

FUNCTIONS OF THE BOARD OF TEACHING HOSPITALS
PAPER PRESENTED AT RETREAT OF BINGHAM UNIVERSITY
TEACHING HOSPITAL BOARD

AT MIANGO

24TH SEPTEMBER, 2014.

BY

PROFESSOR ALHASSAN M. YAKUBU, FMCPaed, FWACP, FICEN, MNIM 1

INTRODUCTION

Sometimes early last week the Chief Medical Director asked me over the phone to speak at this inaugural meeting of this Board on the topic: “Functions or Duties of the Board”. I quickly responded in the affirmative. This I did on the firm assumption that the Board being referred to is that of the Teaching Hospitals. Teaching Hospital is one of the tertiary health institutions offering specialised health care including cases referred to it from secondary hospitals and as the name implies it also offers training of health professionals. It differs from other tertiary health institutions which offer specialised services in restricted disciplines of health care delivery such as Neuropsychiatric, Orthopaedic and Traumatology, The National Eye Centre, the Ear, Nose and Throat Centre. In addition to these specialist service there are Medical Centres which offer similar specialist services less training at undergraduate levels. A few of the Medical Centres do offer residency training of postgraduate doctors. The chief executive of these health institutions are referred to as Medical Directors to differentiate from Chief Medical Director the Chief Executives of the University Teaching Hospitals who have heavier and wider responsibilities.

The supervision of administration of these hospitals had been entrusted in Boards of Management. To appreciate the functions of these Boards one need to look into the past and see how we arrive at the present. I crave your indulgence to bear with me because many of us have heard what I am going to say.

HISTORICAL PERSPECTIVE

The first University Teaching Hospital in Nigeria is the University College Hospital (UCH) Ibadan followed by Lagos University Teaching Hospital LUTH. Both Ibadan and Lagos were established by acts of Parliament. The University College Hospital Ibadan was created in 1948 with the aim of training pre-clinical medical students. The idea was to use Adeoyo hospital for the clinical training of doctors. This was rejected by visitation panel from University of London in 1951.

The ordinance establishing the University College Hospital Ibadan was passed into law by legislation of Nigeria Act of Parliament No. 26, 1952 and assented to in Her Majesty's name by the Governor General. Construction work commenced without delay and UCH Ibadan was opened in November, 1957.

The Ordinance established the Board of Management of the Hospital with the Chairman and Deputy Chairman being appointed by Federal Minister of Health. The University Senate and Council appointed their own representatives to serve in the Board. The administration of the Hospital was squarely in the hand of the House Governor who was a professional administrator. The same administrative machinery was used for LUTH. The duties and powers of Board of Management of UCH Ibadan were spelt out thus:

- (a) To construct, equip, furnish, maintain, manage, control and operate the Hospital and to perform the like functions or such of them as the Board may deem necessary in respect of:
 - (i) All such schools for the training of nurses or hospital technicians of any description as the Board may think requisite for ensuring that the Hospital is at all times adequately provided with such nurses and technicians.

- (ii) Such clinics, out-patient departments, laboratories research or experimental stations and other like institutions as the Board may deem necessary, (which schools and institutions are hereinafter in this ordinance collectively referred to as associated institutions).

- (b) To appoint a suitable person, who shall be responsible to the Board, to be in charge of the general administration and financial affairs of the Hospital and associate institutions or such of them as the Board may direct.

- (c) To make all such other appointments as the Board may think necessary to enable the duties mentioned in paragraph (a) of this section to be fully and effectually performed, and to determine the wages, salaries and other conditions of service of all persons employed by the Board in or in connection with the Hospital and associated institutions.

- (d) To prepare and submit to the Governor, not later than the thirty-first day of December in each year, a report of the activities of the Board and financial statement of all receipts and expenditure by the Board during the period of twelve months ending thirty-first day of March in that year.

- (e) To prepare and submit for approval to the Governor, not later than the thirty-first day of December in each year an estimate of all the revenue likely to be received and expenditure likely to be incurred during the period of twelve months beginning on the first day of April next year following in respect of the Hospital and associated institutions and any services provided by the Board.

- (f) To arrange for the provision of adequate clinical material for teaching purposes and adequate accommodation and equipment for carrying out research.

- (g) To provide for proper medical and other care of the patients in the Hospital.
- (h) To ensure that the standard of nursing in the Hospital shall not be below the standard usually maintained in teaching hospitals in the United Kingdom.

