



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – (FIFTH SESSION)

ORDERS OF THE DAY

WEDNESDAY, JULY 29, 2026 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8. * MOTION – THE LEADER OF MAJORITY PARTY

Subject: *Appointment of Members to the Select Committee on Selection*

THAT, pursuant to the provisions of Standing Order 168(1), this Assembly approves the appointment of the following Members to the Select Committee on Selection: -

1. The Hon. Peter Imwatok, MCA – Majority Leader, Chairperson
2. The Hon. Paul Kados, MCA – Deputy Speaker
3. The Hon. Anthony Kiragu Karanja, MCA – Minority Leader
4. The Hon. John Ndile, MCA – Deputy Majority Leader
5. The Hon. Moses Ogeto, MCA – Majority Whip
6. The Hon. Mark Mugambi Macharia, MCA – Minority Whip
7. The Hon. John Kwenya, MCA
8. The Hon. Joyce Lugonzo, MCA
9. The Hon. Catherine Okoth, MCA
10. The Hon. Lily Kidenda, MCA
11. The Hon. Chege Mwaura, MCA
12. The Hon. Virginia Kangethe, MCA
13. The Hon. Simon Maina Mugo, MCA

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14. The Hon. Aaron Kangara, MCA

15. The Hon. Kame Adano, MCA

**9. *BILL– THE NAIROBI CITY COUNTY DISASTER AND EMERGENCY
MANAGEMENT BILL, 2026 (ASSEMBLY BILL NO.5 OF 2026)**

Subject: *Second Reading*

The Nairobi City County Disaster and Emergency Management Bill, 2026 (Assembly Bill No.5 of 2026)

(Hon. Peter Imwatok Jateso, MCA – The Leader of Majority Party)

(Second Reading)

**10. *COMMITTEE OF THE WHOLE COUNTY ASSEMBLY – TO
CONSIDER THE NAIROBI CITY COUNTY HEALTH SERVICES
BILL, 2025 (ASSEMBLY BILL NO. 3 OF 2025)**

Subject: *Committee of the Whole County Assembly*

The Nairobi City County Health Services Bill, 2025 (Assembly Bill No.3 of 2025)

(Hon. Moses Ogeto, MCA – Majority Whip)

(Committee of the Whole County Assembly)

NOTICES

- I. **NOTICE is given that the Chairperson of the Select Committee on Liaison [acting on powers granted under Standing Order 210(3)] intends to move the following amendments to the Nairobi City County Health Services Bill 2025, at the Committee Stage: -**

SHORT TITLE

THAT, the Short Title of the Bill be amended as follows: -

- (i) By renaming it to read "The Nairobi City County Health Services and Management Bill 2026"
- (ii) By deleting the numeric **"2025"** and replace with the numeric **"2026"** thereof

LONG TITLE

THAT, the Long Title of the Bill be amended as follows: -

- (i) By deleting the word **section** and replacing it with the word **'paragraph'**
- (ii) By inserting the word "to give effect to the Facilities Improvement Financing Act Cap.277 after the word "Constitution".
- (iii) By deleting the numeric **"2025"** and replace with the numeric **"2026"** thereof

CLAUSE 2

THAT, Clause 2 of the Bill be amended by inserting the following new definitions in their proper alphabetical sequence; -

- i) **'County'** means the Nairobi City County
- ii) **"County Assembly"** means the Nairobi City County Assembly
- iii) **"Chief Executive Officer"** means the officer responsible for the overall management and administration of a County Hospital (Level 5) appointed under this Act.
- iv) **"County entity"** has the meaning assigned to it under Section 2 of the Public Finance Management Act, 2012 and, for the purposes of this Act, includes a County Hospital (Level 5) established under Section 8 (1) of this Act with such functions, powers and responsibilities as are conferred under this Act and the applicable provisions of the Constitution and other written laws relating to public finance management, public procurement, audit and governance.
- v) **'Department'** means the department responsible for health services.

