

NATIONAL HEALTH INSURANCE FUND ACT
(No. 9 of 1998)

IN EXERCISE of the powers conferred by section 21 of the National Health Insurance Fund Act, the National Health Insurance Fund Management Board, makes the following Regulations—

**NATIONAL HEALTH INSURANCE FUND (BENEFICIARY IDENTIFICATION)
REGULATIONS, 2022**

- Citation. **1.** These Regulations may be cited as the National Health Insurance Fund (Beneficiary Identification) Regulations, 2022.
- Interpretation **2.** In these Regulations unless the context otherwise requires—
- “Act” means the National Health Insurance Fund Act, 1988;
- “beneficiary” has the meaning assigned to it under section 2 of the Act;
- “biometric” means a unique identifier or attribute including a fingerprint, hand geometry, earlobe geometry, retina or iris pattern, voice wave, in a digital form;
- “Fund” has the meaning assigned to it under section 2 of the Act;
- “guardian” means a person appointed by will or deed, by a parent of a child or, by an order of the Court to assume parental responsibility for the child upon the death of the parent of the child, either alone or in conjunction with the surviving parent of the child;
- “health care provider” has the meaning assigned to it under section 2 of the Act;
- “national identification number” means the number issued under the existing legal framework for registration of persons residing in Kenya;
- “one-time password” means a temporary alphanumerical sequence that is transmitted by the Fund to the registered phone number of a contributor upon request by a health care provider; and
- “registration number” means the number issued to a contributor upon being registered by the Fund.
- Object. **3.** The object of these Regulations is to prescribe the mode of identification of beneficiaries.
- Identification during registration. **4.** Where a person applies for registration with the Fund, the person shall identify the following beneficiaries in the manner specified herein—

- (a) in the case of a contributor, the national identification number of the contributor;
- (b) in the case of the spouse of the contributor—
 - (i) the spouse's national identification number;
 - (ii) a certificate of marriage issued under the Marriage Act or any other written law;
 - (iii) a certified copy of a certificate of marriage issued under the Marriage Act or any other written law;
 - (iv) an entry in a register of marriages maintained under the Marriage Act or any other written law;
 - (v) a certified copy of an entry in a register of marriages maintained under the Marriage Act or any other written law;
 - (vi) an entry in a register of marriages maintained by the proper authority of the *Khoja Shia, Ith'nasheri, Shia imam, Ismaili* or *Bohra* communities, or a certified copy of such an entry; or
 - (vii) if the marriage was celebrated in a public place of worship but its registration was not required, by an entry in any register maintained at that public place of worship or a certified copy of that entry;
- (c) in the case of a child of a contributor, who is not older than six months, a birth certificate or birth notification;
- (d) in the case of a child of a contributor who is older than six months, a birth certificate;
- (e) in the case of an adopted child of a contributor, a certificate of adoption;
- (f) in the case of a child for whom the contributor stands in *loco parentis*, a will, deed or court order;
- (g) in the case of a person living with a disability and is wholly dependent on a contributor, a national identification number and disability certificate from the National Council of Persons living with Disabilities;
- (h) in the case of a resident foreign citizen, a passport or alien identification card; or
- (i) in the case of a refugee, a refugee manifest issued by the relevant body under the Refugees Act.

Identification of beneficiaries accessing services.

5. A beneficiary who is seeking to access services from the Fund or from a health care provider shall identify themselves by availing the following—

(a) in the case of a contributor—

- (i) the contributor's national identification number and the biometrics of the member;
- (ii) the contributor's registration number and the biometrics of the member;

where biometric identification is not available

- (i) the contributor's national identification number the one-time password; or
- (ii) the contributor's registration number and the one-time password;

(b) in the case of a spouse—

- (i) the national identification numbers for the spouse and the contributor and the biometrics of the spouse;
- (ii) the contributor's registration number, the spouse's national identification number and the biometrics of the spouse;

where biometric identification is not available

- (i) the national identification numbers for the spouse and the contributor and the one-time password; or
- (ii) the contributor's registration number, the spouse's national identification number and the one-time password;

(c) in the case of a child who is younger than seven years—

- (i) the contributor's national identification number and the one-time password; or
- (ii) the contributor's registration number and the one-time password;

(d) in the case of a child who is older than seven years—

- (i) the contributor's national identification number and the biometrics of the child;

where biometric identification is not available

- (i) the contributor's national identification number and the one-time password;
 - (ii) the contributor's registration number and the biometrics of the child; or
 - (iii) the contributor's registration number and the one-time password;
- (e) in the case of a beneficiary who is at least eighteen years but has not attained the age of twenty-one years, has no income and is living with a contributor—
- (i) the contributor's national identification number and the biometrics of the beneficiary;
 - (ii) the contributor's registration number and the biometrics of the beneficiary;

where biometric identification is not available

- (i) the contributor's national identification number and the one-time password; or
 - (ii) the contributor's registration number and the one-time password;
- (f) in the case of a beneficiary who has not attained the age of twenty-five years, is undergoing a full-time course at a university, college, school or other educational institution or serving under articles of an indenture with a view to qualifying in a trade or profession and is not in receipt of any income other than a scholarship, bursary or other similar grant or award—
- (i) the beneficiary's student identification card or other evidence of ongoing education or training and the contributor's national identification number and the biometrics of the beneficiary;
 - (ii) the contributor's registration number, the beneficiary's student identification card or other evidence of ongoing education or training and the biometrics of the beneficiary;

where biometric identification is not available

- (iii) the beneficiary’s student identification card or other evidence of ongoing education or training and the contributor’s national identification number and the one-time password; or
 - (iv) the contributor’s registration number, the beneficiary’s student identification card or other evidence of ongoing education or training and the one-time password; and
- (g) in the case of a beneficiary who is a person living with a disability and is wholly dependent on and living with a contributor—
- (i) the contributor’s national identification card and the biometrics of the beneficiary;
 - (ii) the contributor’s registration number and the biometrics of the beneficiary; or
- (h) where biometric identification is not available
- (iii) the contributor’s national identification card and the one-time password;
 - (iv) the contributor’s registration number and the contributor’s one-time password.

6.

Made on the 2022.

LEWIS NGUYAI,
Chairperson
National Health Insurance Fund Board of Management.