

DECREE No. 2023/132 OF 10 FEV 2023
to lay down conditions governing the exercise of some powers
devolved by the State upon regions in the area of health.-

THE PRESIDENT OF THE REPUBLIC,

Mindful of the Constitution;

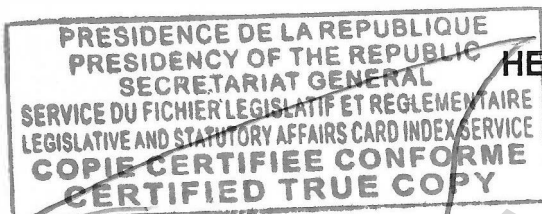
Mindful of Law No. 96/03 of 4 January 1996: Framework Law on Health;

Mindful of Law No. 2018/011 of 11 July 2018 to lay down the Cameroon Code of Transparency and Good Governance in Public Finance Management;

Mindful of Law No. 2018/012 of 11 July 2018 relating to the fiscal regime of the State and other public entities;

Mindful of Law No. 2019/024 of 24 December 2019 to institute the General Code of Regional and Local Authorities;

Mindful of Decree No. 2011/408 of 9 December 2011 to organize the Government, as amended and supplemented by Decree No. 2018/190 of 2 March 2018,



HEREBY DECREES AS FOLLOWS:

CHAPTER I
GENERAL PROVISIONS

ARTICLE 1: This decree lays down conditions governing the exercise of some powers devolved by the State upon regions in the area of health.

ARTICLE 2: The powers devolved by the State upon regions shall concern the following:

- construction of categories three and four hospitals, namely regional and district hospitals, in accordance with the health map prepared by the State;
- equipping, management and maintenance of such hospitals;
- support to health facilities falling under the region's sphere of competence;
- participation in the preparation of the regional component of the health map;
- participation in the organization and management of the supply of essential drugs, reagents and medical devices, in accordance with the national health policy.

ARTICLE 3: The powers devolved by the State upon regions in the area of health shall be exercised in accordance with the regulations in force.

ARTICLE 4: Regions shall exercise the powers devolved upon them in the area of health without prejudice to the following prerogatives and responsibilities of the State:

- formulation and implementation of the national health policy;
- establishment and organization of the functioning of public health facilities;
- construction, equipping, management and maintenance of categories one and two hospitals, namely general and central hospitals as well as regional hospital centres;
- recruitment and management of the medical and paramedical staff ;
- preparation of the health map;
- organization and management of the supply of essential drugs, reagents and medical devices.

CHAPTER II
CONSTRUCTION, EQUIPPING, MANAGEMENT AND MAINTENANCE
OF REGIONAL AND DISTRICT HOSPITALS

ARTICLE 5: (1) Regions shall ensure the construction and equipping of regional and district hospitals through:

- ownership of health facility infrastructure construction, maintenance and rehabilitation projects;
- the installation, upgrading and maintenance of functional electrical energy, telecommunications and drinking water supply equipment;
- the provision of approved furniture and equipment required for health care and service delivery.

(2) A joint order of the Minister in charge of public health and the Minister in charge of scientific research shall determine the nature and draw up the list of approved radiology equipment.

ARTICLE 6: (1) Regions shall manage and maintain regional and district hospitals by:

- establishing centres of excellence for some specialities, depending on the epidemiological profile or scientific trends;
- laying down conditions for managing health facilities;
- appointing members of health facility management bodies;
- taking the necessary measures to ensure hygiene, sanitation and disease prevention within their territorial jurisdiction, subject to the prerogatives of the State in the area;
- managing hospital waste;
- maintaining facilities and repairing equipment.

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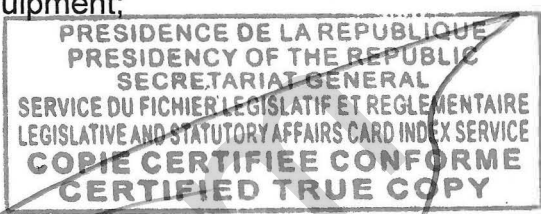
PRESIDENCE DE LA REPUBLIQUE
 PRESIDENCY OF THE REPUBLIC
 SECRETARIAT GENERAL
 SERVICE DU FICHER LEGISLATIF ET REGLEMENTAIRE
 LEGISLATIVE AND STATUTORY AFFAIRS CARD INDEX SERVICE
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CHAPTER III
SUPPORT TO HEALTH FACILITIES

ARTICLE 7: (1) Regions shall provide multi-faceted support to health facilities in their areas of competence, in order to improve the quality of health care and service delivery.

