

Djibouti: Law 48 on the Orientation of Health Policy (1999)

Excerpts

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1. Health is a complete state of physical, mental and social well-being, and not merely the absence of disease or infirmity.

2. The nation proclaims the right to health for all. The safeguard of the right to health shall constitute an important responsibility of the state. It shall adopt the necessary principles and put in place the necessary means to carry out its responsibility.

3. Health-related public expenses: everyone shall contribute, within the limits of his resources, to the funding of these expenses. To this end, the state shall gradually put in place an expanded system of contribution by all beneficiaries. Such a system aims to recoup part of the costs of health. The measures necessary for the implementation of these provisions shall be defined by legislation and regulations.

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13. Public, semi-public and private health institutions shall provide for the following

1) for in-patients and out-patients

- short-term care or care related to serious infections in their acute phase;
- continuous care as part of treatment or medical observation.

2) for in-patients, long term care for persons whose state of health requires continuous medical observation.

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20. National programmes shall be drafted according to health priorities and issues specific to health. The activities formulated within national programmes shall be coordinated and integrated with the overall health strategy.

These national programmes shall address

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AIDS

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21. The treatment and prevention protocols included in the national programmes shall be applicable to persons and within the national territory.

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25. The early screening of illnesses and disabilities as well as the prevention of the use of drugs, including tobacco in schools shall be given priority in schools.

26. The prevention of occupational illnesses as well as employment-related injuries shall be given priority at the workplace.

27. In sports, attention shall be on providing medical supervision of sportspersons as well as anti-doping measures.

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30. The state has the duty to support and scientifically monitor traditional medicine.

31. The health policy related to traditional medicine aims to ensure

- 1) the collaboration between modern medicine and traditional medicine;
- 2) the improvement of patients' safety;
- 3) the promotion of traditional materia medica.

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45. The funding mechanisms of public health services shall ensure equal access to care for all and equity with respect to the public sharing of health-related charges.

46. The health system relies on the mobilisation of all available resources. Pursuant to the provisions in article 41 above, the financial resources resulting from the financial contribution of users do not constitute substitute revenues, they shall only complement the state's budgetary allocations to health.

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59. Citizens recognised as indigent in terms of the law shall be affiliated to a tier public payment through specific mechanisms as defined by law. The issuance of indigence cards will be in terms of conditions and modalities as defined by law.

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82. Health and medical research shall aim at equipping the health system with means adapted to local and regional pathology and health problems. Health and medical research shall be applied and operational.

83. The research policy in terms of health shall be oriented towards applied and operational research, namely:

- The study of resistance in bacteriology, parasitology and entomology;
- All studies in public health needed for the definition of priorities in public health programmes;
- The study of resources in traditional materia medica and its scientific supervision.

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86. Medication distributed on the territory of Djibouti, whether for free or at a fee, whether patented or generic drugs shall be granted an authorisation for commercialisation on the Djibouti market prior to distribution.

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91. The supply and distribution of medications and medico-surgical equipments used within the public health service shall obey the rules on costs and standardisation; shall be adapted to each category of health institution in terms of quantity and quality and shall rely on quality and costs criteria on the national and international markets.

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97. Blood transfusion shall be subject to regulations on control and safety as specified by laws.

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103. The financial availability and accessibility of medication shall constitute the main priority of the national policy on public health.

104. The state shall promote activities geared towards the prevention of illnesses and the improvement of hygiene in addition to improving the accessibility to medication with an aim of increasing the curative approach to health problems.

105. Consequently, the priorities of the health policy shall be oriented along the following

- treatment;
- prevention;
- public hygiene.

106. The state shall, in implementing the National Pharmaceutical Plan and pursuant to the health objectives defined in articles 85 and 103 above, facilitate the population's access to medication everywhere on the territory and at all facilities within financially bearable conditions even for the most disadvantaged users. The state shall empower itself to reach these objectives by implementing the measures provided in articles 86 to 92 above.

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110. Prevention of illnesses shall rely on preventive medicine, protection of the mother's and the child's health and sanitary education.

111. Preventive medicine aims to increase the population's life expectancy through the reduction of morbidity and mortality caused by illnesses. It shall namely rely on the promotion of vaccination, epidemiological surveillance and the fight against endemic illnesses, early screening and treatment of illnesses.

112. The policy of preventive medicine shall ensure particularly the following actions

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The prevention and fight against AIDS;

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113. The compulsory notification/disclosure of illnesses targeted in article 112 above shall be conducted according to the conditions set in the regulations.

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115: The protection of the health of the mother and the child is related to the promotion of preventive actions as well as health related information and education.