

BAMENDA ECCLESIASTICAL PROVINCE HEALTH ASSISTANCE (BEPHA)

THE CONSTITUTION

PREAMBLE:

Mindful of:

- The financial inability of most of the inhabitants within the geographical boundaries of the Ecclesiastical Province of Bamenda;
- The effects reflected in their inability to get quality health care;
- Undue delays at home before seeking for health care which most often than not aggravates the situation;
- The fact that this lack of quality health care has more often than not resulted in early and rampant death;
- The fact that many families strain financially to treat their sick ones and end up exhausting all family income meant for feeding, education, clothing etc;
- The fact that many people are forced to sell property like farm land, household equipment like TV sets, Radios, Kitchen utensils to treat their sick ones; and
- What Christ teaches in Mt. 25:31-45 that “Whatsoever you do to the least of their brethren that you do onto me.”

The Bishops of the Ecclesiastical Province of Bamenda have decided to start the Bamenda Ecclesiastical Province Health Assistance, now commonly abbreviated and known as BEPHA.

PART ONE: GENERAL PROVISIONS

From the above considerations, the Bishops of the Ecclesiastical Province of Bamenda take up as part of their evangelizing Mission and also as part of their effort in the fight against misery caused by poverty, the duty to ensure among its people:

- Quality and affordable health care, and
- Such solidarity and Mutuality that would enhance holistic and sustainable health care to the entire population of the province.

CHAPTER ONE: CREATION AND NAME:

Article 1: Name

On this day the 23rd of August 2007, the Bishops of the Ecclesiastical Province of Bamenda, at a provincial council meeting held in the Bishop’s House Kumbo, decide to create with a view to enhancing a holistic, affordable and sustainable health assistance scheme for the people of the Ecclesiastical Province, a Mutual Health Organization hereafter referred to as **the Bamenda Ecclesiastical Province Health Assistance (BEPHA)**. This is a Common Initiative Group (CIG) in accordance with

law number No.92/006 of 14th August 1992 and its degree of implementation No. 92/455/PM of 23rd November, 1992.

Article 2: Area of Jurisdiction and Head office

- a) **Area of Jurisdiction:** The area of jurisdiction of BEPHA is the geographical area covered by the four dioceses of the ecclesiastical province of Bamenda - Cameroon (Kumbo, Bamenda, Mamfe and Buea). But for BEPHA Buea Diocese, its jurisdiction is the geographical area covered by the Diocese of Buea.
- b) **Head office:** The Provincial Office of BEPHA was formally in the Diocese of Mamfe, but has now been moved to the Archdiocese of Bamenda. It is subject to transfer as need arises.

Article 3: Duration

BEPHA shall exist for an unlimited number of years.

Article 4: Legal Status

BEPHA, as a Mutual Health Organization, is non-profit, Common Initiative Group (CIG) and apolitical organization, transcending religious and ethnic boundaries within the defined territory of operation. BEPHA is pro-life and at all times operates with regard to Catholic doctrinal and moral principles (as far as Life and Health are concern). These latter two principles at not subject to change. BEPHA is however open for cooperation ties with any group and association/organization, trade union, so long as the cooperation ties aim at contributing to achieving its objectives.

Article 5: Objectives

The Objectives of BEPHA are:

- ✓ To contribute to make quality health care accessible to its members.
- ✓ To provide quality health care to its members at a cheaper rate.
- ✓ To encourage members to live in solidarity and offer mutual assistance to each other.
- ✓ To alleviate misery by promoting good health
- ✓ To promote the attitude of precaution by pre-saving for health.
- ✓ To provide sustainable health care to the entire population.
- ✓ To provide holistic health care to its members and beneficiaries.

Article 6: Activities of BEPHA

The activities of BEPHA include:

- Creating and promoting a Mutual Fund for all Members and Beneficiaries
- Providing preventive, promotional and curative health care to its members.
- Inform and communicate health matters to the entire population
- Payment of health care bills.
- Health Education (e.g. HIV/AIDS) and Sanitation
- Hospital Chaplains

The General Assembly may decide to extend the fields of intervention in health related issues.

CHAPTER 2: MEMBERSHIP

Article 7: Kinds of Membership

BEPHA shall be made up of the following categories of members:

- Ordinary members
- Honorary members (Sponsors)

Article 8: Membership

The ordinary members are representatives of households or social groups who have paid their adhesion fees and who by their regular payment of yearly contributions, make it possible for the organization to continuously achieve its objectives. Members have voting rights while dependents do not.