(2) Such support shall focus on improving technical equipment, particularly through:

- the construction and/or rehabilitation of facilities;
- the acquisition, renovation and maintenance of equipment;
- human and material resource capacity building;
- the provision of financial and logistical support.



CHAPTER IV
PARTICIPATION IN THE PREPARATION OF THE REGIONAL COMPONENT OF THE HEALTH MAP

ARTICLE 8: Regions shall participate in the preparation of the regional component of the health map. As such, they shall:

- at the request of the State, express opinions on the preparation, updating or implementation of the regional component of the health map;
- on their own initiative, propose updates or amendments to the regional component of the health map.

CHAPTER V
PARTICIPATION IN THE ORGANIZATION AND MANAGEMENT OF THE SUPPLY OF ESSENTIAL DRUGS, REAGENTS AND MEDICAL DEVICES

ARTICLE 9: Regions shall participate in the supply of essential drugs, reagents and medical devices to health facilities within their territorial jurisdictions, by:

- taking measures to ensure the quality of essential drugs and medical devices, as well as their geographical and financial accessibility for patients;
- assessing and monitoring the availability of essential drugs, reagents and medical devices;
- providing support to increase the availability of essential drugs, reagents and medical devices in health facilities;
- ensuring the use of the essential drug, reagent and medical device distribution channel, in conjunction with the competent technical entities;
- participating in illicit drug sale control at the regional level;
- exercising autonomy over revenue derived the sale of essential drugs, reagents and medical devices;
- controlling the management of such revenue.

CHAPTER VI
TRANSFER OF RESOURCES

ARTICLE 10: The devolution of powers upon regions by the State in the area of health shall be accompanied by the concurrent transfer of the requisite resources for the exercise of such powers, in accordance with the regulations in force.

ARTICLE 11: Each year, the Finance Law of the State shall provide for the financial resources required to exercise the powers devolved upon regions in the area of health.

ARTICLE 12: In addition to the financial resources transferred by the State, regions may receive support from various partners for the exercise of the powers devolved in the area of health, in accordance with the regulations in force.

ARTICLE 13: Own revenue generated by the activities of regional health facilities shall be public funds managed in accordance with public accounting rules.

ARTICLE 14: (1) Financial resources transferred by the State shall be included in the budget of regions.

(2) The management of such resources shall comply with the budgetary and accounting principles in force, subject to the specific provisions applicable to support from partners.

ARTICLE 15: Human and material resources earmarked for the exercise of the powers devolved by the State upon regions on health shall be progressively transferred to the regions in accordance with the regulations in force.

CHAPTER VII
MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 16: The technical terms and conditions governing the exercise of the powers devolved by the State upon regions in the area of health, as well as the use of the related resources, shall be laid down in specifications adopted by order of the Minister in charge of public health, within a maximum period of 6 (six) months from the date of signature of this decree.

ARTICLE 17: Regions shall carry out the activities involved in the exercise of the powers referred to in Article 2 of this decree with the support of the relevant deconcentrated services of the State, under the conditions laid down by the regulations in force.

ARTICLE 18: The State shall monitor, control and assess the exercise of the powers devolved in the area of health.

(2) The exercise of the powers devolved in the area of health shall be subject to the control of legality by the representative of the State in the region, in accordance with the provisions of the General Code of Regional and Local Authorities.

ARTICLE 19: (1) The head of the regional executive shall prepare a semi-annual report on the status of implementation of the powers devolved in the area of health.

(2) The report referred to in (1) above shall be submitted to the representative of the State within 30 (thirty) days after the end of the semester under review.

(3) Upon receipt of the said report, the representative of the State shall forward the same, together with his/her observations and recommendations, to the Minister in charge of public health and the Minister in charge of regional and local authorities within 15 (fifteen) days.

Article 20: This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French./-



PRESIDENT OF THE REPUBLIC

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