THAT, Clause 2 of the Bill be amended; -

- (i) By deleting the meaning of the word ‘County Health Facility’ and replacing it with a new to meaning to read **“County Health Facility has the same meaning assigned to it under Section 2 of the Facilities Improvement Financing Act Cap 277**
- (ii) In the definition of the word e-health, by adding the words **“including telemedicine”** immediately after the word technology.
- (iii) By deleting the definition of the word **‘reproductive age’** in its entirety.

CLAUSE 3

THAT, Clause 3 (b) of the Bill be amended as follows; -

- (i) By deleting the words ‘facilitating and realization of’ and replacing them with the word **‘promoting’**

CLAUSE 4

THAT, Clause 4 of the Bill be amended as follows; -

- (i) By inserting the following sub-clauses immediately after sub-clause (d):
- (d)A equity in distribution of health services and interventions
- (d)B Public participation with a people centered approach and social accountability planning and implementation.
- (d)C efficiency in the application of health technologies
- (d)D mutual consultation and cooperation between the National Government and County Governments and among County Governments.

CLAUSE 5

THAT Clause 5 of the Bill be amended as follows; -

- (i) In the heading by deleting the words **‘Functions of the Department’** and it thereof with a new heading to read **“The role of the County Executive Committee Member”**

THAT Clause 5(b) of the Bill be amended as follows; -

- (i) By deleting the word **‘policies’** appearing immediately after the word health.

CLAUSE 6

THAT Clause 6 of the Bill be amended as follows; -

- (i) By deleting it in its entirety and replacing it with a new clause 6 to read;
 - 6.(1) ‘The County Public Service Board shall in consultation with the County Executive Committee establish offices for effective implementation of this Act in accordance with the County Governments Act.
 - 6(2) The staff of the department shall be competitively appointed by the County Public Service Board in accordance with the County Government Act

CLAUSE 7

THAT Clause 7(2) of the Bill be amended as follows; -

- (i) By deleting it in its entirety and replacing it with a new clause 7(2) to read;

“The CECM may designate a county referral hospital according to the criteria agreed upon by the Intergovernmental Health Coordination mechanisms”

CLAUSE 8

THAT, Clause 8 be amended by inserting the following new sub-clause immediately after sub-clause (2); -

8(2)A Every County Hospital (Level 5) established under subsection (1) shall be a County entity for the purposes of this Act and shall—

- (a) have perpetual succession and, subject to this Act, perform its functions in accordance with the Constitution and all applicable written laws;
- (b) be managed in accordance with this Act by the respective Hospital Management Board established under Section 13 of the Act and the Chief Executive Officer;
- (c) be responsible for the efficient, effective and economical management of its financial, human and physical resources;
- (d) prepare and implement strategic plans, annual work plans, budgets and performance reports in accordance with this Act and the Public Finance Management Act, 2012;
- (e) maintain proper books of account and records and prepare financial statements in accordance with the Public Finance Management Act, 2012 and such other applicable written laws;
- (f) be subject to audit by the Auditor-General in accordance with Article 229 of the Constitution and the Public Audit Act, 2015;
- (g) undertake procurement and asset disposal in accordance with the Public Procurement and Asset Disposal Act, 2015 and any other applicable written law;
- (h) receive, administer and account for funds allocated or accruing to the hospital in accordance with this Act and the Public Finance Management Act, 2012;
- (i) exercise such powers and perform such other functions as may be necessary for the proper discharge of its mandate under this Act and any other written law.

CLAUSE 9

THAT, the **heading** of clause 9 of the Bill be amended as follows;-

- (i) By deleting the word **'establishment'** and replacing it with the word **'Appointment'**

THAT, Clause 9(1) of the Bill be amended as follows; -

- (i) By deleting it in its entirety and replacing it with a **new clause 9(1)** to read;-

“(1)The County Health Management Team established under the Facilities Improvement Financing Act Cap 277 shall be appointed by the County Executive Committee Member for health as follows-”

- a) the county director of health, who shall be the chairperson;
- b) the administrative officer of the department, who shall be the secretary to the team;
- c) the Chief Executive Officers of all County Hospitals and the medical superintendents of other health facilities referred to in Section 7; and
- d) all section or unit heads within the health department.