Membership is voluntary, and the member shall commit him to pay his annual contributions or premiums and those of his dependents.

Article 9: Dependents

Dependents pay annual premiums. They pay the same annual premiums like members to enjoy the health services offered by BEPHA. They can attend the General Assembly of BEPHA, but do not have voting rights.

The total number of dependents per member shall be a minimum of 3 and not exceed 10.

Article 10: Honorary members:

The title of honorary member shall be invested by the General Assembly on proposal by the Board of Directors, to people having rendered exceptional services or outstanding contributions both moral and financial to BEPHA.

CHAPTER THREE: RIGHTS AND OBLIGATIONS

Article 11: Obligations of members and dependents:

Members and Dependent shall:

- 1) Comply with the laws governing the organization as well as decisions taken by the General Assembly and the Provincial Office.
- 2) Stand by their commitment to use the services and facilities of the organization in accordance with the Constitution and Manual of Procedures.
- 3) Pay registration fees and premiums under the conditions laid down in the Internal Rules and Regulations of BEPHA.
- 4) Qualify for health care benefit only if they are up to date with the payment of premiums and have observed the waiting period.
- 5) Observe a waiting period of one month (30days) for minor risks, and 6 months (180days) for surgery. For a pregnant woman to benefit from the services and

facilities of BEPHA, she must have attended a minimum of 3 ante natal clinics (not only within the last three months of her pregnancy).

Article 12: BEPHA's obligations to its Members

1. BEPHA shall give adequate information and sensitization of its activities to enable members to participate fully.
2. BEPHA shall give each member a fair chance of voting and being voted into any electoral office of the organization.
3. BEPHA shall allow members to use its services and facilities as spelt out in the Internal Rules and Regulations and Manual of Procedures of BEPHA.
4. The services offered by BEPHA to Members and Dependents shall be reviewed each year at the BEPHA Coordinators' Annual Meeting (BECAM). The proposals from the various Diocesan Board of Directors shall be sent to this meeting through the Diocesan Coordinators and the decision arrived at shall be presented to the General Assembly.

CHAPTER FOUR: WITHDRAWAL, SUSPENSION AND EXPULSION

Article 13: Suspension

The Board of Directors may after a careful study of a situation suspend a member or dependent, whose behaviour causes damage to the reputation of BEPHA. This decision must be validated by the Provincial Office

Article 14: Withdrawal/ Expulsion

It is only the General Assembly that can decide on the expulsion of a member or dependent, through a 2/3 majority vote of members in attendance.

Any member shall be considered withdrawn if;

- He fails to renew his premium within two months after the expiry of the previous years premium
- He informs the Board of Directors of his intention to withdraw.

Article 15: Resignation

- A member who resigned and later wants to be re-instated shall register as a new member.
- A member who was expelled may not be re-instated.
- Resignation as well as expulsion shall not give right to any re-imburement of premiums.

**PART TWO
ORGANIGRAMME**

Article 16: Organs

The organs constituting BEPHA are:

- The General Assembly
- The Board of Directors

- The Finance Committee
 - The Executive Committee
 - The Health Committee
 - The Control Committee
 - The Management Staff
1. **The General Assembly** is made of registered members of BEPHA who will deliberate on issues concerning BEPHA, the services offered and the Partner Health Care Providers.
 2. **Board of Directors:** It is made up of the Bishop or his delegate, Vicar General, Financial Secretary, Diocesan Health Coordinator, BEPHA Provincial Coordinator, The BEPHA Diocesan Manager, The President, Secretary and 3 elected persons of the General Assembly, and Medical Adviser.
 3. **Finance Committee:** Is made up of the Diocesan Financial Secretary and the Secretary of the General Assembly.
 4. **Executive Committee:** Is made up of the BEPHA Diocesan Coordinator, the President, and one elected member from the General Assembly.
 5. **Health Committee:** It is made up of the Diocesan Health Coordinator, The Medical Adviser, and one elected member from the General Assembly. The members should be persons who are competent in the domain of health.
 6. **Control Committee:** It is made up of the Auditor, Provincial Coordinator and two elected members from the General Assembly.
 7. **Management Team:** It is made up of the Manager, Secretary, Accountant and BEPHA Representatives at the level of Partner Health Care Providers.

