



**TECHNICAL UNIVERSITY OF MOMBASA**  
***Faculty of Pure & Applied Sciences***

DEPARTMENT OF ENVIRONMENT AND HEALTH SCIENCES

DIPLOMA IN COMMUNITY HEALTH AND HIV MANAGEMENT

**ACH 2313: LAW AND COMMUNITY HEALTH**

END OF SEMESTER EXAMINATIONS

**SERIES:** APRIL 2015

**TIME:** 2 HOURS

**INSTRUCTIONS:**

- This paper consists of **FIVE** questions.
- Answer question **ONE (Compulsory)** and any other **TWO** questions.
- Do not write on the question paper

***This paper consists of Two printed pages.***

### **QUESTION 1 (Compulsory)**

- a) Define the term “sources of law”. Describe the main sources of law in Kenya. **(10 marks)**
- b) What is Health law? Discuss the various classes of health law. **(10 marks)**
- c) Under the law of contract, outline the ways in which a contract may be discharged. **(10 marks)**

### **QUESTION 2**

- a) What are the common causes of legal issues a community health nurse may face. **(12 marks)**
- b) Explain what informed consent means. **(3 marks)**

### **QUESTION 3**

State the provisions on prohibited sale of drugs under the Food, Drugs and Substance Abuse Act. **(15 marks)**

### **QUESTION 4**

- a) Discuss the provisions under the Public Health Act on notification of infectious diseases. **(9 marks)**
- b) Explain what constitutes nuisance under the Public Health Act. **(6 marks)**

### **QUESTION 5**

- a) Explain the doctrine of Res IPSA loquitor. **(5 marks)**
- b) See 14 (1) of HIV and AIDs Prevention Act states that: no person shall undertake an HIV test in respect of another. Discuss the exception to this provision. **(10 marks)**