

## NATIONAL HEALTH ACT IN BRIEF ROLES AND RESPONSIBILITIES OF HEALTH CARE PROVIDERS

### PREAMBLE

The highest attainable standard of health is one of the fundamental rights of every human being. The Nigeria Constitution recognises 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 do not provide explicit guidance to effectively regulate the sector.

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 Act provides clear roles and responsibilities for key actors in the Health sector in order to engender collaboration and responsiveness amongst health care professional groups in the delivery of quality health services to all citizens.

### The roles and responsibilities of health care providers as mandated by the Health Act include:

- Provision of emergency medical treatment to patients regardless of ability to pay. Contravening this law is a punishable offence.
  - Clearly define and display services available in their facilities, and post procedures for making complaints by users.
  - All pregnant women, elderly people above 65 years of age, persons with disabilities and children are eligible for free basic health services.
  - Providers must give users relevant information on their state of health, diagnosis and treatment, including its benefits and risks, in a language they understand.
  - The Law provides for the right of patients to refuse treatment at their discretion.
  - Providers must ensure patients' right to confidentiality unless there are exceptional circumstances in the interest of the patient or any other legitimate purpose.
- The Law prohibits the removal and sale, without consent, of body tissues, blood, or blood products from a living person for any purpose.
  - Transplantation can only be done with informed consent from the organ donor.
  - The Law prohibits the manipulation of genetic materials in any form, and any attempt at importing/exporting embryos is punishable by law.
  - The Law provides for the spouse, child, parent, guardian, brother or sister, in that order only, to authorize post-mortems.
  - A healthcare provider may object to treating a user who is abusive or sexually harasses him or her, and such a case should be reported to the appropriate authority.
  - The Law sets out the rights of health care personnel or establishment and indemnifies them for claims where they have not been found negligent.
  - The Law forbids all public officers from receiving medical check-ups, investigation or treatment abroad at public expense, except in exceptional cases as approved by a medical board and the Minister or Commissioner of Health.

**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.

**FOR MORE INFORMATION PLEASE CONTACT:**

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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](http://www.championingchange.org)