



ICRC Bulletin

SECOND QUARTER 2022



Garki Hospital Abuja Theatre

ACCESS TO QUALITY HEALTHCARE IN NIGERIA: THE PPP CONTEXT

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EDITOR – IN – CHIEF’S DESK

Dear Reader,

The ICRC Bulletin Editorial Team is pleased to present the 2nd edition for the year 2022. The theme for this quarter’s edition is “Access to Quality Healthcare in Nigeria: The PPP Context”.

Our feature story was written by Mr. Chinedu Nwigwe of the Social Infrastructure Unit, PPP Resource Department of ICRC. The article, which has same title as the theme notes the importance of Public Private Partnerships (PPPs) in the provision of a variety of medical services. It draws attention to the proactive steps that ICRC as the Federal



Government’s PPP promoter and regulator is taking to ensure that the enabling environment for PPPs to progressively develop is provided, so as to incentivize the private sector.

The second feature story was written by Mr. Patrick Ederaro of the Media & Publicity unit of the ICRC and titled “PPP in Healthcare: A Personal Experience From Garki Hospital”. In the story, Mr. Ederaro shared his personal experience when he recently used the facilities at Garki Hospital Abuja (GHA). GHA is one of the successful PPP projects in Nigeria’s healthcare sector.

Our knowledge management article is on “Creating Investor Buzz about PPPs Through Market Sounding & Project Pipelines” written by David Baxter. It points to the fact that marketing a viable emerging PPP programme involves a two-pronged approach. He said in the first place, governments should undertake a private sector market sounding exercise through a timely structured dialogue where programmatic and project viability is tested for attractiveness and interest from developers and investors. This should then be followed by creating a prospective project pipeline that communicates the status of projects to the private sector, allowing them to mobilize resources for future procurements.

Our health and wellness story is titled ‘CDC Issues New Opioid Prescribing Guidance, Giving Doctors More Leeway To Treat Pain’. The article draws attention to the Centre for Disease Control’s 100-page document and its topline recommendation which serve as a roadmap for prescribers who are navigating the thorny issue of treating pain, including advice on handling pain relief after surgery and managing chronic pain conditions.

We do hope you enjoy reading this edition.

Manji Yarling

AG. DG's STATEMENT



Dear colleagues, it's my pleasure to address you once again through this medium. The Commission continues to make progress as we strive to consolidate on the successes of the past. Let me start by commending the Media & Publicity Unit for sustaining the production of good quality Bulletins, complete with rich and insightful articles for the benefit of readers. I encourage you to keep up the good work.

I am happy to note that although the year is barely half way gone, we have recorded key milestones for which we can all be proud.

Under the regulatory guidance of the ICRC, the contract agreement for the E- Customs project, which is set to transform the business processes of the Nigeria Customs Service was signed between the Service and the Concessionaire, Trade Modernisation Project Ltd on 30th May, 2022 in Abuja.

Similarly, 9 Outline Business Case Compliance Certificates and 6 Full Business Case Compliance Certificates were issued in respect of various projects across MDAs within the period under review. These projects include:

1. 5 multi-specialist hospitals across 5 - locations Maiduguri, Port Harcourt, Lagos, Kaduna and Abuja by NNPC Management Services Limited;
2. Decontamination & Fumigation Project for vessels arriving all seaports in Nigeria (Federal Ministry of Health);
3. Maximization of revenue from water bills in FCT by the Ministry of Federal Capital Territory;
4. Digital Industry Trade and Investment Platform (DITIP) of the Federal Ministry of Industry, Trade & Investment;
5. 136 MW Manya Hydropower Generation Facility, Taraba State (Federal Ministry of Water Resources);
6. 182 MW Bawarku Hydropower Generation, Benue State (Federal Ministry of Water Resources);
7. Construction of students hostels on a PPP arrangement (Federal Ministry of Education/University of Uyo);
8. Redevelopment of the Nigerian Police Barracks at Falomo, Ikoyi and Ijeh in Obalende (Nigeria Police Force);
9. Development of 6 Cargo/Agro Airports in the geo-political zones (Federal Ministry of Aviation).

The Commission issued Full Business Case Compliance Certificates for the following projects:

1. Secure Ticketing Solution for the Lagos – Ibadan Standard Train service. (Federal Ministry of Transportation/Nigerian Railway Corporation)
2. Secure Ticketing Solution for the Warri – Itakpe Standard Train service (Federal Ministry of Transportation/Nigerian Railway Corporation)
3. FBC for the Floating Dry Dock for NIMASA (Federal Ministry of Transportation)
4. Development of Deep-Sea Port in Badagry, Lagos (revalidated, Federal Ministry of Transportation)
5. Concession of land in Ikeja, Lagos (Revalidation) in favour of Fishvalley Nigeria Ltd concessionaires of the project (Federal Radio Corporation of Nigeria)
6. Research and Development of Satellite Technology and Equipment for the provision of cost-effective satellite broadband to rural Nigeria. (National Space Research & Development Agency).

The Commission, in exercise of its regulatory powers hosted delegations from Defence Industries Corporation of Nigeria (DICON) and Nigerian Customs Service (NCS) on consultative visits where issues around their respective PPP projects were discussed while the Inauguration of a Project Steering Committee (PSC) and a Project Delivery Team (PDT) at Federal University of Petroleum Resources, Effurun, Food Court Project held on 22nd April 2022.

We continue to monitor proceedings at the National Assembly, with regards to the amendment of the ICRC Act. This is a particularly important undertaking as it would remarkably impact on the scope and powers of the Commission as a regulator upon amendment and eventual Presidential Assent. As of date, the Bill has scaled first reading in the House of Representatives.

Let me take this opportunity to commend staff for the sustained commitment to the Commission and to Nigeria. We must continue to uphold the virtues of hard work and diligence if we must witness the Nigeria of our collective dreams.

God bless the Federal Republic of Nigeria. God bless the ICRC.

J. A. M Ohiani

Acting Director General/CEO

FEATURE STORY 1

ACCESS TO QUALITY HEALTHCARE IN NIGERIA: THE PPP CONTEXT

Written by Chinedu Nwigwe

Social Infrastructure Unit, ICRC

Over the years, successive governments at the Federal, State and Local Government levels have struggled with the social responsibility of providing quality and accessible healthcare to Nigerians. This herculean responsibility poses challenges that border primarily on access to finance to equip healthcare institutions, robust, accessible and affordable health insurance, efficient operation and maintenance of health institutions, effective delineation of primary, secondary and tertiary healthcare and more recently, the massive exodus of medical professionals out of the country.

The private sector contributes its quota to the delivery of healthcare in Nigeria through non-governmental organizations, profit-oriented private providers, community-based organizations, religious/traditional organizations. However, access and quality differ based on affordability and available medical personnel.



ICU, Garki Hospital Abuja,

The Guardian Newspaper reported that Nigeria loses about \$1.2 billion (N514 billion) annually on medical tourism. (<https://guardian.ng/news/nigeria-loses-over-n576b-yearly-to-medical-tourism/>).

According to the Daily Trust Newspaper, Nigeria lost over 9,000 medical doctors to the United Kingdom, Canada and the United States of America between 2016 and 2018. (<https://dailytrust.com/nigeria-lost-over-9000-doctors-to-uk-others-in-2-years-nma#:~:text=News~,Brain>).

