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REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY


THIRTEENTH PARLIAMENT – FOURTH SESSION – 2025

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON HEALTH

REPORT ON THE APPROVAL HEARING OF:

DR. OLUGA FREDRICK OUMA, OGW, NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR MEDICAL SERVICES, MINISTRY OF HEALTH

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 09 APR 2025	
DAY: Wednesday	
TABLED BY:	Hon. Dr. James Njirau, MP Chairperson
CLERK-AT THE-TABLE:	A. Shibuko

CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

APRIL, 2025

**NATIONAL ASSEMBLY
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LIST OF ABBREVIATIONS AND ACRONYMS

DCI	-	Directorate of Criminal Investigations
EACC	-	Ethics and Anti-Corruption Commission
H.E.	-	His Excellency
HELB	-	Higher Education Loans Board
KRA	-	Kenya Revenue Authority
ODM	-	Orange Democratic Movement
ORPP	-	Office of the Registrar of Political Parties
PAPAA	-	Public Appointments (Parliamentary Approval) Act
UDA	-	United Democratic Alliance

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CHAIRPERSON'S FOREWORD

This report contains proceedings of the Departmental Committee on Health during the approval hearing of **Dr. Oluga Fredrick Ouma, OGW**, Nominee for appointment as Principal Secretary, State Department for Medical Services, as requested by H.E. the President and communicated to the House by the Speaker on **Wednesday, March 26th, 2025**.

Pursuant to Article 155(3)(b) of the Constitution, Section 5 of the Public Appointments (Parliamentary Approval) Act (PAPAA) and Standing Order 45(1), H.E. the President notified the National Assembly of the nomination of fourteen persons for the positions of Principal Secretaries to various State Departments vide a letter **dated 20th March, 2025**. The Hon. Speaker vide a communication made on **Wednesday, March 26th, 2025** conveyed to the House the Message from H.E. the President and subsequently referred the name of the Nominee, curricula vitae, and the Public Service Commission report on his recruitment to the Departmental Committee on Health for approval hearing. While referring the matter to the Committee, the Speaker directed that the Committee undertake the vetting exercise within twenty-eight (28) days under Section 8 of the Public Appointments Parliamentary Approval Act (Cap. 7F). The Speaker further directed the Clerk of the National Assembly to notify the Nominee and the general public by placing adverts in two newspapers of nationwide circulation and the Parliamentary Website of the time and place of holding the approval hearings by **Friday, 4th April 2025**.

In compliance with Article 118 (b) of the Constitution and Section 6 (4) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), the Clerk of the National Assembly placed an advertisement in the print media on **Thursday 27th March, 2025** informing the public of the nomination, date, time and place of the approval hearing. He also invited the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability of the Nominee in conformity with section 6 (9) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F). The memoranda were to be received on or before **Thursday, 3rd April, 2025 at 5.00 p.m.** (East African Time). At the close of the submission deadline, the Committee had not received any memorandum for or against the Nominee's suitability.

The Clerk of the National Assembly also wrote to Kenya Revenue Authority (KRA), Ethics and Anti-Corruption Commission (EACC), the Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Office of the Registrar of Political Parties (ORPP) seeking references and background checks relating to the suitability of the Nominee.

The Nominee appeared before the Committee on **Friday, 4th April, 2025** for vetting. The Committee examined the Nominee's suitability based on the criteria set out in Section 7 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F). In addition, the Committee examined the Nominee's academic credentials, relevant experience, knowledge of sector issues and his understanding on leadership and integrity. The Committee paid due regard to the procedure used to arrive at the nominees; the constitutional or statutory requirements relating to the office in question and the suitability of the Nominee for the appointment proposed having regard to whether the Nominee's abilities, experience and qualities meet the needs of the State Department.

Committee Recommendation

The Committee having held an approval hearing for the Nominee regarding his suitability, observed that due process was followed in the recruitment process as provided for under Article 155(3) (b) of the Constitution and the Public Appointments (Parliamentary Approval Act) (Cap. 7F). The Committee

therefore recommends that the National Assembly **APPROVES** the nomination of **Dr. Oluga Fredrick Ouma, OGW**, Nominee for appointment as Principal Secretary, State Department for Medical Services.

Acknowledgments

The Committee registers its appreciation to the Office of the Speaker, Office of the Clerk of the National Assembly, Office of the Director, Departmental Committees and the Committee Secretariat for the logistical support extended during the vetting process.

In addition, the Committee thanks the Nominee for his cooperation during the vetting process. Finally, the Committee appreciates KRA, EACC, DCI, HELB and ORPP for providing references and background checks relating to the suitability of the Nominee.

I also acknowledge and appreciate the Members of the Committee for their patience, sacrifice and commitment which enabled the Committee to complete the vetting exercise task within the required timelines.

On behalf of the Departmental Committee on Health, and pursuant to Article 155(3)(b) of the Constitution and Section 8 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F) and the provisions of Standing Orders 45(4) and 199(6), it is my pleasant duty to present the Report of the Committee on the Approval Hearing of Dr. Oluga Fredrick Ouma, OGW, Nominee for appointment as Principal Secretary, State Department for Medical Services, Ministry of Health for adoption by the House.

HON. DR. NYIKAL JAMES WAMBURA, MP.
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON HEALTH

CHAPTER ONE

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Health is one of the twenty Departmental Committees of the National Assembly established under **Standing Order 216(5)** whose mandates pursuant to the **Standing Order 216 (5)** are as follows:
 - i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
 - ii. *To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
 - iii. *on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - iv. *To study and review all legislation referred to it;*
 - v. *To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - vi. *To investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - vii. *Vet and report on all appointments where the constitution or any other law requires the national Assembly to approve, except those under Standing Order 204 (Committee on appointments);*
 - viii. *To examine treaties, agreements and conventions;*
 - ix. *To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
 - x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - xi. *To examine any questions raised by Members on a matter within its mandate.*

1.2 Subjects under the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider matters relating to health, Medical care and health insurance including universal health coverage. In executing its mandate, the Committee oversees the Ministry of Health.