- (i) To render to the Inspector General of Medical Services, at such times and in such forms as he may specify, such statistical and other returns as he may from time to time require.

2. A copy of the report and financial statement referred to in paragraph (d) of subsection (i) of this section shall be furnished to the Minister and the Minister shall lay the copy before the House of Representatives.

Powers of the Board:

In addition to any powers conferred upon the Board by any other section of this ordinance, the Board shall have the following powers:

- (a) To make standing orders not inconsistent with the provisions of this Ordinance governing its own procedure and in particular with regard to the holding of meetings, the procedure thereat and the keeping of the minutes thereof, the custody, production and inspection of such minutes, the custody, authentication and the use of the common seal, and the opening, keeping, closing and auditing of account;

- (b) To delegate the performance of any duty imposed or the exercise of any power conferred upon the Board by or under the provisions of this Ordinance to a committee composed of so many and such members of the Board and so many and such (if any) persons other than members of the Board as the Board may appoint, so, however, that no act of any such committee shall have any effect unless it is ratified by the Board not later than the next meeting but one of the Board after the meeting of the committee at which such act was done;

- (c) Subject to the approval of the Governor, to borrow money,
- (d) To invest the funds of the Board;
- (e) To enter into all such contracts as the Board may deem necessary or expedient for the due performance of any duty imposed or the effective exercise of any power conferred upon the Board by or under the provisions of the Ordinance;

- (f) Subject to the approval of the Governor, to incur all such expenditure as the Board may deem necessary or expedient for the purposes specified in the last preceding paragraph of this section;
- (g) Such other powers as the Governor may by order confer upon the Board at the request of the Board.

With military entry into politics in 1966 the whole arrangement started to change. The first change was the Permanent Secretary, Federal Ministry of Health became the ex-officio Chairman of the Board of Management and a representative of the Armed Forces Medical Services was brought as a member of the Board. The Board no longer had appointees of the Senate and Council. The House Governor remained the Chief Executive of the Hospital.

In Lagos University Teaching Hospital the Dean of the Medical School was the chairman of the Board from its inception in 1962 but was reversed as in Ibadan.

In 1974 the Federal Military Government promulgated Decree No. 23 for the establishment of University of Nigeria Teaching Hospital Board with the Management of the Hospital left with Provisional Council of the University. The Board included the Vice-Chancellor, the Dean of the medical school, representative of the Senate of the University and Chairman Medical Advisory. This was reversed with Decree No. 58 of 1977.

Decree No. 74 of 1979 was promulgated to bring the needed harmony within the Universities Board of Management of:

- University of Benin Teaching Hospital
- University of Nigeria Teaching Hospital
- University College Hospital of Ibadan and
- Lagos University Teaching Hospital
- University Teaching Hospital, Enugu

**UNIVERSITY TEACHING HOSPITALS (RE-CONSTITUTION OF
BOARDS) DECREE 1978**

Decree No. 74

(28th September, 1979) Commencement

The Federal Military Government hereby decrees as follows:

1. (1) There shall be appointed by the Board of Management of the teaching hospitals (hereafter in this Decree referred to as the “board”) controlled by the Government of the Federation and specified in section 5 of this Decree the following officers who shall each exercise the functions conferred on him by this Decree, that is to say:

- (a) A Chief Medical Director (hereto variously referred to as “the Dean of the Medical School”, “the Provost College of Medicine of a University or by whatever other name called) who shall be the Chief Executive Officer of the Hospital and shall be charged with the general responsibility for the policies and matters affecting the day-to-day management affairs of the Hospital;

- (b) A Director of Administration – responsible to the Chief Medical Director
- (c) A Director of Clinical Services Training – responsible to the Chief Medical Director for all clinical and training activities of the Hospital.

- (2) The Board shall have power to appoint (including power to appoint on promotion and transfer and of confirmation of appointment) advance, terminate or discipline employees holding or acting in any offices in the Hospital.

- 2 (1) The Chief Medical Director shall be a member and Deputy Chairman of the Board.

(2) Accordingly, as from the commencement of this Decree:

(a) The Vice-Chancellor of the University concerned shall cease to be a member of the Board but shall be represented thereat by such member of his staff as he may nominate.

- (b) Unless he is redesignated as the director of clinical services and training, the chairman of the Medical Advisory Committee shall cease to be a member of the Board;
- (c) The director of administration and the director of clinical and training services shall be ex-officio members of the Board.