In its quest to provide quality, affordable and accessible healthcare to Nigerians and eradicate medical tourism and brain-drain in health institutions, the Federal Government of Nigeria through the Infrastructure Concession Regulatory Commission (ICRC) is in the process of galvanizing the private sector and multilateral organizations towards wholistically developing the healthcare system.

Consequently, the Nigerian National Petroleum Corporation (NNPC) Medical Services Ltd (NMSL), in partnership with the Infrastructure Concession Regulatory Commission has advanced discussions over the proposed establishment of 5 Specialist Hospitals and one intravenous fluid plant across Nigeria. The Project is envisioned to generate over N207 billion within the 20-year concession period.

The facilities which are to be established under a Design- Build-Finance-Operate-Maintain (DBFOM) Public Private Partnership Model, is to be established across five states of the country including Rivers, Lagos, Kano, Borno and the Federal Capital Territory.

The Public-Private Partnership (PPP) approach is geared towards leveraging private sector finance and expertise towards the provision of quality healthcare at the secondary and tertiary levels.



Special Care Baby Unit (SCBU), Garki Hospital Abuja

The proposed projects include:

- Lagos Multi-Specialist Hospital (MSH)Project
- Maiduguri Multi-Specialist Hospital (MSH)Project
- Kano Cancer Centre Project
- Kano Intravenous Fluid (IVF) Plant Project
- Port-Harcourt Multi-Specialist Hospital (MSH)
- Abuja Multi-Specialist Hospital (MSH)

Collectively, these multi-specialist hospitals are proposed to offer several services in diverse clinical areas which include, but are not limited to the following:

- Oncology
- Neurology
- Assisted Reproduction (IVF)
- Orthopaedics, Intensive Care Unit (ICU)
- Cardiology (including minimally invasive surgery)
- Obstetrics and Gynaecology
- Orthopaedics
- Pulmonology (including assisted reproduction)
- Cerebrovascular Surgery (Neurology)
- Nephrology (including kidney transplantation)
- Comprehensive Cancer Treatment
- Intravenous Fluid (IVF)

It is envisaged that upon completion of these projects, Nigeria would experience a drastic decline in medical tourism and brain-drain as competence, local content, staff welfare and conducive working environment would be prioritized while engaging doctors, pharmacists, radiologists, nurses, and other health workers in the hospitals. The success of this phase of projects will lead to the establishment of many more specialist hospitals across the country.

The demand for healthcare post-covid has heightened the need for policymakers and government to adopt more radical strategies towards addressing the gap in the delivery of healthcare from primary to tertiary levels. The private sector has demonstrated capacity in terms of finance and human capital in providing quality and accessible healthcare through partnerships with the government.

The ICRC as the Federal Government's PPP promoter and regulator is taking proactive steps to ensure that the enabling environment is progressively developed to incentivize the private sector.

The ICRC is also exploring opportunities to boost primary healthcare availability and access to lessen the pressure on secondary and tertiary health institutions.

FEATURE STORY 2

PPP IN HEALTHCARE: A PERSONAL EXPERIENCE FROM GARKI HOSPITAL

Written by Patrick Ederaro

Media & Publicity Unit

According to World Health Statistics, an annual publication of the World Health Organization (WHO) published in 2014, in most countries, healthcare delivery involves a combination of public provision as well as a range of entrepreneurial initiatives, usually referred to as private sector or private provision. This private provision is a substantial and growing sector that is capturing an increasing share of the healthcare market across the world as it becomes increasingly difficult for governments to continue to adequately finance the health sector. In Nigeria, the health budget of N440 billion in 2020 was the highest in 5 years and although this amounted to about 4.5 per cent of the total government budget for that year, it still falls short of the 15 per cent agreed in the Abuja declaration.



A view of the entrance of Garki Hospital Abuja (GHA)

Nigeria's health sector, as with virtually every other sector of national life, is in dire need of infrastructural upgrade in line with global standards. If the country is to meaningfully address the challenge of medical tourism frontally, deliberate and actionable steps must be taken to confront the observed gaps in the health sector as well as the accompanying pressure on scarce foreign exchange. While the prospects of addressing these gaps from the national budget in the face of current fiscal squeeze may be unrealistic in the foreseeable future, PPP in healthcare provides a silver lining in addressing the challenges in the sector.



Garki Hospital laboratory

On a recent visit to Garki Hospital on routine medical checkup, I observed with excitement that virtually every aspect of its administration/operations had gone fully digital. From procurement of hospital cards, records management, laboratory services and medical consultation, typically carried out manually in most public healthcare facilities have been fully automated.

Upon presentation, I was simply asked for my personal details which were imputed into a centralized database the first time and all subsequent appointments were confirmed electronically from that point. When it comes to payment, you simply move to the designated payment point where every detail about your consultation as well as cost would have been computed and passed on for ease of processing.



Department of Family Medicine, Garki Hospital

It is also noteworthy, that Garki Hospital boasts of specialists and consultants in virtually every relevant area of medicine including cardiology, oncology, pediatrics, gynecology, urology among others while wait time is significantly minimized as it is also electronically managed. The hospital equally boasts of an impressive array of modern and functional equipment.

Private sector participation/financing in the health sector is necessary, and has the potential of transforming healthcare from a social service to a business gaining some value addition and efficiency for government at all levels as demonstrated in the case of Garki Hospital Abuja.

A lot still needs to be done in the area of infrastructural upgrade, aesthetics and proper lighting within and around the precincts of the hospital. However, Garki Hospital would pass for as one of the success stories in healthcare PPP in Nigeria when benchmarked against similar healthcare institutions on the basis of value for money and efficiency.

KNOWLEDGE MANAGEMENT

CREATING INVESTOR “BUZZ” ABOUT PPPS THROUGH MARKET SOUNDING & PROJECT PIPELINES

DAVID BAXTER



Image from © Shutterstock photography

To market a viable emerging PPP programme, market outreach and project pipeline development must go hand in hand.

While providing public-private partnership (PPP) advisory services to three emerging government PPP initiatives in Sri Lanka, the Maldives, and Nepal I’ve been asked by senior officials how they can be more competitive with their larger neighbours who already have investor-friendly PPP environments. My answer is always that they can be competitive if they strategically mobilize resources to create an investor “buzz” about opportunities.

This involves a two-pronged approach. In the first place, governments should undertake a private sector market sounding exercise through a timely structured dialogue where programmatic and project viability is tested for attractiveness and interest from developers and investors. This should then be followed by creating a prospective project pipeline that communicates the status of projects to the private sector, allowing them to mobilize resources for future procurements.

Market sounding is in essence a marketing exercise where the public sector “sells” projects to skeptical developers and investors who are looking at a wide set of investment opportunities, often in competing PPP markets . This means the public

sector must acknowledge that investors are seeking answers to questions that will affect their perceptions of risk and, ultimately, project bankability. Project proponents need to be extremely motivated and engage effective messaging to tell a compelling story about their vision.

Pragmatic market sounding initiatives should be open to constructive criticism and feedback from the private sector. Sugar-coating potential risks will not work with seasoned developers and investors who most likely know more about proposed project challenges than the initiating agency. Positively, market sounding allows the private sector to share innovations that could improve project bankability ; it allows the public sector to take corrective actions on identified project deficiencies. Fundamentally, it strengthens potential partnerships by addressing private sector's concerns and insights.