1.3 Committee Membership

3. The Departmental Health was constituted by the House on 27th October 2022 and comprises of the following Members:

Chairperson

Hon.Dr. Nyikal James Wambura , MP
Seme Constituency
ODM Party

Vice-Chairperson

Hon. Ntwiga, Patrick Munene MP
Chuka/Igambang'ombe Constituency
UDA Party

Members

Hon. Owino Martin Peters , MP
Ndthiwa Constituency
ODM Party

Hon. Mathenge Duncan Maina , MP
Nyeri Town Constituency
UDA Party

Hon. Muge Cynthia Jepkosgei, MP
Nandi (CWR)
UDA Party

Hon. Lenguris Pauline , MP
Samburu (CWR)
UDA Party

Hon. Wanyonyi Martin Pepela, MP
Webuye East Constituency
Ford Kenya Party

Hon. Oron Joshua Odongo, MP
Kisumu Central Constituency
ODM Party

Hon. Kipngok Reuben Kiborek , MP
Mogotio Constituency
UDA Party

Hon. (Prof.) Jaldesa Guyo Waqo
Moyale Constituency
UPIA Party

Hon. (Dr.) Robert Pukose, MP
Endebes Constituency
UDA Party

Hon. Mukhwana Titus Khamala, MP
Lurambi Constituency
ANC Party

Hon. Kibagendi Antoney, MP
Kitutu Chache South Constituency
ODM Party

Hon. Sunkuli Julius Lekakeny Ole , MP
Kilgoris Constituency
Jubilee Party.

Hon. Maingi Mary , MP
Mwea Constituency
UDA Party

1.4 Committee Secretariat

4. The Committee is facilitated by the following staff:

Mr. Hassan Abdullahi Arale
Clerk Assistant I/Head of Secretariat

Mr. Timothy Kimathi Samson
Clerk Assistant III

Ms. Gladys Jepkoech Kiprotich
Clerk Assistant III

Ms. Marlene Ayiro
Principal Legal Counsel I

Ms. Sheila Chebotibin
Principal Serjeant-At-Arms II

Ms. Faith Chepkemai
Legal Counsel II

Mr. Hillary Mageka
Media Relations Officer III

Ms. Rahab Chepkilim
Audio Recording Officer II

Ms. Abigel Muinde
Research Officer III

Mr. Hiram Kimuhu
Fiscal Analyst II

CHAPTER TWO

2.0 BACKGROUND INFORMATION

2.1 Legal Framework

5. Pursuant to Standing Order 42(1), the Honourable Speaker on Wednesday, 26th March 2025, notified the Hon. Members that he had received a Message from His Excellency the President on the nomination of persons for appointments to the offices of Principal Secretaries. The nominations were done in exercise of the power conferred upon His Excellency the President by Article 155(3)(a) of the Constitution.
6. Pursuant to Standing Order 45(1) and Standing Order 216 (5)(f) of the National Assembly Standing Orders, the Nominee for the position of State Department for Medical Services **Dr. Oluga Fredrick Ouma, OGW** was committed to the Departmental Committee on Health for consideration and vetting.
7. As conveyed by the Honourable Speaker in the aforementioned message, the vetting exercise by the Departmental Committees was to be undertaken within twenty-eight days from the date of notification of the nomination as stipulated under Section 8 of the Public Appointments (Parliamentary Approval) Act, (Cap. 7F). In this regard, the Clerk of the National Assembly designated **Friday, 4th April 2025 at 10:00 am** for vetting by the Departmental Committee on Health after which the Committee Report on the vetting exercise shall be tabled in the House.

2.2 Legal Basis

8. Article 132(2)(d) of the Constitution provides that H.E President shall nominate and, with the approval of the National Assembly, appoint, and may dismiss Principal Secretaries in accordance with Article 155.
9. Article 155 of the Constitution provides as follows—

“155. Principal Secretaries.

 - (1) There is established the office of Principal Secretary, which is an office in the public service.*
 - (2) Each State department shall be under the administration of a Principal Secretary.*
 - (3) The President shall—*
 - a) nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission; and*
 - b) with the approval of the National Assembly, appoint Principal Secretaries.*
 - (4) The President may re-assign a Principal Secretary.*
 - (5) A Principal Secretary may resign from office by giving notice, in writing, to the President.”*
10. The recommendation of Nnominees by the Public Service Commission referred to in Article 155 (3) (a) of the Constitution is to be done as contemplated in Section 47 of the Public Service Commission Act, (Cap . 185).

2.3 Parliamentary Approval of Public Appointments

11. The approval of public appointments by Parliament is governed by various laws including—
 - (a) The Public Appointments (Parliamentary Approval) Act (Cap. 7F);
 - (b) Chapter 6 of the Constitution on leadership and integrity;
 - (c) Article 232 of the Constitution on values and principles of public service;
 - (d) Article 10 of the Constitution on national values and principles of governance;
 - (e) The Leadership and Integrity Act (Cap. 185C);
 - (f) The Public Service (Values and Principles) Act (Cap. 185A); and
 - (g) The Public Officer Ethics Act (Cap. 185B).