THAT Clause 9(2) of the Bill be amended as follows; -

- (i) By deleting it in its entirety.

CLAUSE 11

THAT the **heading** of clause 11 of the Bill be amended as follows;-

- (i) By deleting the word **'establishment'** and replacing it with the word **'Appointment'**

THAT Clause 11(1) of the Bill be amended as follows; -

- (i) By deleting it in its entirety and replacing it with a **new Clause 11(1)** to read;-

“The “The Sub-County Health Management Team established under the Facilities Improvement Financing Act Cap 277 shall be appointed by the County Executive Committee Member for health as follows-”

- a) the health officer in charge of the Sub-county;
- b) the sub-county administrative officer;
- c) all Unit heads within the sub-county department;
- d) the Chief Executive Officers of all County Hospitals and the medical superintendents of other health facilities referred to in Section 7; and

- e) any other officer as the county executive committee member may, in consultation with the County Health Management Team designate.

THAT, Clause 11(2) of the Bill be amended as follows; -

- (i) By deleting it in its entirety

CLAUSE 13

THAT, Clause 13(1) of the Bill be amended by inserting the word "non-executive" immediately before the words "Hospital Management Board".

THAT, Clause 13(2) of the Bill be amended as follows; -

- (i) By **deleting clause 13(2)(b) in its entirety and substituting** it therefor with the following new paragraph; - "(b) in the case of a County Hospital (Level 5), the Chief Executive Officer of the Hospital and, in the case of any other County hospital or health facility, the Medical Superintendent or the officer in charge of the hospital, who shall be the Secretary to the Board and an ex officio member."
- (ii) By **deleting paragraph (e)** in its entirety
- (iii) By deleting paragraph **(f)** sub-paragraph (iii) and replacing it thereof with a new subparagraph (iii) as follows;
- “ (iii) One person with experience in Human Resource and/or administration

THAT, Clause 13(5) of the Bill be amended as follows; -

- (i) By deleting the words ‘not be eligible’ appearing immediately after the word ‘shall’ and replacing thereof with the words **“shall be eligible”**
- (ii) By deleting the word ‘unless’ and replacing it with the word **‘if’**

THAT, Clause 13(6) of the Bill be amended as follows; -

- (i) By deleting the word **‘not’** appearing immediately after the word ‘shall’
- (ii) By deleting the word ‘unless’ appearing immediately after the word ‘board’ and replacing thereof with the word **‘if’**

NEW CLAUSE 14 A

THAT, the Bill be amended by inserting the following new clause immediately after Clause 14:-

14A - Chief Executive Officer of a County Hospital

Appointment of the Chief Executive Officer

- (1) There shall be for every County Hospital (Level 5) a Chief Executive Officer who shall be the chief administrative officer of the hospital.

- (2) The Chief Executive Officer shall—
- (a) be an officer in the County Public Service;
 - (b) be appointed by the County Public Service Board through a competitive recruitment process; and
 - (c) hold office for a term of three years and shall be eligible for re-appointment for one further and final term of three years, subject to satisfactory performance and such terms and conditions as may be determined by the County Public Service Board.

Qualifications

- (3) A person qualifies for appointment as a Chief Executive Officer if the person—
- (a) holds a degree from a university recognized in Kenya in health sciences, health systems management, hospital administration, business administration, public administration or any other relevant field;
 - (b) has at least ten years' relevant experience in health services management or public administration;
 - (c) meets the requirements of Chapter Six of the Constitution; and
 - (d) satisfies any other requirements prescribed under this Act or any other written law.