Market sounding requires laser-focused public sector market assessment research to show a deep understanding of market perceptions. Gleaned information—including the good and not so good—needs to be candidly shared with investors and developers. It must be remembered that market outreach's ultimate goal is to create private sector interest and demand for proposed public sector programmes based on facts and figures that help assess project risk. Successful sector market sounding allows discovery of the optimum level of potential private sector participation thereby contributing to successful procurement processes. Finally, a successful market sounding exercise will allow the public sector to capitalize on the private sector's ability to assess, price, and manage certain types of project risk.

APMG's PPP certification book of knowledge recommends best practices that include:

- Ensuring a clear understanding of the purpose of the market sounding exercise.
- Implementing transparent communication that includes industry communication where information is provided and solicited through project information exchanges, memoranda, and the publishing of draft contract for comment.
- Ensuring that market sounding is in harmony with relevant procurement rules.
- Developing a clear process for selecting organizations to submit written suggestions.
- Ensuring that feedback is not dominated by one party resulting in a bias that would favor them during procurement.
- Keeping an open mind to potential recommendations.
- Developing filters to screen biased feedback from the private sector.
- Documenting all meetings, decisions, and procedures so that a clear audit trail of all the feedback provided by the private sector is kept.

It's important that once gathered, information is processed and considered for inclusion in the programme and project scope. Also, content decisions should be tested with internal stakeholders and political leaders to ensure their ongoing support.

Information gathered during market sounding allows the development of a comprehensive pipeline of bankable, tangible, and prioritized projects to be shared with the private sector.

The Global infrastructure Hub (GIH) emphasizes the value in marketing a pipeline of projects, rather than a single opportunity—noting it's especially important for new national PPP programmes as it gives investors an incentive to engage, mobilize, and invest resources in a repetitive, sustainable, and viable market.

Unfortunately, many countries that launch a PPP programme still lack a visible pipeline. Pipelines should be prominently displayed on government websites, preferably by an authorized national PPP champion organization. A great example of this is Kenya's PPP Unit.

Pipelines serve as de facto announcements by governments they are ready for business, but they should not be unreasonably ambitious. GIH's Global Infrastructure Project Pipeline is another strong example: it shows eight information progress stages that should be included in a pipeline project website. They include: the initial government announcement; project investigation; start of feasibility study; completion of feasibility study; government approval and procurement; successful procurement; financial close/start of construction; and operations phase/construction completed. Ongoing progress announcements of stages give the private sector an indication of the viability of project pipelines and PPP project implementation success.

In summary, there's no shortcut to market a viable emerging PPP programme: it's essential that both market outreach and project pipeline development go hand in hand. This will create private sector interest and lead to more successful procurements that are transparent and competitive.

And let's keep in mind why all this matters: ultimately, we're looking to secure more financial resources and know-how to build infrastructure that will increase people's access to services that help them increase their quality of life.

<https://blogs.worldbank.org/ppps/creating-investor-buzz-about-ppps-through-market-sounding-project-pipelines>

2ND QUARTER 2022 3PUCF MEETING REPORT

ICRC REITERATES NEED FOR VIABLE PROJECTS THROUGH PPP



Ag. DG delivering his address at the 2nd Quarter 3PUCF Meeting

The Infrastructure Concession Regulatory Commission (ICRC), has reiterated the need for viable and bankable projects that will be delivered through PPP, especially in the critical sectors.

The Acting Director-General, ICRC, Mr. Michael Ohiani, said this at the 2nd Quarter Public Private Partnership Units Consultative Forum (3PCUF) held 2nd June 2022 in Abuja.

The meeting was sponsored by the Nigerian Ports Authority (NPA).

Ohiani said the government had given the ICRC and Ministries Departments and Agencies (MDAs) the task to deliver more than 80 percent of all infrastructure projects through the Public Private Partnership (PPP).

He said the task was in line with the 2021-2025 mid term expenditure framework of the National Development Plan (NDP).

“Although, we all have committed to this, it is now more pertinent to identify and push forward the projects which will offer better value for money to the economy and the citizens through PPP.”

Ohiani said the ICRC had continued to record successes in the issuance of Outline Business Case (OBC) and Full Business Case (FBC) Compliance Certificates on some important projects.

The acting director-general said that the Commission had issued a total number of 127 OBC and 50 FBC Compliance Certificates for some projects.

He said some of these projects include the issuance of FBC compliance certificate to the Federal Ministry of Transportation through the Nigerian Railway Corporation.

This according to him, is to Secure Ticketing Solution for the Lagos -Ibadan Standard Train service and the Warri-Itakpe Standard Train service.

“The NNPC through the NNPC Medical Services Limited (NMSL) has commenced PPP projects to develop five multi-specialist hospitals in five locations which include, Maiduguri, Port Harcourt, Lagos, Kaduna and Abuja.

“It also proposes to establish an Intravenous Fluid Plant in Kano through PPP methodology”.

“The Federal Ministry of Health through the Port Health Department has received an OBC compliance certificate for the decontamination and fumigation project for vessels arriving at all seaports in Nigeria.

“The Federal Ministry of Industry, Trade and Investment (FMITI) is going digital with an OBC compliance certificate for the Digital Industry Trade and Investment Platform.”

Ohiani said that the Federal Capital Territory (FCT) had received an OBC compliance certificate for a project to maximise revenue from water bills in the Territory through the introduction of state-of-the-art water meters.

He said the Nigeria Police Force (NPF) had received OBC compliance certificates to redevelop dilapidated property and barracks across the country. This Ohiani said includes properties in Ikeja, Falomo and Ijeh in Lagos, as well as Guzape in Abuja.

The acting director-general said that an OBC compliance certificate was issued to the NPF to revive its almost comatose airwing facilities to deliver better services through PPP.

Ohiani said the Federal Ministry of Health/UCH Ibadan had received an OBC compliance certificate to renovate and upgrade the School of Nursing students’ hostel in the hospital.

“There are currently 77 PPP projects at implementation (post-contract) stage and 194 projects at development and procurement (pre-contract) stages”.

He said the commission was also in the process of publishing the 2022 Pipeline of Eligible PPP Projects in line with the ICRC Act.

The Managing Director, NPA, Mr Mohammed Bello-Koko in his remarks, said the 3PUCF encouraged the showcasing of Nigeria’s PPPs.

Bello-Koko, represented by the NPA General Manager on PPP, Mrs Ugo Madubike, said the forum was an avenue for MDAs to share experiences, rub minds on their achievements, and challenges relating to PPP procurements in Nigeria.

He said the global infrastructure gap had caused the government to turn to alternative infrastructure investment strategies, including PPPs, as a way to boost productivity.

Bello-Koko said in doing so, the government could leverage risk transfer to the private sector to address infrastructure deficits caused by expanding economies and population growth.

He said the NPA had recorded improvements in operational efficiency and customer satisfaction with no fewer than 26 PPP concessions and other joint venture arrangements.

“The impact of PPP can be seen in the following areas, more efficient port services, upsurge in cargo throughput, reduction in cargo dwell time in the ports, and improved vessel turn-around time.”

” Other impacts are improved infrastructure through rehabilitation, updating and brownfield development; response time to dredging and hydrographic survey, as well as correct defects to navigational aids, has reduced.”