I. The Public Appointments (Parliamentary Approval) Act, Cap. 7F

12. The procedure for parliamentary approval of constitutional and statutory appointments is governed by the Public Appointments (Parliamentary Approval) Act (Cap. 7F) This is the primary law that guides the conduct of vetting and approval of public appointments by Parliament.
13. Following the notification by His Excellency the President of his Nominees for the office of Principal Secretaries as provided under Section 5 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), the Committee shall, upon invitation by the Clerk, hold an approval hearing as stipulated under Section 6 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F).
14. Section 6 of the Act provides the prerequisites that must be adhered to in the conduct of the approval hearing by the Committee as follows—
 - (a) notification of the candidate of the time and place for the holding of the approval hearing (Subsection 3);
 - (b) notification of the public of the time and place for holding the approval hearing at least seven days prior to the hearing (Subsection 4);
 - (c) the hearing proceedings must be open and transparent (Subsection 5) although the Committee may, on its own motion or on the application of a candidate or any other concerned person, elect to hold whole or part of its sittings in camera (Subsection 6);
 - (d) the hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background (Subsection 7);
 - (e) the Committee to use the criteria specified in the Schedule in vetting the candidate (Subsection 8);
 - (f) the suitability of a candidate to hold the respective office may be challenged by any person through a written statement on oath with evidence to the Clerk prior to the approval hearing (Subsection 9);
 - (g) candidates may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process upon which the candidate's nomination shall lapse (Subsection 10).
15. The Schedule to the Act provides a questionnaire to be filled by the Nominee and the criteria in this questionnaire then guides the Committee in the vetting process. The criteria provides for certain issues including—
 - (a) Education and employment record;
 - (b) Public office, political activities and affiliations;

- (c) Deferred income or future benefits;
 - (d) Sources of income, tax status, statement of net worth;
 - (e) Potential conflicts of interest;
 - (f) Pro bono or charity work;
 - (g) Whether the nominee has been charged in a court of law or convicted; and
 - (h) Adverse mention in an investigatory report of Parliament or any other Commission of inquiry.
16. In considering Nominees, the National Assembly shall consider the issues set out in Section 7 of the Act namely:
- (a) *the procedure used to arrive at the nominee;*
 - (b) *any constitutional or statutory requirements relating to the office in question; and*
 - (c) *the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.*
17. The Committee has power to summon any person to appear before it for the purpose of giving evidence or providing information during the approval hearing (Section 12(1) of the Act).
18. Pursuant to Section 12(2) of the Act, the Committee also has the powers equivalent to the powers of the High Court in—
- (a) enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;
 - (b) compelling the production of documents; and
 - (c) issuing a commission or request to examine witnesses abroad.
19. Pursuant to Section 12(3) of the Act, a person who disobeys an order made by the Committee for attendance or for production of documents or records; or refuses to be examined before, or to answer any lawful and relevant question put by, a Committee, commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding one year, or to both.
20. After the approval hearing, the Committee is required under section 8(2) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F to prepare its report on the suitability of the Nominee.

II. Chapter 6 of the Constitution (Leadership and Integrity)

21. The Committee, in determining the suitability of the nominee, is also required to take into consideration the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. The relevant provisions are as follows:
- (a) Article 73 of the Constitution that sets out the responsibilities of leaders arising from the authority assigned to a state officer including a Principal Secretary. Article 73(1) specifies that such authority must be exercised in accordance with the Constitution and in a manner that demonstrates respect for the people, brings honour to the nation and dignity to the office and promotes public confidence in the integrity of the office.

- (b) Article 73 (2) of the Constitution that provides the guiding principles of leadership and integrity as —
 - (i) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;
 - (ii) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives or corrupt practices;
 - (iii) selfless service based solely on the public interest, demonstrated by honesty in the execution of public duties; and the declaration of any personal interest that may conflict with public duties;
 - (iv) accountability to the public for decisions and actions; and discipline and commitment in service to the people.
- (c) Article 75(1) of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties and Article 75(3) of the Constitution that prohibits a State Officer who has been removed from office under that Article from holding any other State Office.
- (d) Article 77(1) of the Constitution that prohibits a full time State Officer from participating in any other gainful employment.
- (e) Article 77(2) of the Constitution that prohibits an appointed State officer from holding office in a political party.
- (f) Article 78 of the Constitution that disqualifies persons who are not Kenyan Citizens and persons holding dual citizenship from appointment as State Officers.

III. The Leadership and Integrity Act, Cap. 185C

22. The primary purpose of the Leadership and Integrity Act (Cap. 185C) is to ensure that State officers respect the values, principles and requirements of the Constitution. According to the Act, a State officer is obligated to respect the values, principles and the requirements of the Constitution, including:
- (a) the national values and principles provided under Article 10 of the Constitution;
 - (b) the rights and fundamental freedoms provided under Chapter Four of the Constitution;
 - (c) the responsibilities of leadership provided under Article 73 of the Constitution;
 - (d) the principles governing the conduct of State officers provided under Article 75 of the Constitution;
 - (e) the educational, ethical and moral requirements in accordance with Articles 99(1)(b) and 193(1)(b) of the Constitution;
 - (f) in the case of County governments, the objectives of devolution provided for under Article 174 of the Constitution; and
 - (g) in so far as is relevant, the values and principles of Public Service as provided for under Article 232 of the Constitution.
23. The relevant provisions of the Act are as follows:
- (a) Section 8 which provides that a public office is an office of public trust and shall be exercised in the best interests of the people of Kenya;
 - (b) Section 10 which requires public officers to carry out their duties in an efficient and honest manner; transparency; accurate records and documentation; report truthfully on all matters;

- (c) Section 11 which requires public officers to carry out their duties with utmost professionalism to build public confidence and to exercise courtesy, respect, non-discrimination and high standards of performance;
- (d) Section 12 which provides for financial integrity: officers should not enrich oneself or another person;
- (e) Section 14 which provides for the receipt of gifts or benefits; state officers are required to declare gifts of any value to the employer;
- (f) Section 15 which provides that public officers should not use their office wrongfully or unlawfully to influence the acquisition of property;
- (g) Section 16 which requires state officers to declare conflict of interest in the course of discharge of their duties;
- (h) Section 23 which requires public officers to exercise political neutrality;
- (i) Section 24 which requires public officers to exercise impartiality in the performance of their duties;
- (j) Section 26 which requires public officers not to engage in any other gainful employment; and
- (k) Section 32 which requires public officers to conduct their private affairs in a manner that maintains public confidence in the integrity of the office.

