

**ADAMAWA STATE HEALTH SUPPLIES MANAGEMENT AGENCY LAW,  
2024**

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ADAMAWA STATE HOUSE OF ASSEMBLY

A BILL

FOR

**A LAW TO ESTABLISH THE ADAMAWA STATE HEALTH SUPPLIES MANAGEMENT AGENCY LAW, 2024, REPEAL THE ADAMAWA STATE ESSENTIAL DRUGS PROGRAMME EDICT, 1996 AND OTHER MATTERS INCIDENTAL THERETO.**

Date of Commencement ( )

BE IT ENACTED by the House of Assembly of Adamawa State of Nigeria and by the authority of same as follows: -

**PART I- PRELIMINARY**

Short title and Commencement

1. This Law may be cited as the Adamawa State Health Supplies Management Agency Law, 2024 and shall come into operation on the <sup>6<sup>th</sup></sup> day of <sup>may</sup> 2024.

Interpretation

2. In this Law, unless the context otherwise requires:  
"Agency" means the State Health Supplies Management Agency established under Section 4 of this Law;  
"Board" means the Governing Board established under Section 6 of this Law;

"Chairman" means the Chairman of the Board;

"Commissioner" means the Commissioner responsible for the Health and Human Services in the state;

"Emergency Situation" includes outbreak of an epidemic and such other situations that require immediate attention;

"Governor" mean the Governor of Adamawa State;

"Health Institutions" means the public and private hospitals, health centers, pharmacies and clinics;

"Health Professions" means medical, nursing, pharmacy and other health related professions;

"Health Supplies" means pharmaceuticals medical devices, hospital consumables, clinical laboratory consumables and medical equipment used in preventions, diagnoses, mitigations and treatment of health conditions.

"Member" means a member of the Governing Board and includes the Chairman;

"Public Health Institutions" includes all government hospitals and clinics in the State; and

"State" means Adamawa State of Nigeria;

"Supply Chain" means global network used to deliver products and services from raw materials to end users

through and engineered flow of information, physical distribution and cash;

"Supply Chain Management" means the design, planning, execution, control and monitoring of supply chain activities of creating net value, building a competitive infrastructure, leveraging worldwide logistics, synchronizing supply with demand and measuring performance globally.

**PART II- ESTABLISHMENT, OBJECTIVES AND COMPOSITION OF THE AGENCY**

Establishment of the Agency

3. (1) There is hereby established for the State an Agency to be known as the Adamawa State Health Supplies Management Agency (Hereinafter referred to as the Agency).

(2) The Agency shall be a body corporate with perpetual succession and a common seal.

(3) The Agency may sue and be sued in its corporate name and may acquire, and hold movable and immovable property.

Objectives of the Agency

4. It shall be the objective of the Agency to: -  
(a) ensure regular availability of quality medicines

and health commodities at affordable cost for supply to all healthcare facilities (primary, secondary and tertiary) in the State through selection, quantification, procurement and distribution processes for the purpose of improving healthcare service delivery system;

- (b) serve as procurement (wholesale) hub to both public and private healthcare facilities in the State;
- (c) to introduce Drug Revolving Fund (DRF) cost recovery mechanism that will lead to self-sustaining.

Governing Board

5. The Agency shall have a Governing Board known as State Steering Committee which shall be responsible for the discharge of the business and functions of the Agency.

Composition of the Governing Board

6. The Governing Board shall consist of the following members:

- (a) the Commissioner of Health and Human Services who shall be the Chairman;
- (b) the representatives of the Ministries responsible for: -

- (i) Justice;
- (ii) Finance;
- (iii) Local Government and Chieftaincy Affairs;

(c) one representative from the following professional bodies:

- (i) Medical and Dental Council of Nigeria;
- (ii) Nursing and Midwifery Council of Nigeria;
- (iii) Pharmacists Council of Nigeria; and
- (iv) Medical Laboratory Science Council of Nigeria.

(d) the Executive Secretary, who shall serve as the Secretary of the Board.

Tenure of Members

7. The tenure of Chairman and other members of the Board is four years in the first instance and may be reappointed for another term of four years and no more.

Remuneration

8. There shall be paid to the members of the Committee in respect to their membership such subsistence, travelling and other allowances (if any) as the Governor after consultation with the State Commissioner of Finance may approve in relation to them.

Vacancy

9. The office of a member of the board shall become vacant if:

- (a) he resigns his appointment by notice in writing addressed to the Governor;
- (b) he is convicted of an offence involving fraud or dishonesty or has committed an offence amounting to gross misconduct;
- (c) becomes incapable of discharging his duties due to infirmity of mind or body; and
- (d) he is adjudged bankrupt.

Co-option

10. The Board may co-opt any person whose advice on any particular matter may be desirable and the person while so co-opted shall have all the powers of a member save that he shall not be entitled to vote not his presence counted towards a quorum.

Executive Secretary

11. (1) The Governor shall appoint for the Agency a Pharmacist with cognate experience in supply chain management as the Executive Secretary.

(2) The Executive Secretary shall be the Chief Executive and Accounting Officer of the Agency and shall be responsible for the Administration and the execution of the policies of the Board.

(3) The Executive Secretary shall be a registered and a licensed Pharmacist working with Adamawa State Government for not less than fifteen (15) years cognate experience in drugs administration and control of health supply chain management.

(4) The Executive Secretary shall report to the Commissioner quarterly on the activities of the Agency.

(5) The Executive Secretary shall hold office for four (4) years and may be eligible for re-appointment for another four (4) years only.