Functions

- (4) The Chief Executive Officer shall—
- (a) be the accounting officer of the County Hospital for purposes of financial and administrative management in accordance with the Public Finance Management Act, 2015 and any other applicable law;
 - (b) be responsible for the day-to-day management and administration of the County Hospital under the direction of the Hospital Management Board established under Section 13 of the Act;
 - (c) implement the decisions of the Hospital Management Board;
 - (d) supervise the staff of the County Hospital;
 - (e) ensure prudent utilization of the hospital's financial, human and physical resources;
 - (f) prepare and submit strategic plans, annual work plans, budgets and performance reports to the Hospital Management Board; and
 - (g) perform such other functions as may be assigned under this Act or any other written law.

CLAUSE 15

THAT Clause 15 of the Bill be amended as follows; -

- (i) In the **Heading**, by deleting the word 'establishment' and replacing it with the word '**Appointment**'
- (ii) In **sub-clause (1)**, by deleting it in its entirety and replacing it with a **new Clause 15(1)** to read:-
 - (1) 'The Health Facility Management Committee shall consist of not less than seven and not more than nine members appointed by the County Executive Committee Member as follows:-
 - a) the in-charge of the health facility, who shall be ex officio and the Secretary to the Committee;
 - b) the Sub-county Medical Officer of Health or their representative;
 - c) a village representative;
 - d) one person, who is a resident of the area, nominated by a joint forum of women's organizations in the area;
 - e) one person, who is a resident of the area, nominated by a joint forum of youth organizations in the area;
 - f) one person, who is a resident of the area, nominated by a joint forum of faith-based organizations; and
 - g) two people representing the interest of the vulnerable and marginalized communities, one of whom shall be person with disability
- (iii) In **sub-clause (2)** by deleting it in its entirety and replacing it with a **new Clause 15 (2)** to read-;
 - (2) The Chairperson of the Committee shall be elected from amongst the members of the Committee.
- (iv) In sub-clause (3) by deleting it in its entirety and replacing it with a **new Clause 15 (3)** to read-;
 - (3) In constituting the Committee, the County Executive Committee member shall ensure that;-
 - a) at least one third of the total membership of the Committee shall be from the opposite gender;
 - b) the membership includes persons marginalized communities;
 - c) the interests of diverse groups in the catchment area are represented

THAT Clause 15 of the Bill be further be amended as follows; -

- (i) By inserting a **new clause 15A** immediately after Clause 15 as follows-
"The Health Facility Management Team
"15A(1) There shall be established a Health Facility Management Team which shall comprise of the health facility in-charge and all the section or unit heads.

(2) The Health Facility Management Team shall oversee the overall management of the health facility with collaboration from the Health Facility Management Committee.

CLAUSE 17

THAT Clause 17 of the Bill be amended as follows; -

- (i) By inserting a new Clause 17A immediately after Clause 17 as follows;-

Terms and Conditions of Appointment

17A(1) The appointments of the Members to the Board and Committees in this part shall be in such a manner that the respective expiry of their terms shall fall at different dates.

CLAUSE 22

THAT, Clause 22 of the Bill be amended as follows; -

- (i) By deleting it in its entirety and replacing thereof with a **new clause 22** as follows;-

“The County Government shall ensure the progressive equitable distribution of County Health Facilities throughout the County as are deemed necessary for promotive, preventive and rehabilitative health services.”

CLAUSE 23

THAT, Clause 23 of the Bill be amended as follows; -

- (i) In **Sub- clause (a)** by inserting the words **‘their clients, families and property’** immediately after the word ‘personnel’
- (ii) In **Sub- clause (b)** by deleting it in its entirety and replacing it with the following **new sub-clause (b);-**
- (b) “The right to refuse to treat a user who is physically or verbally abusive or who sexually harasses him or her except in an emergency situation where no alternative health care personnel is available.”