The NPA boss called on the government to make clear demarcations on the roles and functions of MDAs to ensure ease of doing business.

He said there was the need to heighten the advocacy level in the areas of capacity building, discourage political interference, and clarify ambiguities in PPP.

“Above all, there is the need to encourage synergy between the public and private sectors,” he said.

Dr Folashade Yemi- Esan, Head of the Civil Service of the Federation, commended the ICRC for the work they were doing in the area of PPP.

Yemi-Esan, represented by Mrs Agalasi Ehigie, Director, Infrastructure Management, OHCSF, expressed the hope that Nigeria moved forward in getting the infrastructure the country required.

“We pray that the projects get actualised, so the purpose for which these projects are undertaken will be fulfilled, so the government will be able to serve the citizens in the way it is supposed to,” she said

The World Bank’s PPP Knowledge Lab defines a PPP as “a long-term contract between a private party and a government entity.

It is aimed at providing a public asset or service, in which the private party bears significant risk and management responsibility, and remuneration is linked to performance.”

<https://nnn.ng/icrc-reiterates-need-viable/>

WORKSHOPS - TRAININGS - CONFERENCES – SUMMITS – SYMPOSIUMS



ICRC mediating meeting between FAAN and Maevis Nigeria Ltd, concessionaire of Airport Operations Management System (AOMS) on 5th April, 2022



Courtesy Visit of National Space Research & Development Agency (NASRDA) to ICRC on 6th April, 2022



Director of DTID Dr. Emmanuel Onwodi (4th right) chaired over meeting of Review Contract Agreement between NRC and two concessionaires about Secure Ticketing Solutions on 7th April, 2022



Ag DG of ICRC, Mr. Michael Ohiani and his team presenting an FBC Certificates for Secure Ticketing Solution for the Lagos – Ibadan and Warri – Itakpe Standard Train service to the Minister of Transportation, Rotimi Amaechi on 12th April 2022 in Abuja.





Consultation on progress of E-Customs Project Agreement between the DG, ICRC, Mike Ohiani and representatives of the Nigeria Customs Service and the Concessionaires, Trade Modernisation Project Ltd, on 19th April, 2022



Inauguration of PSC and PDT at Federal University of Petroleum Resources, Effurun Delta state for the Food Court Project on 22nd April, 2022



ICRC NIIP3 during a PPP Basic Training for staff of Federal Ministry of Environment on 20th-23rd April, 2022 in Abuja.



ICRC delegation to the 5th National Tourism/Transportation Summit which held at the International Conference Centre, Abuja, 25th April, 2022



Dr. Amanze Okere represented the Ag. DG as a panellist in Deutsche Infrastructure Dialogue Conference at Yar'Adua Center Abuja on 28th April, 2022



Sensitization workshop on Risk Management by Conrad Clark Risk Management Consultants to ICRC Staff on 23rd May, 2022



Courtesy visit by a delegation from NNPC Medical Services Ltd (NMSL) on 25th May, 2022



Signing ceremony of the E-Customs Modernization Project between Nigerian Customs Service and Trade Modernization Project on 30th May, 2022



Stakeholders of Defence Industries Corporation of Nigeria (DICON) on a consultative visit to ICRC on 31st May, 2022



2nd Quarter Public Private Partnership Units Consultative Forum (3PUCF) Meeting at Stonehedge Hotel, hosted by Nigerian Ports Authority on 2nd June, 2022



Director, Contract Compliance Department of ICRC, Dr. Jobson Ewalefoh (1st left), meeting with a delegation from the Defence Industries Corporation of Nigeria (DICON) on 10th June, 2022 in Abuja.

ICRC IN THE NEWS

28th June, 2022

[\\$3.1bn e-Custom project suit: Court shifts hearing to July 6](#)

RETURN OF TOLL PLAZAS ON NIGERIAN HIGHWAYS

It is an accepted norm that governments across the world are put in place to make life more meaningful for the people that are placed under their care. Apart from securing the people via effective mechanisms that would guarantee their safety, the welfare of the people is even one of the core mandates of the government. By this, the government must at all-time pursue the welfare of its people.

[Return Of Toll Plazas On Nigerian Highways](#)

27th June, 2022

FG COMMITS TO INFRASTRUCTURAL DEVELOPMENT THROUGH PPP – ICRC

The Federal Government of Nigeria has acknowledged that the major problem facing the nation's economy as the lack of adequate infrastructure and expressed total commitment to the development of infrastructure through Public Private Partnerships (PPP).

The Acting Director-General, Infrastructure Concession Regulatory Commission, Mr. J A Michael Ohiani who said this in his keynote address at the WorldStage Economic Summit 2022 #WorldStageEconomicSummit 2022), said the FG commitment was evidenced by the President Muhammadu Buhari's continuous commitment as provided in the 2021-2025 National Development Plan (NDP) which sought to encourage more private sector participation in National Infrastructure Development.

[FG Commits to Infrastructural Development Through PPP – ICRC](#)

22nd June, 2022

BREAKING: ICRC's PUBLIC PRIVATE PARTNERSHIP REGULATORY COMMISSION BILL,2022 IS READ AND PASSED!!!

At today's plenary session, the Chairman Senate Committee on Works, Senator Adamu Aliero moved that the Senate receive and consider the report of the Committee on Works on the Public Private Partnership Regulatory Commission Bill,2022(SB.823). Senator Ahmad Babba Kaita seconded.

Source: [The Nigerian Senate Twitter page.](#)

21st June, 2022

AGAIN, \$3.1B E-CUSTOMS PROJECT SUFFERS AS COURT RESTRAINS FG

There is no respite yet over the controversies surrounding the approval of the \$3.1 billion e-Customs concession project, as the Nigeria Customs Service (NCS) has allegedly signed a fresh agreement that excludes two of the parties in the original concession thereby overriding the Federal Executive Council (FEC). This has elicited concerns from major stakeholders and further dragged the project into another round of controversy, which has become a case of litigation in the court of law.

Already, a Federal High Court in Abuja has restrained the Federal Government from enforcing or giving effect to an agreement on the Customs Modernisation Project.

[Again, \\$3.1b e-Customs project suffers as court restrains FG Guardian.ng](#)

FG TO CONCESSION 17 MORE AIRPORTS

Contrary to earlier plans that only four airports would be concessioned, not less than 17 other aerodromes could equally be concessioned, a situation that would free the Federal Airports Authority of Nigeria (FAAN) of some duties and costs.

20th June, 2022

COURT HALTS ACTION ON E-CUSTOMS CONCESSION PROJECT

The Federal High Court in Abuja has restrained the federal government from enforcing or giving effect to an agreement on the Customs Modernisation Project otherwise known as E-Customs executed by its agents on May 30, 2022.

Recall that the Nigeria Customs Service, Trade Modernisation Project Limited, Huawei Technologies Company Nigeria Limited and African Finance Corporation, had claimed to have executed the disputed concession agreement .

But the court issued an order of interim injunction against the federal government or its agents, acting through the Federal Executive Council, from retrospectively ratifying the decision to concession the Customs Modernisation Project also known as e-customs project to Trade Modernization Project Limited, Huawei Technologies Company Limited and African Finance Corporation.