IV. Article 232 of the Constitution on Values and Principles of Public Service

24. Article 232 of the Constitution provides for the values and principles of public service which include high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policy making; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointments and promotions; representation of Kenya's diverse communities; and affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service of men and women; the members of all ethnic groups; and persons with disabilities.

V. Article 10(2) of the Constitution on National Values and Principles of Governance

25. Article 10(2) of the Constitution provides for the national values and principles of governance which include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized; good governance, integrity, transparency and accountability; and sustainable development. These values and principles guide State officers when they apply or interpret the Constitution and other laws and make or implement public policy decisions as stipulated in Article 10(2) of the Constitution.

VI. The Public Service (Values and Principles) Act, Cap. 185A

26. The Public Service (Values and Principles) Act (Cap. 185A) gives effect to Article 232 of the Constitution of Kenya. The relevant provisions in the Act, in relation to approval hearings are:
- (a) Section 5 which provides that every public officer shall maintain high standards of professional ethics;

- (b) Section 6 which provides that a public officer shall use public resources in an efficient, effective and economic manner;
- (c) Section 7 which provides that the public service shall ensure that public services are provided promptly, effectively, impartially and equitably;
- (d) Section 8 which prohibits a public officer from giving information that the public officer knows or ought to know to be inaccurate; or unduly delays the provision of any information where required to provide that information;
- (e) Section 9 which provides that every public officer shall be accountable for his or her administrative acts; and
- (f) Section 10 which provides that the public service, a public institution or an authorized officer shall ensure that public officers are appointed and promoted on the basis of fair competition and merit.

VII. The Public Officer Ethics Act, CAP. 185B

27. The Public Officer Ethics Act (Cap. 185B) provides for the obligations of a public officer. These include professionalism, carrying out duties in accordance with the law, prohibition from unjust enrichment, avoiding conflict of interest, not using public office as an avenue for soliciting or collecting harambees; not acting for foreigners; care of property; political neutrality, prohibition of nepotism or favouritism, giving impartial advice, conducting private affairs in a way that maintains public confidence, bar from sexual harassment, submission of declaration of income, assets and liabilities once every two years, among other worthy provisions.

2.3 Qualifications for Appointment as Principal Secretary

28. In conducting the approval hearing, the Committee was guided by Article 155 (3)(b) of the Constitution, section 47 of the Public Service Commission Act (Cap. 185) and the provisions of Section 7 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F).

2.4 Message from H.E. the President

29. H.E. the President on **20th March 2025** communicated the name of the Nominee for appointment to the position of Principal Secretary for the State Department of Medical Services for approval by the National Assembly pursuant to Article 155(3) of the Constitution. The Speaker in his communication from the Chair issued on **Wednesday, 26th March, 2025**, and pursuant to Standing Order 42 referred the name to the Departmental Committee on Health to conduct approval hearing and report within twenty-eight (28) days.

2.5 Speaker's Communication and Committal to the Committee

30. Pursuant to the provisions of Standing Order 42, the Speaker of the National Assembly on **Wednesday, 26th March, 2025** communicated to the House the message from H.E. the President regarding the Nominees for appointment as Principal Secretaries for various State Departments. The Speaker informed the House that H.E. the President was seeking approval of the National Assembly on the said nominations before the Nominees' appointment.

31. In accordance with Standing Order 45(1), the Speaker notified the Hon. Members of the Message from H.E. the President and referred the name of the Nominees, his curricula vitae and the report of the Selection Panel on the recruitment process to the Departmental Committee on Health to conduct an approval hearing.
32. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the vetting exercise within twenty-eight (28) days pursuant to Section 8 of the Public Appointments (Parliamentary Approval) Act. (Cap. 7F). The Speaker further directed the Clerk of the National Assembly to notify the Nominee and the general public by placing adverts in two newspapers of nationwide circulation and the Parliamentary Website of the time and place of holding the approval hearings by **Thursday, 27th March 2025**.
33. In addition, the Speaker directed that approval hearings should commence on **Friday, 4th April 2025** and end on **Monday, 7th April 2025**. Thereafter, the reports were to be tabled in the House on or before **Tuesday, 22nd April 2025** so as to enable the House to consider the reports within the statutory timelines.

2.6 Notification to the Public

34. Section 6(9) of the Public Appointments (Parliamentary Approval) Act (cap. 7F), provides that *“any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated”*.
35. The Clerk of the National Assembly on **Thursday, 27th March, 2025** placed a notification in the print media informing the general public of the intention of the Committee to conduct approval hearings, as provided for by Article 118 (1)(a)(b) and (2) of the Constitution and Section 6(4) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), which allows public participation in Committee proceedings. The notification made provision for the submission of memoranda, by way of written statements on oath (*affidavit*) on the suitability or otherwise of the Nominee, by **Thursday, 3rd April, 2025 at 5.00 pm (East African Time)**. At the close of the submission deadline, the Committee had not received any memorandum for or against the suitability of the Nominee.