CHAPTER FIVE: THE GENERAL ASSEMBLY OF MEMBERS

Article 17: Authority

The General Assembly of Members shall be the supreme authority of BEPHA at the Diocesan level, while the Provincial Office is the supreme authority for all of BEPHA. The General Assembly shall meet once a year in an ordinary session. An extraordinary session shall be convened as need arises by the Board of Directors. The General Assembly is BEPHA's highest postulating body. It proposes general policies. Its decisions are binding on all its members. It must be convened at least once a year by the Chairman of the Board of Directors (BOD) who is the Bishop of the Diocese, to approve the annual financial statement (accounts and the budget), proposals by the BOD and the plan of action of BEPHA.

Article 18: Elections

- Elections into the Board of Directors (BOD) and other organs of BEPHA shall be done every two years and as need arises, at the General Assembly. An elected member shall serve a term of two years renewable once.
- Voting shall be done by secret ballot, whereby the vote shall go to the candidate who has received 50 percent plus one of the votes cast.

- Voting at the General Assembly shall be chaired by a neutral person elected from the General Assembly in sitting. The function ends once the results are proclaimed by him.
- The members viable for elections are those who have been in BEPHA for at least two consecutive years.

Article 19: Meetings

Convocation to the General Assembly must indicate the Agenda, the date and the place, and shall be issued at least two weeks before time.

The minutes of each General Assembly shall be fully developed and made available at the Provincial and Diocesan BEPHA offices one month after each meeting. They shall be accompanied in each case by an attendance register.

Article 20: Quorum

The General Assembly shall validly deliberate only if fifty percent plus one of its ordinary members is present. If these conditions are not met, a second General Assembly shall be convened 14 days afterwards under the same conditions. It shall then deliberate validly irrespective of the number of members present.

Article 21: Decision Making

Ordinarily, decisions require a simple majority of votes cast. Extraordinary matters shall require qualified majorities viz.:

- Amendments of the Constitution and Expulsion of a member (2/3 majority of valid votes cast) and approval of Provincial Office.
- Merging with another Mutual Health Organization (MHO) (3/4 majority votes cast) and approval of Provincial Office.

Article 22: Policies

The Board of Directors defines the mission of BEPHA and formulates her general policy. The General Assembly:

- Examines and approves reports of the various organs
- Votes members into the various committees of BEPHA
- Proposes membership fee and annual contribution
- Examines and approves the budget, and
- Proposes the new plan of action.

CHAPTER 6: BOARD OF DIRECTORS (BOD)

Article 23: The General Assembly may delegate part of its powers to the Board.

Article 24: The BOD of BEPHA shall be made up of twelve members, seven of whom are ex officio members, while five others are elected Members from the General Assembly.

The Ex officio members are:

- Bishop of the Diocese (the Chairperson of the Board)
- BEPHA Provincial Coordinator
- Vicar General of the Diocese.
- Financial Secretary of the Diocese

- Diocesan Health Coordinator
- Diocesan BEPHA Manager.
- Diocesan Medical Adviser

The five elected Members from the General Assembly are:

- President of the General Assembly
- Secretary of the General Assembly
- One representative at the Health Committee
- One representative at the Executive Committee
- One Ordinary member at the BOD.

The term of office for elected members into the BOD is two years, with the possibility of being re-elected once only.

Article 25: To be eligible for election into any post, members should be up to date with their premiums and most have been in BEPHA for at least two conservative years.

Article 26: The Board of Directors shall meet quarterly and by convocation of the Bishop (Chairperson of the BOD). The convocation, done in writing and shall be issued to members two weeks before. An extra-ordinary convocation shall be done if requested by half of the members of the BOD.

Article 27: The Board shall deliberate only if at least half of its members are present. The decisions are made by a majority vote. In the event of equality; the Chairperson puts the casting vote. Each meeting shall be followed by an official report read and adopted in the next meeting of the BOD.

Article 28: The Board shall have all powers that are not expressibly stated in the Constitution as belonging to the General Assembly. It shall ensure the management of BEPHA and the implementation of its programs and budgets. Its activities shall be recorded in a report presented to the General Assembly.

Article 29: The Board may delegate under its responsibility and its control part of its duties. To this end it shall recruit permanent personnel of BEPHA.

Article 30: The functions of members of the Board shall not be remunerated. Certain expenses incurred in the discharge of duties may be reimbursed.

