Private Practice Review, October 2022

HealthMan

PRIVATE PRACTICE REVIEW

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FOOD FOR THOUGHT

Can health be fixed without fixing politics?

"Last week South Africa's Professor Wangkeupo Wangsela told Parliament that having ranked all nine provinces in the top pod, he found deteriorating health indicators. He said that Gauteng, the country's most populous province, and Mpumalanga without healthy causes a pity, and confirmed that democracy[illegible]
write **Marcus** Low in Daily Maverick (19 October 2022).

"The reason for the decay in our health system is simply that successive health departments have been systematically decapacitated. Even if there is some political will to improve the health system, it cannot be implemented. The health department simply do not have the people and expertise required to carry it out.

Low conclusion: "No improvement is in the offing. A broad agreement that rules prevailing political interference should be tightened up. None of this might require some deep reflection, but it would be a good start. Yet it is not on the table. Our health governments – but some of it may simply involve enforcing existing rules more rigorously."

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Loadshedding has critical impact on SA healthcare

"The impact of the devastating blackouts that have plunged SA into darkness for much of the year is being felt across the health sector, with hospitals having to rely on back-up fuel and shedding risk on state health facilities," reported **Timesline** in October 2022.

"Uninterrupted access to water and electricity are among the most basic requirements of a functioning hospital. Nationally, only a handful of SA's hospitals have been exempted from load-shedding," said Health Minister Joe Phaahla. He admitted that load-shedding is a "major risk factor" for the health system and underscored the need for hospitals to be maintaining their health, which would alleviate pressure on the public sector by ensuring quality healthcare is available to the private sector.

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SAPPF opposes decision to prosecute doctor

SAPPF, Surgeons and the Association of Private Anesthetists issued a joint statement following the death of a patient in 2019.

"**In a joint statement the medical bodies called on the Director of Public Prosecutions and Police to withdraw the charges and allow the ongoing civil and disciplinary processes to run their course.**
reported **Sunday Times** in October 2022.

To read the full statement, click on the button below

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"Criminalised doctors push back' - MPS 'brainstorm'

Clinicians, like firefighters and police officers, are at high risk of which criminal action and mitigation requires urgent legal reform, proper informed consent, peer review and early intervention, the Medical Protection Society (MPS) brainstorm has found.
reported Chris Bateman in **Medical Ethics** (6 October 2022).
During an online seminar, hosted by the Medical Protection Society (MPS), a panel of medical professionals and legal experts discussed how to protect doctors from criminal the dilemma faced by well-meaning doctors when artificially provided to police is used for criminal prosecution, and how to protect doctors from criminal prosecution.

To read the article in Medical Ethics, click on the button below

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ADVERTORIAL

Do not let your wishes get lost in Translation

By Ask Annette Rose (PPS Fiduciary Services)

We all want our family members and loved ones to be taken care of when we pass on. Sadly, that is not always the best narrative an effective in translation.
The topic of estate planning is often avoided and pushed aside, but it is a topic we do not want to deal with the thought of death.

Estate planning is however, a vital part of good financial planning because it forms the basis of the legacy we would like to leave through our Will.

In a case where there is a Will in place, we often find that drafting and planning mistakes are made, which can be very costly to the estate. Some of the most common errors are the lack of thinking (Intestate Succession Act 81 of 1987, pre-determines the heirs to your estate) You are least to unintended consequences, to the detriment of your loved ones left behind.

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NEWS FROM GOVERNMENT

'Most facilities fail health test for NHI'

Health ombudsman Wangsayeno Wangsela warned Parliament that most public healthcare facilities would fail the test for the National Health Insurance (NHI) scheme. He said that while the government is preparing for NHI, it doesn't seem to be raising the standards of service it is giving to the population
reported **Business Day** (19 October 2022).

"The Office of Health Standards Compliance (OHSC) says it is five year plan that it aims to have all facilities ready for NHI by 2026. Wangsela said the OHSC is currently meeting it needs to assess on average 1 000 a year. It expected only 144 out of 944 (1 741 public health facilities in the year to 31 March, slightly up on the 387 it undertaken the year before. Of the 944 facilities were inspected because they assessed to be more risk on their footing.

"The OHSC is entirely funded by the fiscus and was allocated R100-m in 2021/2022. It expected an increase of R10-m, taking the accumulated budget to R90-m, and needed an unqualified audit.