[Court Halts Action On E-Customs Concession Project \(leadership.ng\)](#)

NCC, 3R SIGN PACT ON REVENUE ASSURANCE SOLUTIONS

The Nigerian Communications Commission (NCC) has finally signed a Public-Private Partnership (PPP) agreement with its consultant, 3R Company Nigeria Limited, for the execution of the Revenue Assurance Solutions (RAS) to strengthen and manage the integrity of revenue generation process in the Nigerian telecommunications industry.

The agreement-signing ceremony, which took place at the Commission's Head Office, Abuja on Friday, June 17, 2022, was witnessed by representatives of the Infrastructure Concession and Regulatory Commission (ICRC). The ICRC has been guiding the partnership implementation process to give expression to the decision to procure the Solution within a PPP framework due to the scope of the project.

[NCC, 3R sign pact on revenue assurance solutions • Okay.ng](#)

INVITATION FOR EXPRESSION OF INTEREST FOR THE CONCESSION OF LAGOS INTERNATIONAL TRADE FAIR COMPLEX (COMPLEX), LAGOS

The Federal Government of Nigeria (FGN) through the National Council on Privatisation (NCP) and its Secretariat, Bureau of Public Enterprises (BPE) in conjunction with the Federal Ministry of Industry, Trade & Investment (FMITI) and Lagos International Trade Fair Management Board invite interested investors to express interest in the concession of a part (approx. 100 Hectares) of the Lagos International Trade Fair Complex (Complex) through a competitive bidding process and in line with the guidelines of the Infrastructure Concession and Regulatory Commission.

<https://www.bpe.gov.ng/lagos-internationaltrade-fair-complex-2/>

16th June, 2022

BUHARI ASK SENATE TO CONFIRM OHIANI AS SUBSTANTIVE DG OF THE INFRASTRUCTURE CONCESSION REGULATORY COMMISSION

President Muhammadu Buhari has asked the Senate to confirm the appointment of Mr. Michael Joe A. Ohiani as substantive Director-General/Chief Executive Officer of the Infrastructure Concession Regulatory Commission (ICRC). The request from the president was read by the Senate President, Ahmad Lawan during Wednesday's plenary in Abuja. The President noted that the letter was in accordance with the provisions of Section 22(1)(a) of the Infrastructure Concession Regulatory Commission (Establishment) Act, 2005.

<https://nairametrics.com/2022/06/15/buhari-ask-senate-to-confirm-ohiani-as-substantive-dg-of-the-infrastructure-concession-regulatory-commission/>

14th June, 2022

NIGERIA BEGINS PRODUCTION OF MILITARY, PARAMILITARY UNIFORMS JANUARY 2023 – ICRC

Nigeria will begin local production of uniforms for its military and paramilitary personnel from January 2023, the Infrastructure Concession Regulatory Commission (ICRC) has disclosed.

The production project is a Joint Venture Public Private Partnership (PPP) between the Defence Industries Corporation of Nigeria (DICON) and Sur Corporate Wear to create the Sur Corporate Wear Nig. Ltd.

<https://www.blueprint.ng/nigeria-begins-production-of-military-paramilitary-uniforms-january-2023-icrc/>

03 June 2022

ICRC REITERATES NEED FOR VIABLE PROJECTS THROUGH PPP

The Infrastructure Concession Regulatory Commission (ICRC), has reiterated the need for viable and bankable projects that will be delivered through PPP, especially in the critical sectors. The Acting Director-General, ICRC, Mr Michael Ohiani, said this at the Public Private Partnership Units Consultative Forum (3PCUF) for Quarter 2, 2022, held in Abuja on Thursday. The News Agency of Nigeria (NAN) reports that the meeting was sponsored by the Nigerian Ports Authority (NPA). Ohiani said the government had given the ICRC and Ministries Departments and Agencies (MDAs) the task to deliver more than 80 per cent of all infrastructure projects through the Public Private Partnership (PPP).

<https://www.nannews.ng/2022/06/02/icrc-reiterates-need-for-viable-projects-through-ppp/>

02 June, 2022

FG: DISAGREEMENTS AMONG CONCESSIONERS DELAYING TAKE-OFF OF \$3.1BN E-CUSTOMS PROJECT

The federal government has explained why the \$3.1 billion contract for complete automation of the Nigeria Custom Service (NCS) approved by the Federal Executive Council (FEC) in 2020 was reversed.

It said disagreement among partners that formed consortium for the project delayed its take off despite efforts by the government through the office of the Attorney General of the Federation and Minister of Justice to mediate.

<https://www.thisdaylive.com/index.php/2022/06/02/fg-disagreements-among-concessioners-delaying-take-off-of-3-1bn-e-customs-project/>

01 June, 2022

FG TARGETS \$176BN FROM CUSTOMS SERVICE MODERNIZATION PROJECT

To simplify export and import business, block revenue leakages, create more jobs for the youth and create news professions through new technology, the Nigeria Customs and the Trade Modernisation Project Limited, Monday signed a memorandum of Understanding (MoU) which will see Nigeria net in \$176 billion in the next 20 years.

<https://www.blueprint.ng/fg-targets-176bn-from-customs-service-modernization-project/>

31 May, 2022

NIGERIA TO GENERATE \$176BN FROM CUSTOMS MODERNISATION – ICRC

The Infrastructure Concession Regulatory Commission (ICRC) has said that the Nigerian Customs Modernisation Project, a Public Private Partnership (PPP) will generate over \$176 billion dollars to the federal accounts in 20 years. Acting Director General of the ICRC, Michael Ohiani disclosed this on Monday at the signing ceremony of the concession. The concession agreement was between the Nigeria Customs Service (NCS) and Trade Modernisation Project Limited, with Huawei Technologies as the Technical Partner and Africa Finance Corporation as the lead financiers, all under the regulatory supervision of the ICRC.

<https://www.blueprint.ng/nigeria-to-generate-176bn-from-customs-modernisation-icrc/>

30th May, 2022

FG TO EARN OVER N207BN FROM PROPOSED NNPC SPECIALIST HOSPITALS, INTRAVENOUS PLANT CONCESSION

The proposed establishment of five Specialist Hospitals and one intravenous Fluid Plant across Nigeria by the Nigerian National Petroleum Company's Limited (NNPC) Medical Service Limited (NMSL) would generate over N207 billion to the Federal Government coffers after concessioning.

The Infrastructure Concession Regulatory Commission (ICRC), Acting Director-General, Mr Michael Ohiani, who made this known in Abuja, over the weekend when the Financial Advisors to the NMSL on the proposed projects, Sigrun Partners paid a courtesy visit to the Commission noted that the ICRC has advanced in its discussions with the Nigerian National Petroleum Corporation's NNPC Medical Service Limited (NMSL) over the proposed establishment of the five Specialist Hospitals and one intravenous Fluid Plant across Nigeria.

<https://tribuneonlineng.com/fg-to-earn-over-n207bn-from-proposed-nnpc-specialist-hospitals-intravenous-plant-concession/>

26th May, 2022

ICRC TRAINS MDAS ON RISK MANAGEMENT OF PPP PROJECTS

The Infrastructure Concession Regulatory Commission (ICRC) has commenced training for Ministries, Departments and Agencies (MDAs) on risk management, especially as it relates to Public-Private Partnerships (PPPs) projects. The training, which was declared open by the Acting Director-General of the Commission, Mr Michael Ohiani, aimed at enlightening decision-makers in government agencies on risk assessment and management, and sought to advance PPP processing to capitalize on opportunities and avoid pitfalls that can bring about economic losses. Speaking at the opening of the training, which had Ministries of Transportation, Justice, Aviation, and Water Resources as well as agencies under the Ministries in attendance, Mr Ohiani said the training was part of efforts by the Commission to ensure that only the right people are allowed to take on risks management in PPPs projects.