Sundry Amendments Cap 205 1965 No. 5:

3. For –

(a) Section 5 of the University College Hospital Act as substituted by the University College Hospital (Amendment) Act 1965.

1961 No. 70: (b) Paragraph 1 of the schedule to the Lagos University Teaching Hospital Act 1961;

1971 No. 51: (c) Section 2(10) of the University of Benin Teaching Hospital Management Board Decree 1077; and

1977 No. 58: (d) Section 2(1) of the University of Nigeria Teaching Hospital Management Board Decree 1977; there shall be substituted the following new section or paragraph as the case may require that is –

Composition of the Board: The Board shall consist of a chairman and the following other members, that is;

- (a) The Chief Medical Director of the hospital who shall be the Deputy Chairman;
- (b) One representative of the Federal Ministry of Health and Social Welfare;
- (c) A representative of the Vice-Chancellor of the University.

- (d) Five persons nominated by the commissioner to represent a wide variety of community interest health matter;
- (e) One representative of the Nigeria Medical Association, not being a person who is a member of the teaching staff of any University;
- (f) One representative of the Senate of the University;
- (g) The director of administration of the hospital; and
- (h) The director of clinical services and training of the hospital”

Interpretation: 4. In this Decree unless the context otherwise requires – “the Board” means the Board of Management of the Teaching Hospital concerned; “Hospital” means a Teaching Hospital affected by this Decree.

- Citation and Application:** 5. This Decree maybe cited as the University Teaching Hospitals (Reconstitution of Boards) Decree 1979 and shall apply to:
- (a) The University College Hospital, Ibadan
 - (b) The Lagos University Teaching Hospital, Lagos
 - (c) The University of Benin Teaching Hospital, Benin
 - (d) The University of Nigeria Teaching Hospital, Nsukka

MADE at Lagos this 28th day of September, 1979
GENERAL O. OBASONJO, Head of the Federal Military Government,
Commander-in-Chief of Armed Forces, Federal Republic of Nigeria.

AHMADU BELLO UNIVERSITY TEACHING HOSPITAL

The Ahmadu Bello University was established in 1962 as a Regional University by the Northern Nigeria Government. The Medical School was started in 1967 by the then 6 states under the Interim Common Service Agency (ICSA). The Teaching Hospital was created by the Ahmadu Bello University Statutes 19 as an Institute of Health. The University appointed a Board of Governors for the Institute.

The Board of Governors consisted of:

- (i) Vice Chancellor who shall be chairman
- (ii) The Director of the Institute
- (iii) The Dean Faculty of Medicine
- (iv) Two member of the senior staff of the Institute one of whom shall be concerned primarily with teaching and the other hospital work appointed by Professional and Academic Board.

- (v) Two members of academic staff appointed by Senate.
- (vi) One member of the Council not being a member of academic staff appointed by Council
- (vii) One person representing each of the State appointed by the Military Governor of that State.
- (viii) Permanent Secretary of the Federal Ministry of Health or his representative.
- (ix) Permanent Secretary Federal Ministry of Finance.
- (x) Not more than four members co-opted by the Board.

The Registrar or a person appointed by him shall be the Secretary of the Board. The Registrar and the Bursar shall be entitled to take part in all meetings of the Board of Governors.

Functions of the Board:

- (i) To give directions as deemed necessary to carry out the functions of the Institute.
- (ii) To consider and report to Council on all proposals involving finance and the administration of property.
- (iii) To approve the admission of persons who are members by right under paragraph(s) of this Statutes.
- (iv) To approve on the recommendation of the Professional and Academic Board, the granting of the status of Associated Institute etc.

The Professional and Academic Board for the Institute consist of:

- a. The Director Institute of Health – Chairman
- b. The Vice Chancellor
- c. The Deputy Vice Chancellor
- d. The Dean of the Faculty of Medicine
- e. Two members elected from their own number Faculty Board of Medicine
- f. Two members of the academic staff of the University appointed by Senate
- g. Not more than 4 members of staff of the Institute co-opted by the Board.

Finally following the take-over of all Regional/State Teaching Hospitals by the Federal Military Government in 1976 while the Teaching Hospitals were getting adjusted to the administrative changes contained in Decree 74 another Decree, Decree No. 10 of 1st January 1985 titled:

“University Teaching Hospitals (Reconstitution of Boards etc) Decree came into force.