CLAUSE 24

THAT, Clause 24 of the Bill be amended as follows; -

- (i) In **Sub-clause (c)(i)** by deleting the repeated word **‘that’** appearing immediately after the word ‘provided’

CLAUSE 28

THAT Clause 28 of the Bill be amended as follows; -

- (i) In sub-clause (1)(a) by deleting the words **‘of a person reproductive age’**
- (ii) In sub-clause (1)(a) by deleting the words **‘except elective abortions’**

CLAUSE 37

THAT, Clause 37 of the Bill be amended as follows; -

(i) In sub-clause (1) by deleting the word **‘ten’** and replacing it with the word **‘five’**

CLAUSE 46

THAT Clause 46 of the Bill be amended as follows; -

(i) By inserting a new sub-clause (8) immediately after sub-clause (7) as follows;-

46(7)A The Executive Committee may co-opt not more than four County Health officers with specialized knowledge or expertise to assist in discharge of specific functions of the Stakeholders Executive Committee”

CLAUSE 54

THAT, Clause 54 of the Bill be amended as follows; -

(i) In **Sub-clause (2)** by inserting the words **‘an integrated comprehensive’** immediately after the word ‘establish’

(ii) In **Sub-clause (3)** by deleting it in its entirety and replacing it with a new sub-clause (3) as follows;-

“(3) The department shall;-

- a) Facilitate a people centered quality health service delivery
- b) Facilitate data collection processing and reporting at all levels
- c) Enable secure health data sharing to ensure timely and informed interfacility health service delivery
- d) Facilitate data processing and use for Informed decision-making at all levels, including individual patient level; public health purposes and resource allocation and management in the health sector
- e) Safeguard the privacy, confidentiality and security of health data for information sharing and use
- f) Facilitate the tracking and tracing of health products and technologies in the County.

(iii) By inserting **a new sub-clause 4** immediately after sub-clause (3) as follows;-

“(4) The integrated comprehensive health information system shall operate as a point of collection, collation, analysis, reporting, storage, usage, sharing, retrieval and/or archival of health data.”

(iv) By inserting a **new sub-clause (5)** immediately after the new sub-clause (4) as follows;-

“(5) The County Executive Committee Member shall:

- a) Establish County Health data banks

- b) Store the health data submitted to the system in the county health data bank.
- c) Establish seamless integration of the county health data bank with other relevant databases and data banks

CLAUSE 55

THAT, Clause 55 of the Bill be amended as follows; -

- (i) By inserting a new sub-clause (8) immediately after sub-clause (7) as follows;-

55(7)A The County shall implement policies that will ensure direct complementary funding for all County health facilities.”

NEW CLAUSE 59A

THAT, the Bill be amended by inserting the following new clause immediately after Clause 59—

59A.

- (1) A person serving as the Chief Executive Officer of a County Hospital immediately before the commencement of this Act shall continue to serve in that office under the existing terms and conditions of service.
- (2) For the purposes of section 14A, the term of office of a Chief Executive Officer serving immediately before the commencement of this Act shall be computed from the date of commencement of this Act.
- (3) Where, at the commencement of this Act, a Chief Executive Officer has already served a period of three years or more in office, that period shall be deemed to constitute the first term for the purposes of section 14A, and the officer shall, subject to satisfactory performance, be eligible for re-appointment for one further and final term of three years.
- (4) Where, at the commencement of this Act, a Chief Executive Officer has served less than three years in office, the officer shall continue to serve until the expiry of a period of three years computed from the date of commencement of this Act and shall thereafter be eligible for re-appointment for one further and final term of three years, subject to satisfactory performance.
- (5) Any re-appointment under this section shall be made in accordance with section 14A.

CLAUSE 60

THAT, Clause 60 of the Bill be amended as follows; -

- (i) In sub-clause (2) by inserting two new sub-clauses (i) and (j) as follows;-

60(2)(h)A Prescribe the manner of lodging and resolving complaints on the manner of treatment in a county health facility.