CHAPTER SEVEN: FINANCE COMMITTEE

Article 31: Composition of Finance Committee

The Finance Committee shall be composed of two members:

The Financial Secretary of the Diocese, the Provincial Coordinator and
The Secretary of the General Assembly.

The Finance Committee shall report its activities to the Board.

Article 32: Duties of the Finance Committee

The Finance Committee shall be charged with monitoring the financial operations of the Management staff of BEPHA. This shall be in conformity with the Constitution and Manual of Procedures.

It shall also assist the Board and Management through proposing any improvements on the financial policies of BEPHA. Management must involve the Finance Committee appropriately in all matters concerning Financial Planning and Budgeting.

Article 33: The Activities of the Finance Committee

- The Finance Committee will meet four times a year. At the end of each meeting, an official report which is duly signed and dated shall be forwarded to the BOD within one week after the meeting.
- Management and staff must grant the Finance Committee and Provincial Office access to all books of accounts, all supporting documents and be available for any information and explanation required.
- It shall prepare an annual financial report which shall be presented to the members during the General Assembly meeting.

In the discharge of its duties, the Finance Committee may seek other internal or external expertise, where indicated, on approval by the BOD.

CHAPTER 8: EXECUTIVE COMMITTEE (EXCO)

Article 34: Composition of Executive Committee

The Executive Committee shall comprise of three members:

- The President of the General Assembly.
- The BEPHA Coordinator.
- One elected member by the General Assembly.

Article 35 : Duties of the Executive Committee

The Executive Committee shall oversee the day-to-day functioning of the Management Staff of BEPHA (Manager, Secretary/Accountant and BEPHA Staff at Partner Health care Providers).

CHAPTER 9: HEALTH COMMITTEE

Article 36: Composition of Health Committee

It is made up of three members:

- The Diocesan Health Coordinator
- The BEPHA Medical Adviser.
- One elected member by the General Assembly.

Article 37: Duties of the Health Committee

The Health Committee:

- Proposes the health care services to be covered and their prices.
- Studies the reports and comments of the Medical Adviser,
- Supervises the activities of the Medical Adviser.
- Makes proposals to the BOD on Health Matters.
- Improvise methods and activities that constantly ensure quality health care at partner Health Units.
- Supervising the quality of health care offered at Partner Health Facilities.

The Health Committee meets every three months.

CHAPTER 10: THE CONTROL/SUPERVISORY COMMITTEE

Article 38: Composition of the Control Committee:

The Control Committee is made up of:

- An Auditor (elected by the General Assembly),
- The Provincial Coordination, and
- Two elected persons by the General Assembly.

Article 39: Duties of the Control Committee:

- Oversees all the activities of BEPHA
- Reports directly to the General Assembly, copying the BOD.
- Ensures regular inspections of reports and financial records of BEPHA.

The Control Committee shall meet twice annually or when need arises.

CHAPTER 11: THE BEPHA COORDINATOR AND MANAGEMENT STAFF

Article 40: The BEPHA Manager:

The BEPHA Manager is the head or Principal Administrator of BEPHA at the Diocesan level. The BEPHA Manager shall be appointed by the Chairperson of the BOD. The BEPHA Manager is in charge of coordinating all BEPHA activities in the Diocese. He works in close collaboration with the Diocesan Health Coordinator and the Provincial Office. He is directly answerable to both the Chairperson of the BOD and the Provincial Coordinator, to whom he forwards quarterly reports.

Article 41: The following staff shall constitute the management staff of BEPHA:
management staff of BEPHA:

Manager,
Secretary/Accountant,
Medical Adviser,
BEPHA Staff at Partner Health Care Providers.

Provincial Coordinator,
Statistician/ Monitoring Specialist,
Provincial Secretary/Accountant.

Article 42: The Manager:

Oversees the functions of all the management staff of BEPHA

Relates with the public on behalf of BEPHA

Initiates and signs all necessary operational correspondences.

Safeguard personnel files, contracts with external partners and all BEPHA documents.

Writes reports to the BOD, The Provincial Office and the General Assembly.

Ensures that the financial records are updated and reports are prepared in time

Researches avenues for increasing financial resources of BEPHA.

Attends the meetings of all the organs and collaborates with them in the execution of their respective tasks.

Keeps an inventory of all BEPHA assets – fixed and unfixed.

Update adhesion ledger.