<https://tribuneonlineng.com/icrc-trains-mdas-on-risk-management-of-ppp-projects/>

17th May, 2022

AGAINST COURT'S ORDER, FG MAY APPROVE \$60M CARGO TRACKING CONTRACT

Indications have emerged that the federal government may go ahead with the disputed \$60 million International Cargo Tracking Note (ICTN) contract initiated by the immediate past Minister of Transportation, Rotimi Amaechi against the order of a Federal High Court, Abuja. The court presided by Justice Donatus Okorowo, had earlier issued an order restraining the former Minister from taking any further step on the contract award pending the resolution of a suit instituted against him and some others in respect of the contract. However, a memo prepared by the Federal Ministry of Transportation indicated that the contract would be tabled before the weekly Federal Executive Council (FEC) meeting slated for this Wednesday, for possible approval and award.

<https://www.thisdaylive.com/index.php/2022/05/17/against-courts-order-fg-may-approve-60m-cargo-tracking-contract-2/>

16th May, 2022

NPA THREATENS REVOCATION OF PORT CONCESSION AGREEMENTS OVER DECAYING INFRASTRUCTURE

The Nigerian Ports Authority (NPA) is threatening to revoke the concession agreements of five terminal operators over decaying infrastructure. It said all players at the nation's seaports had been placed under surveillance for action to their obligations captured in the port concession agreement. The Federal Government, from 2005 to 2006, entered into a concession pact for several bulk, break-bulk and container terminals, partly on a competitive basis (13 terminals) and partly through negotiation (12 terminals).

<https://guardian.ng/news/npa-threatens-revocation-of-port-concession-agreements-over-decaying-infrastructure/>

29th April, 2022

FG TO EARN FRESH \$2.06BN AS ICRC ISSUES COMPLIANCE CERTIFICATES FOR PORT PROJECTS

In its statutory bid to regulate the advancement of infrastructural development of Nigeria through Public Private Partnerships, the Infrastructure Concession Regulatory Commission (ICRC) has issued two Full Business Case Certificates of Compliance for new infrastructure projects. The FBCs which were presented to the Minister of Transportation, Rotimi Amaechi, were for the concession of the Badagry Deep Seaport and the Floating Dry Dock for NIMASA.

Acting Director General of the ICRC, Mr Michael Ohiani who presented the certificates, informed the minister that both projects would generate over \$2bn to the federal government and create over 5,800 jobs.

<https://thewhistler.ng/fg-to-earn-fresh-2-06bn-as-icrc-issue-compliance-certificates-for-port-projects/>

28th April, 2022

BADAGRY DEEP SEAPORT: FG RECEIVES FULL BUSINESS CASE COMPLIANCE CERTIFICATE FROM ICRC

The federal government through the Ministry of Transportation yesterday received the Full Business Case Compliance Certificate on the Badagry Deep Seaport and the

Modular Floating Dockyard from the Infrastructure Concession Regulatory Commission (ICRC). This was revealed when the Minister of Transportation, Mr. Rotimi Amaechi, received the Director, Transportation, ICRC, Dr. Emmanuel Onwodi, in Abuja, who presented the minister the certificate.

<https://www.thisdaylive.com/index.php/2022/04/28/badagry-deep-seaport-fg-receives-full-business-case-compliance-certificate-from-icrc/>

HIGHWAY CONCESSION: FG FINALISES EVALUATION OF 18 FIRMS' BIDS

The Federal Government, through the Federal Ministry of Works and Housing (FMWH), has concluded the evaluation of the proposals submitted by 18 bidders for the concession of 12 highways in the country. The proposals were submitted for the first phase of the Value-Added Concession (VAC) under the Highway Development and Management Initiative (HDMI).

<https://businessday.ng/business-economy/article/highway-concession-fg-finalises-evaluation-of-18-firms-bids/>

21st April, 2022

INFRACORP, AFRINVEST, OTHERS SIGN DEAL ON INFRASTRUCTURE FUND

The Infrastructure Corporation of Nigeria (InfraCorp), members of the AAA Infrastructure Nigeria Limited (Triple A Infra), including Afrinvest, Africa Plus Partners and ARC Asset Management (USA), have signed the term sheet for the management of part of a N15 trillion infrastructure fund, dedicated solely to investment in Nigeria on Friday, April 8, 2022. InfraCorp is a privately-managed infrastructure vehicle established and co-owned by the Central Bank of Nigeria (CBN), Africa Finance Corporation (AFC) and Nigeria Sovereign Investment Authority (NSIA) together referred to as “the Promoters

<https://businessday.ng/business-economy/article/infracorp-afrinvest-others-sign-deal-on-infrastructure-fund/>

8th April, 2022

ICRC BACKS NASRDA'S SATELLITE BROADBAND PROJECT

The Infrastructure Concession Regulatory Commission (ICRC) has pledged total support to the National Space Research and Development Agency (NASRDA) in its quest for effective satellite communication solutions in rural areas. Acting Director General of the ICRC, Mr. Michael Ohiani gave the assurance when he received a team

from the Space Agency led by its Director General Dr. Halilu Shaba, who came on a courtesy visit to the ICRC in Abuja on Wednesday.

<https://www.sunnewsonline.com/icrc-backs-nasrdas-satellite-broadband-project/>

5th April, 2022

ANXIETY OVER RESUMPTION OF TOLLING ON LAGOS BRIDGE

There is anxiety and tension in Lagos following the reopening of the Lekki-Ikoyi Link Bridge axis of the Lekki-Epe Expressway ahead of the resumption of tolling by the Lekki Concession Company (LCC), Daily Trust reports. Though tolling collection is yet to resume, officials of LCC have taken over the bridge after deploying new equipment to ease traffic movement and tolling. Tolling has been suspended at both Lekki-Epe and Lekki-Ikoyi Bridge Plazas since October 20, 2020, following the #EndSARS protest and the alleged killing of some protesters at the tollgate. *Daily Trust* however reports that there has been a massive protest against the resumption of tolling even as several groups have kicked against it.

<https://dailytrust.com/anxiety-over-resumption-of-tolling-on-lagos-bridge>

04/April, 2022

EMIRATES OFFERS TO HELP ABUJA IN SETTING UP NIGERIA AIR

Illustration of Nigeria Air Boeing 737-7© Nigeria Air. Emirates (EK, Dubai Int'l) has offered to help the Nigerian Federal Government in the establishment of its new national carrier, Nigeria Air (Lagos). “Emirates’ offer is of course very welcomed. We will discuss how to make use of this supportive offer,” Tilmann Gabriel, the transaction advisor to the Nigerian Minister of Aviation told ch-aviation. He emphasised that Emirates was not a bidder for a strategic equity share in the national carrier, but had offered to assist with setting up the airline, if such help was needed.