60(2)(h)A prescribe the implementation of the Digital Health Management System in promotion of e-health

FISRT SCHEDULE

THAT, the **First Schedule** of the Bill be amended as follows; -

- (i) In **Paragraph 1(1)** by deleting it in its entirety and replacing it with a new paragraph 1(1) as follows;-

“1(1)The Board and Committee meetings will be held at least once in every quarter but not more than three times in a quarter of a financial year.”

II. The Assembly resolved on Wednesday, 17th February, 2026 as follows:

-
- a) **THAT**, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:-A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.
- b) **THAT**, each speech in a debate on **Bills NOT** sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

*** Denotes Orders of the Day***

NOTICE PAPER I

**Tentative business for
Thursday, 30th July, 2026 at 2.30 p.m.**

(Published pursuant to Standing Order 41(1))

IT IS NOTIFIED that the Assembly Business Committee, at its last meeting, approved the following **tentative** business to appear in the Order Paper for Thursday, 30th July, 2026 at 2.30 p.m.: -

1. *MOTION – HON. DAVIDSON DNG NGIBUINI, MCA

Subject: Need for Nairobi City County Executive to settle accrued pending bills owed to suppliers and contractors.

AWARE THAT Article 201 (a) of the Constitution of Kenya, 2010 dictates on the principles that guides on all aspects of Public Finance in the republic, which includes *inter-alias*, openness, accountability, prudent and responsible use of public funds; **FURTHER AWARE THAT** Section 104 of the Public Finance Management Act, 2012 and regulation 55(2)(b) of the County Public Finance Management Regulations made thereunder requires County Governments to prioritize the settlement of all eligible trade payables being the pending bills as **first charge** on the budget of a county government in its subsequent fiscal year which the liability is recognized; **DEEPLY CONCERNED THAT**, according to the Report of the Office of the Controller of Budget for the for the First Nine Months of the FY 2025/2026; Nairobi City County led in trade payables ageing, also referred as pending bills, at **Kshs.81.79 billion**, accounting for 53% of **ALL** County Governments' payables, and notably, **61.61 billion** out of the payables are debt that are over 3 years old, constituting 75% of the total trade payables ageing; **GREATLY DISTURBED THAT** the unresolved pending bills owed to contractors, suppliers and service providers by the County Government of Nairobi City has continued to accumulate over successive fiscal years, consequently exposing the county to litigation, penalties, interest charges, auctions and undermining the confidence of private sector in doing business with the County; **FURTHER DISTURBED THAT** the delayed payables have adversely affected contractors, suppliers and service providers, many of whom are Small and Medium Enterprises (SMEs) leading to cash-flow constrains, business closure, loss of employment and irreversible financial distress in some cases; **COGNIZANT THAT** the County Government ought to embrace and work towards the "zero pending bills" policy direction enforced by the National Treasury towards eliminating outstanding government arrears; **NOW THEREFORE**, this Assembly **RESOLVES** that the County Government of Nairobi;-

- i) Undertakes immediate and comprehensive verification and validation of all pending bills owed to contractors, suppliers and other service providers, and where necessary, with independent auditors to ascertain authenticity, accuracy and amounts claimed;
- ii) Prioritizes and treats the verified pending bills as a first charge against the County budget for the current and subsequent fiscal years and in strict adherence to the Public Finance Management Act, 2012 and its regulations;
- iii) Develops and publishes a clear payment plan and timelines **within 90 days** of adoption of this substantive motion and copy of the plan shared with County Assembly;
- iv) Submits quarterly reports on to the Assembly through the County Executive Committee Member for Finance and Economic Planning Sector on the status of the pending bills, amount settled, outstanding and reasons thereof; and,

.../Notice Paper I

- v) Administrative controls to be instituted including disciplinary measures against any officers found to have contributed to irregular accumulation of pending bills and non-adherence to the laid-down procurement process and procedures.