2.7 Notification to the Nominee

36. The Clerk of the National Assembly vide an advert placed in the print media on **Thursday, 27th March 2025**, and letters Ref. **NA/DDC/DC-H/2025/027** informed the Nominee of the nomination by H.E. the President and requested him to appear for vetting by the Departmental Committee on Health on **Friday, 4th April 2025** in **Bunge Tower, 3rd Committee Room 20**. The Clerk of the National Assembly further requested the Nominee to carry his clearance certificates from the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), the Directorate of Criminal Investigations (DCI) and the Office of the Registrar of Political Parties (ORPP).

2.8 Clearance Requirements

37. The Clerk of the National Assembly also wrote to the Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission

(EACC), Office of the Registrar of Political Parties (ORPP) and Directorate of Criminal Investigations (DCI) requesting for tax, education loans, integrity, affiliation to political parties and criminal record status of the Nominee respectively. The following institutions wrote back to the National Assembly clearing the Nominee, DCI (letter Ref; DCI/CRO/SEC/6/7/2/A/VOL.XVI/91 dated 2nd April, 2025; EACC (Letter Ref:EACC.7/10/5 VOL XXXI (63) dated 4th April, 2025 ; ORPP (Letter Ref: RPP/ORG/34 VOL.VOL(70) dated 2nd April, 2025 and HELB (letter Ref. HELB/RR/112009/V/378 dated 2nd April 2025).

2.9 Committee Proceedings

38. The Committee having received the name of the Nominee was obligated to conduct an approval hearings and make a determination on the Nominee's suitability or otherwise within twenty-eight (28) days as provided under section 8(1) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F).
39. The Committee held one (1) sitting during which it examined and reviewed the Nominee's certificates and testimonials and conducted an approval hearing.

CHAPTER THREE

3.0 APPROVAL HEARING

40. The Committee held a meeting to consider this subject matter on **4th April 2024 at 9:00 am**, where it considered its rules of procedure during the vetting exercise and agreed on a framework for the approval hearing. The Committee was in this process guided by the relevant provisions of the Constitution, the Public appointment (Parliamentary Approval) Act. (Cap. 7F) and the National Assembly Standing Orders. In the same meeting, the Committee vetted the Nominee as scheduled and communicated. The Report of the Committee contains its recommendation based on the information gathered during the vetting and approval hearing of the Nominee.
41. The Committee examined the nominee in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act (Cap. 7F). The Committee also considered the following in vetting the nominee:
- (i) Academic qualifications;
 - (ii) Employment record and work experience;
 - (iii) Professional association;
 - (iv) Public office, political activities and affiliations;
 - (v) Potential conflicts of interest;
 - (vi) Suitability to the position;
 - (vii) Tax compliance;
 - (viii) Vision and leadership;
 - (ix) Integrity; and
 - (x) Expectations and key priorities

3.1 DR. OLUGA FREDRICK OUMA, OGW

42. Dr. Oluga was orally interviewed by the Committee and responded to questions during vetting as follows:

3.1.1 Personal Background

43. Dr. Oluga Fredrick Ouma, OGW is a Kenyan citizen of national identity card number 23797977, born in Bondo district in 1984.

3.1.2 Educational Background

44. Dr. Oluga holds a Master of Medicine (MMed) in Internal Medicine from the University of Nairobi, School of Medicine. He also holds a Bachelor of Medicine and Surgery (MBChB), from Moi University, School of Medicine. He acquired his Kenya Certificate of Secondary Education (KCSE) from Maranda High School where he scored an A grade.

45. In addition, Dr. Oluga presented several professional certifications gained locally and abroad. He stated that he had undertaken Executive Education on Apprenticeship at the International Training Centre ILO and Health Labour Unions Leadership and Governance at Strathmore University. He has also acquired a Certificate in Infectious Diseases: Dangerous Pathogens Infectious Diseases at College of Health Sciences, Makerere University, Uganda. He has also undertaken a Medical Education External Experience in Suez Canal University Hospital, Ismaili, Egypt and at Portland Providence Hospital, Portland, Oregon, USA.

3.13 Work Experience/Career Progression

46. In relation to his experience, Dr. Oluga indicated that he has been serving as the Acting Director and Head of the Directorate of Health Sector Coordination and Research Development at the Ministry of Health since October 2024.

47. He has also served as a Senior Deputy Director in the Ministry of Health from January 2023 to October 2024 where he provided strategic thinking and technical leadership and built capacity for the development of health policies, standards, quality assurance and regulations for the entire health sector in the country.

48. In March 2020 to December 2022, he served as the Director of Health Services at the Nairobi Metropolitan Services (NMS) where he spearheaded strategic thinking, development and management of Nairobi City's health ecosystem, that was aimed at promoting, protecting, restoring and rehabilitating the health of 7 million people.

49. He further served as the Co-founder and Co-Chair of the Health Workers for All Coalition from February 2019 to February 2021 where he mobilized global health workforce advocacy securing \$100M in funding for coalition activities. In this position, he also set up leadership and governance structures, terms of reference, work plans, communication tools, executive charter for strategy development and execution; mobilized resources, built relationships, networks, collaborations and partnership frameworks; and established organization policies, offices, advocacy plans; and represented the organization in international health and health workforce forums.

50. Further, he informed the Committee that he was elected by 88% vote as the Secretary General and CEO of the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU) where he served from December 2014 to February 2020. In this position, he offered overall leadership to the health workforce organization, ensured overall planning, direction, and coordination of operations, budgeting, work plan development, health policy formulation, advocacy, stakeholder and Government engagement, and served as the Spokesperson for all doctors in Kenya.

