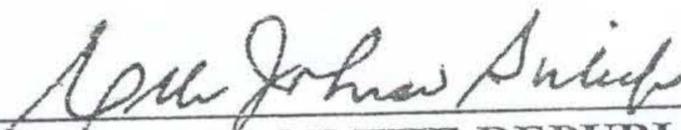
SCHEDULE OF SENATE'S ENROLLED BILL NO. 22 ENTITLED:

AN ACT TO ESTABLISH THE MINISTRY OF HEALTH 2015.

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR
EXECUTIVE APPROVAL.

APPROVED THIS 27th DAY OF DECEMBER A.D. 2016

AT THE HOUR OF 5:05 P.M.



THE PRESIDENT OF THE REPUBLIC OF LIBERIA