Ensure production of adhesion cards.

Article 43: The Secretary/Accountant:

Prepares all correspondences for signature of the Manager and BEPHA Coordinator

Classifies and document the various files of BEPHA like minutes, justifications, reports, mails, reports, mails, managerial tools, etc.

Receives and dispatches the various correspondences and necessary documentation using using necessary registers.

Issues guarantee letters.

Update the partial contribution ledger.

Ensure the adequate use logistic ledger.

Ensure the proper usage of financial tool.

Key in adherence information into the BEPHA Adhesion Software.

Register incoming bills.

Fill-in and update follow up forms.

Updates the financial records daily and prepares and makes available the financial reports on reports on request.

Prepares the quarterly and annual financial report of the Finance Committee for presentation to the presentation to the BOD, Provincial Office and General Assembly, respectively.

Attends meetings to which he is invited and prepare minutes for such meetings.

Article 45: The Medical Adviser:

The Medical Adviser shall:

Follow up to ensure the correct application of the contracts by verifying the bills forwarded by forwarded by Partner Health Care Providers.

Alerts the management, and where necessary the BOD, of possible abuses.

Prepares and presents a quarterly report to the Health Committee.

Article 46: The BEPHA Representative at Partner Health Care Providers

Health Care Providers

He/She shall:

Identify Beneficiary Cards and Guarantee Letters and issue treatment forms to all BEPHA clients at the Partner Health Care Service Provider.

Ensures the correct usage of BEPHA managerial tools, coverage of BEPHA services

- and payment of bills as spelt out in the benefit plan.
- Observe possible areas for quality control in the Health Unit and report to the Manager.
 - Do sensitization and publicity of BEPHA in the Partner Health Unit.
 - Do registration instantly for persons interested during publicity.

PART THREE: FINANCIAL PROVISIONS

CHAPTER 12: FINANCIAL YEAR AND MODE OF DISBURSEMENT OF FUNDS

Article 47: The Financial Year

The financial year of BEPHA of all the Dioceses, shall run from 1st of May to of April.

Article 48: BEPHA Budget

The General Assembly shall postulate the budget of BEPHA presented by the budget of BEPHA presented by the BOD and the Provincial Office will confirm the budget. In situations where management needs to make exceptional expenses before the General Assembly meets, the budgeted and substantiated expenses shall be approved by the BOD and report to the General Assembly.

Article 49: Spending of Budget

The Management is authorized to carry out expenses within the confines of the approved and obtaining justifications for every amount of money spent. Disbursement of funds is governed by the Manual of Procedures.

Article 50: Bank Accounts

The Bank Accounts of BEPHA shall have three signatories: that of the President of the Assembly, the Diocesan Financial Secretary, and the Coordinator of BEPHA. In order to release funds, a minimum of two of the signatories is required. However, the approval of the President of President of the General Assembly must be sort if he is not physically present to sign.

PART 4 MISCELLANEAOUS PROVISIONS:

CHAPTER 13: APPLICATION AND AMENDMENTS

Article 51: Amendment of the Constitution

- Only the General Assembly or an assembly convened for this purpose shall be qualified to amend the Constitution.
- Proposals for amendment shall be forwarded to the Board of Directors one (thirty (30) days) before the General Assembly meets.

- Fifty percent plus one of members of the convened Assembly should be present amendment to be valid.

Article 52: Manual of Procedures

The Manual of Procedures shall be established by the Provincial Office. The shall propose modifications (if necessary) which must be confirmed by the Provincial Office before ratification.

CHAPTER 14: ADHESION OR MERGING WITH OTHER UNIONS

Article 53: Merging:

BEPHA may merge with one or more unions or Health Associations. However, decision can be postulated only by the General Assembly and confirmed by the Provincial Office.

CHAPTER 15: DISSOLUTION AND LIQUIDATION

Article 54: Dissolution

Only an extraordinary General Assembly, convened for this purpose, shall on the dissolution of BEPHA and this will be confirmed by the Provincial Office.

Article 55: Liquidation

In the event of dissolution, the General Assembly shall decide on the use of the and assets of BEPHA. The obligations to third-parties have to be duly respected.

Article 56: Signatories

Ratified by the Provincial Office of BEPHA

Represented by its Provincial Coordinator:

Name:

Signature.....

Approved by the President of BAPEC or His Representative,

Name:

Signature..... (Seal)