<https://www.ch-aviation.com/portal/news/114143-emirates-offers-to-help-abuja-in-setting-up-nigeria-air>

MORE FOREIGN INVESTORS SHOWING INTREST IN NIGERIA AIR –FG

The proposed national carrier, Nigeria Air, is currently attracting a lot of investors, as many organisations are showing interest to invest in the airline, the Federal Government said on Tuesday. It stated that the recent offer by Emirates Airlines to partner with the Nigerian government in the country’s quest to establish a national carrier was an indication of the high interest of foreign investors in Nigeria Air.

<https://punchng.com/more-foreign-investors-showing-intrest-in-nigeria-air-fg/>

01/ April, 2022

COURT STOPS MINISTER, FCTA FROM TAKING OVER ABUJA HOSPITAL

A court has barred the authorities of the **Federal Capital Territory (FCT)**, Abuja, from taking over the Garki Hospital, one of the major government-owned hospitals in the capital city, from a firm managing it based on a concession agreement.

PREMIUM TIMES, Thursday, obtained a copy of the FCT High Court's order issued on Wednesday. The judge, Charles Agbaza, gave the order specifically restraining the FCT minister, Muhammad Bello, and the FCT Administration (FCTA), from taking over the hospital from the concessionaire, Nisa Premier Hospital Limited.

<https://www.premiumtimesng.com/news/top-news/521194-court-stops-minister-fcta-from-taking-over-abuja-hospital.html>

OBC CERTIFICATES ISSUED

1	NNPC Medical Services Limited (NMSL)	The NNPC through its subsidiary seeks to develop 5 Multi specialties hospitals in 5 locations, these locations are: Maiduguri, Port Harcourt, Lagos, Kaduna and Abuja. It also proposed the Establishment of Intravenous Fluid Plant in Kano through PPP methodology.	April 1 st , 2022
2	Federal Ministry of Health (Port Health)	Decontamination & Fumigation Project for vessels arriving all seaports in Nigeria (Lagos, Rivers, Delta, Calabar, etc) Digital Industry Trade and Investment Platform (DITIP)	April 12 th , 2022
3	Federal Ministry of Industry, Trade & Investment (FMITI)	Digital Industry Trade and Investment Platform (DITIP)	April 20 th , 2022
4	Federal Capital Territory (FCT)	Maximization of revenue from water bills in FCT	April 22 nd , 2022
5	Nigeria Police Force	Redevelopment of the Nigerian Police Barracks at Falomo, Ikoyi and Ijeh in Obalende	April 28 th , 2022

6	Federal Ministry of Water Resources	136 MW Manya Hydropower Generation Facility, Taraba State	May, 6 th , 2022
7	Federal Ministry of Water Resources	182 MW Bawarku Hydropower Generation, Benue State	May 6 th , 2022
8	Federal Ministry of Education/University of Uyo	Construction Of students Hostels on a PPP arrangement. The University of Uyo is seeking to collaborate with a Private Proponent for the development of students hostels at the various campuses of the University with a capacity for 12,000 bed spaces.	May 25 th , 2022
9	Ministry of Aviation	Development of a 6 Cargo/Agro Airports in the Geo-Political zones	June 1 st , 2022

FBC CERTIFICATES ISSUED

1	Federal Ministry of Transport/Nigerian Railway Corporation	Secure Ticketing Solution for the Lagos – Ibadan Standard Train service.	April 12 th , 2022
2	Federal Ministry of Transport/Nigerian Railway Corporation	Secure Ticketing Solution for the Warri – Itakpe Standard Train service	April 12 th , 2022
3	Federal Ministry of Transport/Nigerian Ports Authority	(Revalidated) The Development of Deep-Sea Port in Badagry, Lagos.	25 th April, 2022
4	Federal Fire Service/Ministry of Interior	Development of National Fire Data Repository Centre (NFDRC) (Revalidation)	23 rd May, 2022
5	Federal Radio Corporation of Nigeria	Concession of Land in Ikeja Lagos (Revalidation) (Fishvalley LTD)	23 rd May, 2022
6	National Space Research & Development Agency (NASRDA)	Research and Development of Satellite Technology and Equipment for the Provision of cost-effective satellite broadband to rural Nigeria.	28 TH June, 2022



FROM THE NIGERIA INSTITUTE OF INFRASTRUCTURE AND PUBLIC PRIVATE PARTNERSHIP (NII3P)

NII3P 2ND QUARTER 2022 ACTIVITIES

Training Schedule for 2nd Quarter 2022

- a. Basic PPP Training for Federal Ministry of Environment, Abuja (Junior Staff – 20th – 22nd April)
- b. Basic PPP Training for Ministry of Environment, Abuja (Senior Staff) – 27th – 29th April
- c. Training for staff of Ministry of Aviation (Uyo), Akwa Ibom State – 16th – 19th, May
- d. Basic PPP Training for staff of Ministry of Interior, Abuja, 30th May – 3rd June

NIGERIA INSTITUTE OF INFRASTRUCTURE AND PUBLIC PRIVATE PARTNERSHIP (NII3P)

in collaboration with: **MALAYSIA UNIVERSITY OF SCIENCE AND TECHNOLOGY (MUST)**

introduces a

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HEALTH & WELLNESS

CDC ISSUES NEW OPIOID PRESCRIBING GUIDANCE, GIVING DOCTORS MORE LEEWAY TO TREAT PAIN



Jose M. Osorio/Tribune News Service via Getty Images

The Centers for Disease Control and Prevention has issued [new guidance](#) for clinicians on how and when to prescribe opioids for pain. Released Thursday, this revamps the agency's 2016 recommendations which some doctors and patients have criticized for promoting a culture of austerity around opioids.

CDC officials say that doctors, insurers, pharmacies and regulators sometimes misapplied the older guidelines, causing some patients significant harm, including "untreated and undertreated pain, serious withdrawal symptoms, worsening pain outcomes, psychological distress, overdose, and [suicide]," according to the updated guidance.

The 100-page document and its topline recommendation serve as a roadmap for prescribers who are navigating the thorny issue of treating pain, including advice on handling pain relief after surgery and managing chronic pain conditions, which are estimated to affect as many as one in every five people in the U.S.

The 2016 guidelines proved immensely influential in shaping policy — fueling a push by insurers, state medical boards, politicians and federal law enforcement to curb prescribing of opioids.

The fallout, doctors and researchers say, is hard to overstate: a crisis of untreated pain. Many patients with severe chronic pain saw their longstanding prescriptions rapidly reduced or cut off altogether, sometimes with dire consequences, like suicide or overdose as they turned to the tainted supply of illicit drugs.

Federal agencies had tried to course correct, making it clear that the older voluntary guidelines were not intended to become strict policies or laws. But doctors and patient advocates also held out hope that the CDC's updated guidelines would undo some of the unintended consequences of the earlier guidance.

This was clearly on the mind of CDC health officials when they announced the new clinical guidelines on Thursday.

"The guideline recommendations are voluntary and meant to guide shared decision-making between a clinician and patient," said Christopher Jones, acting head of the CDC's National Center for Injury Prevention and Control and a co-author of the updated guidelines, during a media briefing, "It's not meant to be implemented as absolute limits of policy or practice by clinicians, health systems, insurance companies, governmental entities."

The change in outlook is evident all over the new guidelines, says [Dr. Samer Narouze](#), the president of the American Society of Regional Anesthesia and Pain Medicine.

