

Chapter 2

The Role of Legislators in Maintaining Healthcare Standards in Nigeria

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ABSTRACT

Access to quality healthcare is one of the fundamental human rights of every citizen irrespective of socio-economic status. In Nigeria access to quality and affordable health care by citizens, especially in rural areas, is a major challenge because many healthcare centres in rural areas do not meet the required health facilities standard for basic preventive and curative care. The Nigerian constitution specifies the need to make quality healthcare affordable for citizens, maintaining healthcare standards seems to be far from being achieved. The objective of the book chapter is to discuss the role of legislators in maintaining health care standards in Nigeria. A major role that the legislators can play to improve on standards is the establishment of agency by law that will monitor and enforce standard in States and Local Governments health facilities. The legislators can also amend the law establishing NPHCDA to provide for the establishment of Management Agencies to adequately ensure the maintenance of minimum standard structure for effectiveness of health care delivery.

INTRODUCTION

Access to quality healthcare is a serious challenge to most countries in Africa, especially Nigeria. Many healthcare centres particularly in rural areas do not have the required basic facilities and drugs as well as qualified personnel for basic preventive and curative care. Although the Nigerian constitution specifies the need to make quality healthcare affordable for citizens, maintaining healthcare standards remain a challenge. Most of the government and private health institutions that are supposed to meet the

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health needs of the people lack the capacity to provide the services and facilities or maintain established standards. In Nigeria, less than 20% of the 30,000 public Primary Health Care Centers (PHCs) in the country are fully functional¹. This has resulted in lack of quality and accessible health care in many rural areas. Also, tertiary and specialized public hospitals in cities that seems to have health facilities are usually overcrowded and overwhelmed leading to long queues and ineffectiveness in the management of patients. The objective of the book chapter is to discuss the role of legislators in maintaining health care standards in Nigeria. The role of Legislators is very crucial as it will provide a framework for monitoring and enforcing standards especially in States and Local Governments areas where health care standards is very poor.

BACKGROUND

Legislators are a group of persons who are politically elected and mandated to make laws that will govern a country. In the context of Nigerian federalism, there are three categories of Legislators; Legislators at the federal level in the National Assembly and Legislators at the states and local government level in the State Houses of Assembly and Local government Councilors, respectively. All laws including health care laws are established by legislators at the various levels of government. Health care standards on the other hand are clear statements of expected quality of health care delivery and performance of all health care activities in all levels of health care systems. Health care delivery may include health care delivery procedures, availability of required health care facilities, quality of the available health care facilities, what is needed to produce quality services, clinical practice guidelines, statements of expected health care outcomes, among others.²

Evidence from surveys (Christian Aid, 2015; Kress, Su, and Wang, 2016) conducted show that many hospitals have not met the minimum standard stipulated by the NHA and minimum requirements for PHCs set by the National Primary Healthcare Development Agency (NPHCDA) in Nigeria. Out of 737 facilities visited in a survey conducted by an NGO – Christian Aid, only 16 met NPHCDA stipulated standards for a catchment population of 10,000 to 20,000. In some rural areas, due to non-availability of PHCs and lack of basic facilities in the available PHCs, many patients patronize private clinics and health centres often managed by quacks to obtain healthcare. Services and facilities provided by most of these clinics and health centres are far below the acceptable standards expected of them. The resultant mismanagement of several health cases has occasioned many incidents of death of some patients³. Many other cases have led to the disability of the patients concerned with consequential life-long debilitating economic, social and psychological effects.

Studies shows that non-adherence to code of ethics of the medical profession leads to poor quality of care provided by nurses especially in Africa and this forms one of the integral reasons behind the unwillingness of people to seek healthcare in health facilities (Atinga, Abekah-Nkrumah, Domfeh, 2011). Other studies revealed that challenges with management practices, such as non-involvement in decision-making, lack of support and poor internal communication practices as well as challenges with human, material and financial resources are reasons for non-compliance with health care standards (Mogakwe, Ally, and Magobe, 2020). In handling challenges related to standards, Legislators play the important role of establishing laws and regulations which sets the ground rules upon which actions are taken. Laws and regulations are not only set for maintaining health care standards but also health planning process. Laws and regulations are key implementation mechanisms for translating major health policy objectives

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