51. From August 2014 to August 2019, he served as the Chief Registrar, Internal Medicine at Kenyatta National Hospital, where he provided strategic leadership in managing clinical workflows, health workforce coordination, quality assurance, and the representation of 120 staff. He also led capacity development initiatives for nurses and medical students assigned to the Department of Medicine.

52. Finally, from August 2012 to August 2014, he served as the H. Medical Officer In-Charge at Vihiga District Hospital, where he provided healthcare management and leadership to 600 health staff overseeing clinical, financial, and business processes.

3.1.4 Professional Associations and Affiliations

53. Dr. Oluga indicated that he has been a Member of the Kenya Medical Association (KMA) and the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU). He is also a Designated Health Practitioner (DHP) with the Directorate of Occupational Health and Safety, Ministry of Labor as well as a Registered Medical Practitioner recognized by the Kenya Medical Practitioners and Dentists Council.

3.1.5 Honors and Awards

54. Dr. Oluga is a recipient of the Presidential Order of the Grand Warrior (OGW) accorded in December 2020, an honour that he received for his exemplary service, sacrifice, patriotism, heroism and high sense of civic duty.

3.1.6 Clearance Requirements

55. The Committee confirmed that the Nominee had been cleared by KRA, ORPP, DCI, EACC and HELB, having obtained clearance certificates to that effect. The Nominee submitted to the Committee all the documents required as per the letter sent by the Clerk of the National Assembly (annex 8) and a duly filled vetting questionnaire. The Committee was satisfied that Nominee had complied with and acquired the clearance required from Kenya Revenue Authority, the Directorate of Criminal Investigations, the Higher Education Loans Board, the Ethics and Anti-corruption Commission and the Office of the Registrar of political parties. The Nominee further submitted and was also evident from the documents that he submitted that he had not been charged in a court of law nor convicted, neither was he adversely mentioned in an investigatory report of a Parliamentary Committee or Commission of Inquiry. The Nominee further submitted originals of his National identity card to prove his Kenyan citizenship. He further indicated that he held no other citizenship.

3.1.7 Potential Conflict of Interest

56. Dr. Oluga indicated that he had no family or business interests that will pose conflict of interest. He does not have any personal involvement in any litigation related to the healthcare system which could necessitate his recusal. He is also not involved in any ongoing personal litigations that will pose conflict of interest.
57. He further added that in the event of identifying a conflict of interest, he would take immediate steps to mitigate its impact which would involve: recusing himself from any decision-making or involvement in matters where a conflict exists and publicly disclosing the conflict and outlining measures taken to address it. He concluded that his actions shall be guided by his dedication to moral behavior and public trust and will make sure that his choices put the welfare of Kenyans and the development of public health programs first by proactively recognising and resolving any potential conflicts of interest.

3.1.8 Other Issues under Consideration

58. To further examine suitability or otherwise of the Nominee, the Committee posed questions to the Nominee in the following thematic areas:

a) **On financial net worth;**

59. Dr. Oluga estimates his net worth at Kshs. 196,000,000 (One hundred and ninety-six million shillings only) comprising of land (Both personal and family-owned, in Nairobi and upcountry where some are developed), Movable assets (two vehicles), Treasury Bonds, Profitable Business (Occupational medical practice and consultancy), Savings and SACCO Shares.

b) **On compliance and conflict of interest in relation to consultancy services;**

60. Dr. Oluga assured the Committee that he has never had any conflict of interest. He had also relinquished his directorship in his Consultancy firm. Dr. Oluga further explained that his consultancy services were majorly research and advisory related and were unrelated to the Ministry of Health and therefore did not pose a conflict of interest.

c) **Health Financing And Sustainability of Health Financing;**

61. Dr. Oluga underscored that health financing is a key pillar for Universal Health Coverage (UHC), with the current financing at around 11%, highlighting the medium-term need for sustainability. He noted that the recently passed legal frameworks namely the Primary Health Care Act and Social Health Insurance Act create a conducive environment for domestic resource mobilization. By strengthening the three Funds being managed by the Social Health Authority (SHA) for primary health care, as well as for emergency, chronic, and critical care (all exchequer-funded), the Ministry aims to enhance resource mobilization through dedicated engagements with the Committee. Furthermore, he stressed the importance of developing mechanisms to increase contributions, which include collaborating with groups like SACCOs, to broaden the base of financial support for the health sector.

d) **On how he would address potential strikes given that the nominee shall be one of the accounting officers at the helm of the Ministry of Health;**

62. He indicated that he plans to leverage his experience and skills from union leadership to improve organization and mobilization within the Ministry of Health and that he believes the organizational and mobilization expertise gained during his tenure as a union leader will help him effectively manage the challenges in the sector. He also pledged to promote dialogue in cases of industrial action if confirmed for the position and to closely work with trade unions. He committed to keeping union officials fully informed about any issues, ensuring that the situation is explained honestly and clearly. His goal would be to work together with all stakeholders to identify and implement joint solutions. He further stressed that it is important to strengthen dialogue and that he cannot shy away from dialogue since he has the ability and capacity to negotiate. He reiterated that any negotiation efforts should be rooted in truth and be reflective of the available funds, emphasizing a realistic approach to problem-solving.

e) **Regarding the ongoing controversy over the rollout of the Social Health Authority (SHA);**

63. Dr. Oluga expressed confidence in the new health insurance system, urging Kenyans to be patient. He noted that the defunct National Health Insurance Fund (NHIF) had been

in operation for fifty-nine years, and had registered only six million members. In contrast, SHA and the Social Health Insurance Fund (SHIF) have been in existence for only six months and had already registered twenty million persons. He added that the main reasons for transitioning to SHA, is to achieve universal health coverage (UHC). He encouraged Kenyans to support the change, emphasizing that universality is measured by the availability of basic health services to every Kenyan. He further gave assurance to the Committee that he is fully in support of the shift to SHA and SHIF.