Staff of the Agency

12. The Staff of the Agency shall be public servants of Adamawa State, and be paid subject to the conditions of service of the State.

### **PART III- POWERS AND FUNCTIONS OF THE AGENCY**

Functions of the Agency

13. The Agency shall perform the following functions:-
- (a) manufacture, select, quantify, source, store and distribute health supplies to end users through the health institutions in the State, or such health institutions as may be approved by the Commissioner;
  - (b) provide quality assurance systems for all health supplies procured, distributed in

accordance with the regulatory requirements for safety, efficiency and rational use by end users;

- (c) training and capacity development on health supply chain management to public health institutions;
- (d) generate, collect, validate, manage, distribute and provide data on health supplies, selection, quantification, procurement, distribution, and availability for the use in the State;
- (e) perform such other functions as may be incidental to the realization of the above objectives as may be assigned by the Governor.

Health Supplies

14. All public health institutions in the State shall purchase health supplies from the Agency except: -

- (a) where such supplies are not readily available; or
- (b) where there is an emergency situation.

Powers of the Agency

15. The Agency shall have powers to: -

- (a) regulate and co-ordinate all health supply chain operations in the State;
- (b) employ, train, promote and discipline its staff;

- (c) award such contracts as may be approved by the Board; and
- (d) do such other things as may be expedient for the purpose of carrying out the functions of the Agency.

**PART IV- FINANCIAL PROVISIONS**

Fund

16. (1) There shall be a bank account for the Agency into which all monies shall be paid and out of which all expenses shall be defrayed.

(2) The Funds of the Agency shall consist of:

- (a) grants from the State Government;
- (b) revenue accruing from investments and property;
- (c) revenue accruing from execution of supply chain medical supplies; and
- (d) other approved sources.

Accounts of the Agency

17. The Agency shall cause to be prepared and submitted to the Commissioner not later than 30<sup>th</sup> June of each year, an estimate of his expenditure and income for the succeeding year.

Audit and Account of the Agency

18. The Agency shall cause to be kept proper books of accounts in respect of each year and proper records in relation thereto, and shall cause the account to be audited not later than three (3) months after the end of each year by auditors appointed in accordance with the Guidelines approved by the Auditor-General of the State.

Annual Report

19. The Board shall not later than Four (4) Months immediately following the end of the Year:

- (a) submit to the Commissioner, a report on the activities and administration of the Agency for the preceding year and shall include in the report the audited account of the Agency and the Auditor's report on the accounts; and
- (b) publish the audited annual account, Auditor's report on the account and reports on the activities of the Agency on the State Government website.

**PART V- MISCELLANEOUS**

Specific and General Directives

20. Subject to the provisions of this Law, the Governor may give to the Board such directives of a general or specific nature in relation to the directives, the performance of the Agency or any of its functions under this Law and it shall be the duty of the Agency to comply with such directives.

Regulations 21. The Board shall subject to the approval of the Executive Council make such regulations as may be necessary or expedient for carrying into effect the provisions of this Law.

Seal of the Agency 22. The common seal of the Agency shall be authenticated by the signatures of the Chairman and the Executive Secretary or of those members generally or specifically authorized in that behalf by the board.

Evidence 23. Any document purporting to be a contract agreement, an instrument or any other document signed or sealed on behalf of the Agency shall be admissible in evidence unless the contrary is proved.

Proceedings 24. The validity of any proceedings of the Board or proceedings Committee shall not be affected by:

- (a) any vacancy in the membership of the Board or Committee;
- (b) any defect in the appointment of a member of the Board or Committee;
- (c) reason that a person though not entitled, took part in the proceedings of the Board or Committee

Quorum 25. The quorum of the Board shall be a simple majority of the members of the Board.

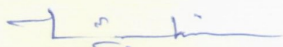
Meetings 26. (1) The Board shall meet not less than Two (2) times in a year or such number of times as it may consider necessary.

(2) The Board shall, if required by notice given by not less than Six (6) members, convene emergency meeting of the Board to be held within Fourteen (14) days from the date the notice is given.

Savings 27. The rights, interests, obligations, assets and liabilities of the Adamawa State Health Supplies Management Agency before the commencement of this Law, any contract or instrument whether in law or equity shall by virtue of this Law and without further assurance be vested in the Agency.

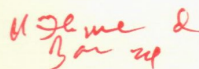
Repeal 28. The Adamawa State Essential Drugs Programme Edict, 1996 is hereby repealed.

This printed impression has been carefully compared by me with the Bill which has passed the House and found by me to be a true and correctly printed copy of the said Bill



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**UMAR USMAN HAMIDU LALEH**  
Clerk to Adamawa State House of Assembly

I assent this 6<sup>th</sup> day of November 2024



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**RT. HON. AHMADU UMARU FINTIRI**  
Governor,  
Adamawa State of Nigeria

### SCHEDULE OF BILL

SHORT TITLE	LONG TITLE	SUMMARY OF CONTENTS	DATE PASSED BY THE HOUSE
Adamawa State Health Supplies Management Agency Law, 2024	A Bill for a Law to establish the Adamawa State Health Supplies Management Agency Law, 2024, Repeal the Adamawa State Essential Drugs programme Edict, 1996 and other matters connected thereto.	The Bill seeks to repeal the Adamawa State Essential Drugs Programme Edict of 1996 and to establish the Adamawa State Health Supplies Management Agency in the State.	19 <sup>th</sup> August, 2024



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**UMAR USMAN HAMIDU LALEH**  
Clerk to Adamawa State House of Assembly