"You can tell the culture around the 2016 guidelines was just to cut down opioids, that opioids are bad," he says. "It's the opposite here, you can sense they are more caring more about patients living in pain. It's directed more towards relieving their pain and their suffering."

A new focus on individualized care

Opioid prescribing started to decline in 2012 and that trend continued after the 2016 guidelines were released. There's widespread agreement that opioids should be used cautiously because of the risks associated with addiction and overdose. But today, the [majority of overdose deaths](#) are not due to prescription opioids, but rather fentanyl and other illicit drugs.

Battling the street drugs driving the overdose crisis today is "not the aim of this guideline," Jones said, describing those efforts as a separate but parallel "whole of government" approach. Instead, the focus is on pain patients. "The goal is to advance pain, function and quality of life [for patients] while also reducing misuse, diversion, consequences of prescription opioid misuse," Jones said.

The new guidelines still emphasize that opioids should not be the go-to treatment in many cases, pointing to evidence that other treatments and approaches are often comparable for improving pain and function. However, the recommendations make

clear the guidance should not replace clinical judgment and that clinicians can work with patients who are in pain, even if that means continuing them on opioids.

"Every patient is a different story and deserves individualized care," says Narouze. "This is what I like most about the new guidelines."

More work to be done

While the voluntary guidelines are a welcome step, their impact depends largely on how state and federal agencies and other authorities respond to them, says [Leo Beletsky](#), professor of law and health sciences at Northeastern University and director of the [Health in Justice Action Lab](#) there.

"CDC needs to be a lot more proactive than just putting out this update and trying to walk back some of the misinterpretation of the previous version," he says. The agency needs to work with other federal agencies, he says, including Health and Human Services and the Drug Enforcement Administration, as well as law enforcement to implement these guidelines.

For example, Beletsky points to how the definition of high-dosage opioid use – described as 90 or more [morphine milligram equivalents](#) daily [in the 2016 recommendations](#) – was used to establish legal limits. "The [2016] guideline itself was clear that this was not a bright line rule," he says, "But it became a de facto label, separating appropriate and inappropriate prescribing," he says. And this led law enforcement in some states to use the limit "as a sword to go after prescribers."

These doses and limits – set without much scientific evidence to back them up – have had a chilling effect on doctors, says [Cindy Steinberg](#), a patient advocate with U.S. Pain Foundation.

"Most people that I know – and I know a lot of people living with chronic pain – have already been taken off their medication. Doctors are incredibly fearful of prescribing at all." From Steinberg's perspective, the new CDC guidelines remain overly restrictive and won't make much difference to the patients who have already been harmed.

Specific dose and duration limits are out

The most consequential changes in the new guidance come in the form of 12 bullet points that lay out general principles related to prescribing.

Unlike the 2016 version, those takeaways no longer include specific limits on the dose and duration of an opioid prescription that a patient can take, although deeper in the document it does warn against prescribing above a certain threshold. The new recommendations also explicitly caution physicians against rapidly tapering or

discontinuing the prescriptions of patients who are already taking opioids — unless there are indications of a life-threatening issue.

"I think they are very comprehensive and compassionate," says [Dr. Antje Barreveld](#), medical director of the Pain Management Services at Newton Wellesley Hospital. "Those arbitrary marks of what's acceptable and not acceptable is what got us into trouble with the 2016 guidelines, because it made this blanket cut off for our patients and that's not what pain management is about."

The direction on reducing opioids when possible still raises some concerns for clinicians like [Stefan Kertesz](#), a professor of medicine at the University of Alabama at Birmingham.

"I would emphasize that when you take a stable patient and reduce [their prescription], you're engaged in an experiment," says Kertesz. "Dose reduction is simply an uncertain intervention that sometimes helps and sometimes causes the patient to die. So I would rather they have said, 'Look, this is an uncertain intervention.'"

However, he adds that the strength of the new guidance is its repeated emphasis that a specific dose should not be used by agencies, law enforcement and payers to enforce a one-size fits all approach.

Unravelling rigid opioid prescribing policies

It's uncertain if the new guidance will translate into substantive changes for patients who are struggling to have their pain treated.

Many patients currently can't find treatment, in the aftermath of the 2016 guidelines, says Barreveld, because doctors are wary of prescribing at all.

She remembers one recent instance when an elderly patient of hers was suffering from severe arthritis in her neck and knees. "I recommended to the primary care doctor to start low-dose opioids and the primary care doctor said 'no,'" Barreveld says. "What happened? The patient was admitted to the hospital, thousands of dollars a day for eight days, and what was she discharged on? Two to three pills of an opioid a day."

The previous guidelines led to restrictions on prescribing being codified as policy or law. It's not clear those rules will be re-written in light of the new guidelines even though they state they're "not intended to be implemented as absolute limits for policy or practice."

"That is a good idea, and it will have absolutely no effect unless three major agencies take action immediately," says Kertesz. "The DEA, the National Committee for Quality Assurance, and the Centers for Medicare and Medicaid Services, all three agencies use

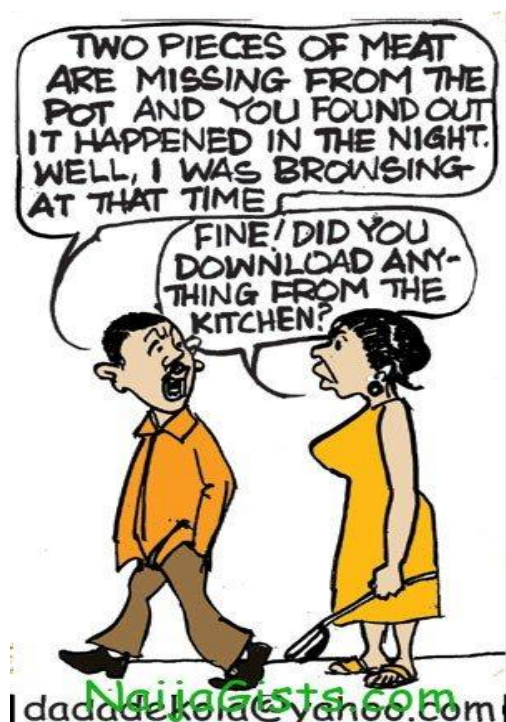
the dose thresholds from the 2016 guideline as the basis for payment quality metrics and legal investigation."

The ability to coordinate and fix the harms that came from the 2016 guidance relies on leadership from the CDC – an agency whose credibility and authority has taken a hit during the COVID-19 pandemic, Beletsky says. Still, the agency has learned from the criticisms and harms from the last round of guidance. "So my hope is that CDC is now better equipped and prepared to take the guideline and translate it to the ground level," he says.

The quality of life for many patients living with chronic pain will depend on it.

<https://www.npr.org/sections/health-shots/2022/11/03/1133908157/new-opioid-prescribing-guidelines-give-doctors-more-leeway-to-treat-pain>

ON A LIGHTER NOTE



ABOUT THE PUBLICATION

ICRC Bulletin is a quarterly newsletter of the Infrastructure Concession Regulatory Commission under the Presidency of the Federal Republic of Nigeria. This newsletter is a useful tool for communication and is part of the Commission's thrust to engage staff and stakeholders by providing timely, accurate and knowledgeable information on its activities.

We value your views, contributions and opinions. For enquiries, comments and suggestions on this issue, you may email us at info@icrc.gov.ng.

Thank you.

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