64. Dr. Oluga however acknowledged that there are fundamental policy issues that need to be addressed to ensure the smooth rollout of the new health financing system and one of the basic issues that can be addressed is the building of consensus. He also stressed that the Ministry's responsibility is to implement policies in line with public expectations, as outlined in Article 10 of the Constitution.

f) On ensuring the stability of the Social Health Authority (SHA);

65. Dr. Oluga emphasized that institutional stability is essential, especially given that SHA is still in its nascent stages of development. He acknowledged the importance of laying a strong foundation for the institution to succeed in its mandate. To achieve this, he outlined two key strategies:

- i. **Mobilizing the private sector:** Dr. Oluga expressed his intention to engage and collaborate with the private sector to support SHA's growth and sustainability. This partnership is critical in strengthening service delivery and resource mobilization.
- ii. **Developing a strategic plan:** He also committed to putting in place a clear and comprehensive strategic plan to guide SHA's operations and long-term vision. This, he noted, will provide direction and ensure that the institution develops in a structured and sustainable manner.

g) Primary Health Care Networks and Facility Improvement Fund;

66. Dr. Oluga explained that, he has been involved in the establishment of primary healthcare networks in 47 counties. He also explained the role of the Facility Improvement Fund. He mentioned the need for a strategic plan to ensure the sustainability of the Facility Improvement Fund. Additionally, he highlighted the need to mobilize the private sector and enhance the capacity of health facilities to deliver quality care.

h) On challenges surrounding Maternal Mobility And Neonatal health;

67. Dr. Oluga emphasized the need for a comprehensive emergency transport system to ensure that pregnant women can access timely and effective care during critical situations. By improving maternal mobility and ensuring safe, prompt transport in emergencies, there would be reduction in delays that contribute to maternal complications and neonatal mortality. This approach is essential for improving overall health outcomes for mothers and newborns.

68. Dr. Oluga further emphasized the need to strengthen the audit process for maternal deaths, recognizing it as a vital step towards understanding the root causes of maternal deaths and implementing targeted interventions.

i) On the Availability of Health Products and Technologies (HPTs) through KEMSA;

69. Dr. Oluga underscored that the availability of Health Products and Technologies (HPTs) is a central pillar of Universal Health Coverage (UHC). He acknowledged the challenges in health commodity security, emphasizing that KEMSA plays a crucial role in managing the supply chain to ensure consistent access to medical commodities. Recognizing the need for a robust financial framework, he highlighted the importance of establishing a trade financing mechanism to support the availability of these commodities. Additionally, Dr. Oluga discussed the necessity of overhauling the current health financing mechanism and strengthening intergovernmental relations to build a more resilient and responsive health system.

j) Corruption and Governance in the Ministry of Health;

70. Dr. Oluga proposed the need to conduct a corruption risk assessment and to develop a comprehensive corruption prevention plan within the Ministry of Health. He emphasized that addressing corruption requires a strong governance perspective, pointing out that institutional and governance challenges are at the heart of many systemic issues within the health sector.

71. He noted the damaging impact of corruption on healthcare delivery, particularly how it undermines public trust, disrupts service provision, and weakens the overall effectiveness of health systems. Dr. Oluga called for a solution-oriented approach, rooted in systems strengthening and proactive oversight, rather than reactive measures alone.

72. Furthermore, he stressed the importance of transparency and integrity in all decision-making processes, reaffirming his commitment to accountability as a key principle in transforming the Ministry of Health.

k) Regarding the United States Government's Stop Work Order;

73. Dr. Oluga acknowledged the significant impact that the US Government support has had, noting that over 42,000 health workers were supported through funding amounting to Kshs. 17 billion. He emphasized the urgent need to reassess and realign health programs in light of the withdrawal of this support.

74. He proposed a thorough review of the Social Health Authority (SHA) benefit packages, ensuring that essential programs previously supported by external partners are strategically onboarded into the SHA framework. Dr. Oluga further stressed the importance of shifting towards domestic financing and advocating for stronger local resource mobilization to reduce dependency on donor funding and enhance the resilience of the health system.

CHAPTER FOUR

4.0 COMMITTEE OBSERVATIONS AND FINDINGS

4.1 COMMITTEE OBSERVATIONS ON DR. OLUGA FREDRICK OUMA, OGW

75. In making its observations on the suitability of Dr. Oluga Fredrick Ouma, OGW for appointment to the Position of Principal Secretary for the State Department of Medical Services, the Committee took into account the following-

a) Procedure for Nomination

76. The Committee confirmed that the process adhered to constitutional and statutory requirements for the appointment of a Principal Secretary in the Republic of Kenya

b) Documentation Submitted

77. The Nominee met the requirements of Chapter Six of the Constitution on Leadership and Integrity, having obtained clearance and compliance certificates from all the relevant institutions, including the Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB), the Kenya Revenue Authority (KRA), the Ethics and Anti-Corruption Commission (EACC) and the Office of the Registrar of Political Parties (ORPP). The Nominee also submitted a duly filled vetting questionnaire as required under the Public Appointments (Parliamentary Approval) Act, (Cap. 7F).

c) Citizenship

78. The Nominee is a Kenyan citizen and does not hold dual citizenship; meeting the criteria outlined in Article 78(1) and (2) of the Constitution.

d) Professional Background and Experience

79. The Nominee is a distinguished healthcare professional with over fifteen (15) years of progressive experience in health systems leadership, policy advocacy, and clinical practice. His experience spans from positions he has held in the national government, county government and the private sector. He has progressively advanced through various leadership and technical roles, reflecting his commitment to public health.