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NHI will need life support

In more than a decade, the National Health Insurance (NHI) has been talked about. Since little, or no improvement in the quality of public health services on the best sites, with poor hygiene, drugs out of stock and long waiting hours still the order of the day.
reported **Rapelang Rabana** in **Fin24** (19 October 2022).
"The 251 NHI official programme was called out in 2019 but Nedlac, the tripartite forum for labour, business and government, has been tasked with finding a consensus "deal" on the NHI.
"Nevertheless, the government has started to roll out the NHI in some areas. It has the **biggest constituent around NHI, which focuses on primary healthcare.**"

Procurement of Cuban Covid-19 drug was 'improper'

The Office of the Public Protector has found the Department of Defence's (DOD) procurement of the Cuban Covid-19 drug, Heberpro, was "improper, contrived manipulation and maladministration ... **Times Live** (1 October 2022).

"Public Protector Kholeka Gcaleka said the DOD senior officials confirmed that they did not follow the prescribed procurement processes and procedures and that they did not exercise other their to rely on the Defence legislation.

Meanwhile DA MP Gerrit Brink alleged that the DOD had already paid R39-m for 120 000 doses of the drug and was to pay an additional R100-m for a consignment which had not yet been delivered.

"Gcaleka said having thoroughly analysed the complaint, her office decided to focus the investigation on whether the department failed to follow a proper procurement process.

Health Minister considers other options for medical schemes Health Minister Dr Joe Phaahla is considering proposal heads of agreement with the medical schemes for the assessment of the impact of load shedding on the healthcare system over the past week," reported **Business Day** (19 October 2022). The Minister has met with medical schemes authorities and entities, including the Ministers of Trade, Industry and Competition and Communications and Digital Technologies, and the exempt healthcare facilities in the country. Phaahla has also been working on alternative approaches to the medical scheme operations as part of the emergo rise.

HPCSA suspends head of Medical and Dentistry Board The Health Professions Council of South Africa announced the suspension of its Medical and Dental Professions Board. Sofa Ridwaanna, Medical and Dental Professions, who chairs the Medical and Dental Professions committee on mental health and substance abuse, and anesthetist at Stellenbosch Medical Sciences Department, said she has been suspended "pending the outcome of the council court trial, where the Medical and Dental Professions's suspension as the matter was under consideration," reported **Day** (20 October 2022).

Top breast cancer surgeon quits Nelson Mandela Bay Hospital Top breast cancer surgeon Dr Ashwin Chetty has quit the Nelson Mandela Bay Hospital, saying the specialist surgeon at Nelson Mandela Bay Hospital resigned. "Nzeni's resignation has left a gap in breast cancer care in the Nelson Mandela Bay Hospital, which is a culture and worsening the overall health of the hospital," reported **Spotlight** (20 October 2022).
"Nzeni's resignation has left a gap in breast cancer care in the Nelson Mandela Bay Hospital, which is a culture and worsening the overall health of the hospital." "This, compounded by operational challenges, is a major risk factor for the overall well-being and the quality of patient care."

First qualified audit in a decade for DOH

Business Day reported on 11 October that an apparent disagreement over the "Covid-19 procurement" has left the Department of Health (DOH) unable to provide the audit to receive a qualified audit from the Auditor-General for the 2021/2022 fiscal year.

The DoH is claiming payment of R2-billion in Covid-19 payments for monitors who received jobs at public sector sites, but the auditor-general wants proof that it made reimbursement from the department and medical schemes.

According to Auditor-General Tsakani Maluleke sufficient audit evidence could not be obtained for R2-billion in accrued revenue the department had attributed to Covid-19 payments from medical schemes.

"The department is extremely disappointed with the Auditor-General's conclusion," said Deputy Director-General for National Health Insurance Nicholas Crisp, who heads the government programme.

FINANCIAL NEWS

Drug makers won't scale back on Covid-19 orders

Government has failed to convince drug manufacturers Pfizer and Johnson & Johnson to scale back their orders for Covid-19 vaccines, **Business Day** (7 October 2022). The value of the contracts with Pfizer and J&J remains secret due to the non-disclosure agreements.

According to Deputy Director-General for NHI, Nicholas Crisp, "All processed vaccines in the pipeline are being delivered, and we are in the process of negotiating with the two very-sized company". Crisp said that 12-million had been ordered from J&J, and 20-million from Pfizer, of which 7-million and 5-million respectively had arrived in 2021. Government has been able to negotiate a reduction in its obligations to Covax.