Decree No. 10 of 1985 repealed Decree No. 74 and harmonised the structures, functions and powers of the Board of Management across the country.

The Decree now CAP U.15 LAW OF THE FEDERATION specifically applicable to:

1. The University College Hospital, Ibadan
2. The Lagos University Teaching Hospital, Lagos
3. The University of Nigeria Teaching Hospital, Enugu
4. The Ahmadu Bello University Teaching Hospital, Zaria
5. The University of Benin Teaching Hospital, Benin

6. The Ife University Teaching Hospital complex (Now Obafemi Awolowo University) Ile-Ife.
7. The Jos University Teaching Hospital, Jos
8. The University of Maiduguri Teaching Hospital, Maiduguri
9. The University of Calabar Teaching Hospital, Calabar
10. The University of Ilorin Teaching Hospital Ilorin
11. The Sokoto University Teaching Hospital, Sokoto (Now Usmanu Danfodio)
12. The University of Port Harcourt Teaching Hospital, Port Harcourt.

Decree 10 of 1985 introduced the following features:

- The Chairman of the Board would be an appointee of the Head of the Military Government of the Federation.
- The Chief Medical Director likewise would be appointed by the Head of State. The qualifications of the Chief Medical Director was clearly spelt out i.e. not less than 12 years post registration and postgraduate qualification not less than 5 years.
- Re-introduction of Chairman Medical Advisory Committee
- Power of the Board to appoint from time to time consultants outside the University to perform such medical duties as the Board may assign to such consultants.

The major thrust of Decree No. 10 of 1985 were:

- a. The Chairman of the Board would be appointed by and shall serve at the pleasure of the Head of State and Commander-in-Chief of Armed Forces of the Federation. He is to represent a wide range of community interest.
- b. The qualifications and qualities of the Chief Medical Director were clearly laid out. The person inter-alia must be medically qualified with cognate experience.

- c. Medical Advisory Committee chair restored.
- d. There shall also be representatives of professional bodies such as Nigeria Medical Association.
- e. The Board had power to appoint and fire consultants to perform clinical duties as the Chief Medical Director may assign.
- f. It gave direction to the Board on its proceedings such as in the absence of the chairman at any meeting members present can appoint a chairman for that meeting. The Board has power to set its own committee to facilitate its functions.

POWERS OF THE BOARD:

Decree No. 10 gave the Board enormous power when it asserts in section 7 of this decree “THE BOARD SHALL TO DO ANYTHING which in its opinion is calculated to facilitate the carrying out of its functions as set out in this Decree” (emphasis mine) including the power to make standing orders, to delegate performance of any duty, borrow money subject to approval by higher authority setting the Board, to invest funds, to enter into such contracts as the Board considers appropriate for effective functioning of the hospitals.

FUNCTIONS:

The Board headed by a Chairman and other members of diverse background supervises the Management of the hospital headed by a Chief Medical Director as the Chief Executive Officer as set out in Decree No. 10, 1985 now CAP U. 15 LAW OF THE FEDERATION.

The Board shall equip, maintain, operate the hospitals so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment.

The Board shall construct, equip, maintain and operate such training schools, and similar institutions as the Board may deem necessary for providing the hospitals at all times with proper staff of the hospital technicians, nurses etc.

The Board shall construct, equip, maintain and operate such clinics outpatients departments, laboratories, research or experimental stations, and other like institutions, as the Board considers necessary for efficient functioning of the hospital.

Section 19 of the decree interprets a medical student as a person whose course of instruction is designed not only to enable him qualify as a medical practitioner but which is also designed for further training of medical practitioner. It is this clause that empowers all Teaching Hospitals now to embark on Residency Training Programmes for postgraduate doctors after wide consultation was made by the Board of Management of UCH Ibadan. The other Teaching Hospitals thereafter copied the template.

ACKNOWLEDGEMENTS

I wish to acknowledge the under listed references:

“It is a common adage that when you steal somebodies work it is plagiarism. When you copy many other peoples work it is called research”.

Thank you for your patience.

REFERENCES:

1. The University College Hospital Ordinance 1952
2. The University Teaching Hospital (Reconstitution of Boards) Decree No. 74
3. The University Teaching Hospitals (Reconstitution of Boards) Decree N, 10
4. Umaru Shehu; Evolution of the Management and Administration of Federal Tertiary Hospitals. Conference Paper: Conference of Chief Executives of Federal Tertiary Hospitals, 2001.