80. Since January 2023, he has been serving at the Ministry of Health, where he currently holds the position of Acting Director and Head of the Directorate of Health Sector Coordination and Research Development, a role he assumed in October 2024.

81. Prior to joining the Ministry, the Nominee served as the Director of Health Services at the Nairobi Metropolitan Services from March 2020 to December 2022, where he was responsible for the delivery and reform of health services within the Nairobi Metropolitan Region. This followed his tenure as the Secretary General and CEO of the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU) from 2014 to 2020.

e) Leadership and Vision

82. The Nominee possesses extensive knowledge and a deep understanding of the health sector, grounded in both strong academic credentials and practical, results-oriented experience. While his academic qualifications are exemplary, the tangible achievements realized in each position that he has held both within government and the private sector reflect the breadth of his expertise in the health sector and his ability to translate knowledge into impactful outcomes. He has consistently demonstrated visionary leadership, strategic thinking, and a strong commitment to public service.

f) Ethical Standards and Conflict of Interest

83. The Nominee has not been charged or convicted in any court of law nor mentioned adversely in investigatory reports by any Parliamentary Committees or any Commission of Inquiry.
84. The Nominee further submitted that following his nomination by His Excellency the President he resigned from his position as a director of his occupational medical practice and consultancy. He pledged to avoid situations that could result in conflicts of interest, as required under Article 75(1) of the Constitution.

g) Commitment to Public Service

85. The Nominee does not intend to engage in any other gainful employment or hold office in any political party as stipulated under Articles 77(1) and (2) of the Constitution respectively. Further, the Nominee has never been dismissed from office under Article 75 of the Constitution for contraventions related to conflict of interest, financial probity, or for any other restrictions placed on state officers.

h) General Suitability for Office

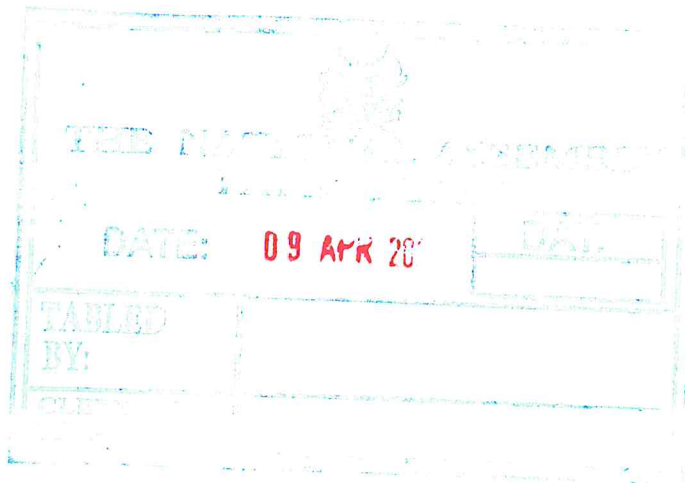
86. The Nominee's cumulative academic qualifications, professional training, abilities, qualities and extensive experience in the health sector meet the threshold required to hold the office of Principal Secretary and having complied with all the relevant legal, constitutional, statutory, academic, professional, and ethical requirements Dr. Oluga Fredrick Ouma is fit to hold the position of Principal Secretary, State Department for Medical Services in the Ministry of Health. Notably, no memoranda were received by the Committee contesting the nomination of Dr. Oluga.

4.3 RECOMMENDATION

87. Having considered the suitability, capacity and integrity of the Nominee, and pursuant to Section 8(2) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), the Committee recommends that the National Assembly **APPROVES** the appointment of **Dr. Oluga Fredrick Ouma, OGW** to the position of **Principal Secretary, State Department for Medical Services, Ministry of Health**.

SIGNED.......... DATE.....9/4/2025.....

HON. DR. NYIKAL JAMES WAMBURA, MP.
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON HEALTH



Annexure 1: Adoption List



THE NATIONAL ASSEMBLY

13TH PARLIAMENT – FOURTH SESSION (2025)

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON HEALTH

REPORT ON THE APPROVAL HEARINGS OF: DR. OLUGA FREDRICK OUMA,
OGW NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE
DEPARTMENT FOR MEDICAL SERVICES

We, the undersigned Members of the Departmental Committee on Health do hereby append our signatures to adopt this Report Date: 04/04/2025

NO	NAME	SIGNATURE
1.	The Hon. Dr. Nyikal James Wambura, M.P-Chairperson	
2.	The Hon. Ntwiga Patrick Munene, M.P -Vice-Chairperson.	
3.	The Hon. Dr. Pukose Robert, CBS, M.P	
4.	The Hon. Titus Khamala, M.P	
5.	The Hon. Sunkuli Julius Lekakeny Ole, EGH, EBS, M.P.	
6.	The Hon. Prof. Jaldesa Guyo Waqo, M.P.	
7.	The Hon. Owino Martin Peters, M.P.	
8.	The Hon. Wanyonyi Martin Pepela, M.P	
9.	The Hon. Lenguris Pauline, M.P	
10.	The Hon. Mary Maingi, MP	
11.	The Hon. Muge Cynthia Jepkosgei, M.P	
12.	The Hon. Oron Joshua Odongo, M.P.	
13.	The Hon. Kibagendi Antony, M.P.	
14.	The Hon. Mathenge Duncan Maina, M.P	
15.	The Hon. Kipngor Reuben Kiborek, M.P	