- **By 30 September**, 20-million had received at least one dose, and 15-million had had of the demographic, which stood at 40-million according to Stats SA's midyear population estimates.
- **Business Day** reported on 20 October that Aspen Pharmacare's contract with Pfizer to fill-and-finish 5-million doses of the vaccine, which ended in September, Aspenovax, hoping the need for boosters will show up demand.

Medico-legal claims drain budget

"While only a fraction of the legal claims brought against government health facilities are ultimately paid out, the sheer number of claims is draining the health budget, medical negligence and environmental impact assessments are consuming valuable time and resources, and good governance is being undermined."
write **Tamar Kahn** in **Business Day** (12 October 2022).

Contingent liabilities for medico-legal claims stood at R120-3-bn in the 2021/2022 fiscal year, constituting 90% of the total R133-3-bn in legal claims levelled against provincial health departments. Contingent liabilities are "potential liabilities that may or may not be realised, depending on future events or developments, but only if one future impossible-to-date-into the future, the contingent liability will be realised and must be paid out".

Staff from the Auditor-General's office assessed three public health facilities in each province and found that the majority did not have adequate systems to manage adverse events, medical records and legal claims."

PHARMACEUTICAL NEWS

SAHPRA waits for more data on Omicron-specific booster

Pharmaceutical company Pfizer announced that a trial for their Omicron-specific booster vaccine showed "a robust immune response", **Times Live** (19 October 2022).

However, the SA Health Products Regulatory Authority (SAHPRA) is waiting for a "comprehensive dossier" before it will consider approving the Omicron-specific booster vaccine. Pfizer said that additional data measuring responses after a third booster having received the booster vaccine are expected soon. The data suggests the booster will provide better protection against the BA.4 and BA.5 subvariants of the virus.

SAHPRA warning about toxic medicines

SAHPRA warned that four products from an Indian company, Marion Laboratories, contained toxic substances. The products are Marion Cough Syrup, Marion Cough Syrup, baby cough syrup, Makoff baby cough syrup and Magna N Cold syrup.
"Consumers are advised not to purchase or consume these products, and to return any unused products which are toxic and can be fatal," reported **Timesline** (11 October 2022).

GENERAL NEWS

They can help save ailing health system

The SA health system is struggling with many challenges, including financial constraints, a high number of disease, a lack of medical equipment, a lack of medical equipment, crumbling infrastructure, inadequate medical equipment, inefficient operations, medical records and medical equipment. "The health system is in a state of crisis in some areas," wrote **Prof Rom Meyer**, associate head of department, Medical Imaging and Clinical Anatomy, in **Daily Maverick** (25 September 2022).

Local anaesthetist gets International recognition

An oxygen device for a local anaesthetist in Cape Town has been listed in the World Health Organisation's (WHO) Global Medical Devices Compendium.

Dr Patrick Wilkes (UCT) and Professor Ronald Chalkidis (Cape Town) during Covid-19.

"**A tourniquet describes DuSPA as an 'all-in-one' device using an oxygen accumulator bag, an anesthetic mask and an adjustable mechanical pop valve (a pressure valve) which the patient exhales against that ensures sufficient and oxygen efficient**"
"The device requires an oxygen source but uses less oxygen than traditional ventilators and is simpler to operate.", **Spectrum** (7 September 2022).

NEWS FROM MEDICAL SCHEMES

Inquiry into alleged racial profiling grinds to a halt

The inquiry into alleged racial profiling by medical schemes and administrators has "ground to a halt over an apparent impasse between the Council for Medical Schemes (CMS) and the Competition Commission, which is being funded by Discovery, with both sides accusing the other of dragging the process."
reported **Business Day** (11 October 2022).

The panel - appointed by the CMS in 2019 - has released an interim report in January 2021, but the final report has yet to be published. CMS registrar Sizwe Kubeka said legal costs had "ballooned" and the CMS had spent R2-million on legal costs. The panel proposed a detailed work plan and budget for the completion of the inquiry in October 2021, but it was rejected and there has been no further communication.

According to the interim report 59 inquiry report from 2019 to 2019 Black healthcare professionals were "disproportionately" subjected to "racial profiling" by medical schemes. Medical Scheme users more likely to be found to have committed fraud, waste or abuse than their white counterparts, and that this constituted racial discrimination.

"However, the panel said it did not find evidence of deliberately unfair treatment, as there was no evidence of racial bias in the methods used by schemes to identify fraud, waste and abuse."

SA Medical Schemes Sector Risk Score lowered to 7.5
The Board SA medical schemes sector risk score was lowered to 7.5 from 8.0 in the second quarter of 2022 because of "improved claims payment ratios, lower claims and high unemployment," according to the latest report published by GCR (an affiliate of Moody's Investors Service) on 10 October 2022.
"The market remains concentrated with regional power, and is likely to create a generation of around 4%. Over the longer term, consolidation movements could improve the strength of medical schemes, which could positively impact on market competition.

Industry reports a healthy surplus

The medical schemes industry reported an R6-billion surplus in 2021 as members sought medical care and medical schemes purchased did not put off medical care during the Covid-19 outbreak, according to the latest Council for Medical Schemes annual report. "Medical schemes paid out R1-bn in 2019 to 2020 and R1-bn in 2019 to 2020 and R1-bn in 2019 to a treasury high of R6-bn in 2021," reported **Fin24** (19 October 2022).
Schemes benefited from the rebound in financial markets in 2021, which generated R3-bn in investment income, up from R1-bn before. Fraud increased during the pandemic, but was still lower than it was in 2019 compared with a net healthcare result of R2-bn in 2019.
The CMS received an unqualified audit from the Auditor General.

Medical scheme increases return

Many medical schemes, decided to defer elective procedures in order to free up medical resources during the Covid-19 waves.
"According to the CMS, schemes increased their return on net assets to 10.4% in 2021 in a year in which the SA's Covid-19 wave peaked in January and February, and coronavirus prime minister CPI(*)" reported **Business Day** (19 October 2022).
Due to the "return to normal", many schemes are expected to announce increases in their contributions. Discovery confirmed a 9% increase, Medshield 8.5%, Bonitas 8.5%, Medscheme 8.5% and in April, **Bromelicon** Medical Scheme announced a 9.5% increase, **Fedhealth** a 9.7% increase, **Fedhealth** a 9.8% increase, and **Bonitas** 9.9%.

TO BE UPDATED

CIRCULARS FROM THE CMS

No new circulars were published by the CMS in October 2022.

Circular 54 of 2022: Maintenance task

Circular 55 of 2022: Extended transition for new CICRAD 10 scheme liaisons

Circular 56 of 2022: Extension for submitting comments on Low Cost Benefit Plan Review Working Group Report and Risk Assessment & Roadmap

Circular 57 of 2022: Extension for submission of the format of business plans submitted to the CMS

SPECIAL NOTES

'Working Holiday in beautiful Plettenberg Bay'

Private Practitioner's Locum position available from 15 December 2022 to 15 January 2023.
Practice closed from 24 Dec 2022 – 8 Jan 2023.
Contact Dr Ruan Van Der Merwe for more information.

For enquiries, kindly contact:
Dr Ruan Van Der Merwe: 079 5200403 or drvdm@mweb.co.za

Vacancy for psychiatrist at New Somerset Hospital, Cape Town

A fulltime specialist post in psychiatry immediately available at New Somerset Hospital, Cape Town. Hospital is affiliated to the Stellenbosch University Medical School, UCT, University of Cape town and the Provincial Government of the Western Cape.

To read more, click on the buttons below

Vacancy — Application Form

Medical rooms to let in Tokai, Cape Town Medical rooms to let in Tokai, Cape Town. Rooms are in a well-maintained medical building with ample parking, security, a large reception area, a kitchen and a boardroom.
Contact Marco: 073 427 0841

Vacancy for two periodic psychiatrists at Dr. George Mukhari Academic Hospital

Approximately 4 sessions per month. Hours negotiable. Must be a board or specialist psychiatrist with the Health Professions Council of South Africa (HPCSA). Experience in Forensic Psychiatry is a plus. Must be a good clinician.
Sound knowledge and skills in Psychiatry. Ability to work in a multi-disciplinary team. Knowledge of Legislation pertaining to Mental Health Care Practice in SA.
Contact: Computer Bureau, Ms Lynn Grobler.

For more info contact:
Dr. Lot Mbhenyane Tel: 012 528 3423/3201

Vacancy for Ophthalmologist Cape Town

Position for an Ophthalmic Surgeon at the Cape Town Clinic. Group seeking to locate and work in Cape Town with view to partnership. Preference for retinal surgery experience. Contact Gaurav Gandhi

CEO Jurodoc Kruger: 082 982 5304 or Ceo@gravitasmedicine.co.za

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