



## PRIVATE PRACTICE REVIEW

November 2018

A summary of breaking news and general information regarding healthcare in the public and private sector, published in the media.

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## Food for Thought

## Nursing failures fuel claims against private hospitals

- Prof Ethelwynn Stellenberg



The failure of nurses at private hospitals to follow guidelines, as well as poor monitoring of patients, lies behind skyrocketing liability claims, according to a Stellenbosch University study.

According to Prof Ethelwynn Stellenberg from the department of nursing and midwifery, legal claims against private hospitals are increasing dramatically – just as they are in the public sector hospitals. This amounts to pay-outs of millions of rand, and in the end these costs are passed on to the consumer. The majority of these cases are settled quietly, which means that important information does not reach the people who use private hospitals.

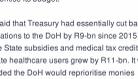
A total of 122 completed cases were studied, of which a fifth resulted in the death of patients. In all, 74% of the cases were settled out of court.

Nursing malpractice affected the quality of life of a considerable number of the victims (69%), with 43% requiring additional surgery and 25% left with disabilities. In total, 79% of the patients were forced to stay in hospital for a longer period of time.

At the top of the list of factors that contributed to civil claims is the failure to follow guidelines (91%), followed by – among others – a lack of knowledge (75%), poor monitoring of patients (69%), failure to administer prescribed medication (66%), failure to respond to clinical signs (63%) and insufficient training (62%).

- In his reaction to the Stellenbosch study, Donald Dinnie, CEO Natmed Medical Defence, said: "The study is useful in identifying factors that contributed (and will in the future contribute) to civil claims and which require remediation. It should be born in mind that because allegations of specific types of negligence were made in the claim and the claim was then settled, it does not follow that the alleged negligence occurred. It is certainly not my experience that members of the executive or senior management of any hospital – including hospital networks (large and small) – pursue profits at the expense of patient safety."

## News on Government



## NHI rollout could be delayed, says Mtsosaledi

On 1 Nov 2018 **Fin24** quoted Health Minister Aaron Mtsosaledi, saying that National Health Insurance (NHI) projects will be put on the back-burner as the Health Department (DoH) has to reprofile its budget.

He said that Treasury had essentially cut back allocations to the DoH by R9.5bn since 2015, while State subsidies and medical tax credits for private healthcare users grew by R11.5bn. It was decided the DoH would reprofile monies intended for NHI to recruit over 2 000 healthcare professionals and purchase beds and linen for hospitals in dire need.

According to Mtsosaledi he held back on spending the R4.1bn of NHI money, because he was warned as early as May that reprofilement would be on the cards.

## How will State Liability Bill affect victims?

**BiCommunity, 31 October 2018**  
According to Kirstie Haslam, partner at DSC Attorneys, the proposed State Liability Amendment Bill will have consequences for medical malpractice claimants, as it aims to both limit and structure the payment of damages where a patient has been a victim at a State hospital.

Haslam believes that the move from the lump sum system to the proposed periodic system is unworkable as it is nothing more than an interim solution.

The South African Law Reform Commission is undertaking an extensive investigation into "medical legal claims" and in that context the Bill – which has a potentially massive impact on victims of medical malpractice perpetrated in State-run institutions, which would be mostly the poor – is premature, she said.



## HEALTH KwaZulu-Natal

## Contract that crippled KZN health is dumped

Judge Sidwell Mngadi has set aside a failed R2.5-bn tender awarded to Resultant Finance Pty – which has caused a chronic shortage of essential medical equipment, including oncology machines, at KwaZulu-Natal's 300 government hospitals and clinics.

According to the judge the process was uncompetitive and unfair to other companies as the company failed to register with the Financial Services Board (FSB).

This contract plagued KZN state hospitals into a spiralling crisis and resulted in an investigation by the SA Human Rights Commission, which found the province had failed its cancer patients.

## Inquiry into public hospitals in Gauteng

The SA Human Rights Commission recommended urgent hearings into the state of healthcare services in the public institutions in Gauteng.

This follows visits to the Thele Mogoerane in Ekurhuleni, Charlotte Maxeke Academic, Tembisa, Steve Biko and Rahima Moosa Mother and Child hospitals.

Among the problems are a lack of equipment, poor administration, long waiting periods, lack of beds, overcrowding, shortage of staff, high nepotism rate, lack of maintenance and poor infrastructure.

At Thele Mogoerane, a deadly disease recently claimed the lives of a baby. The unit was still fully operational when the commission went there for an inspection in September, despite Health Minister Aaron Mtsosaledi's announcement that babies would be moved from the hospital to the Nelson Mandela Children's Hospital and Charlotte Maxeke Academic.

The commission also inspected the Rahima Moosa Mother and Child hospital last week where nine babies died.

## DoH seeking new ways to attract GPs for NHI service



DoH is seeking new ways to entice private sector general practitioners to provide their services under the National Health Insurance (NHI) scheme after a lacklustre response to its attempts to get them to work in state facilities, reported **Business Day, 9 November 2018**.

Only 250 private-sector GPs (far from the 900 they needed) were contracted with the state at the end of March, according to the Foundation for Professional Development MD, Gussaf Wolvaardt.

Part of the problem appears to be the rate offered by the government, which ranges from R470 per hour in urban areas to R575 per hour in a rural setting.

A GP in private practice can expect to earn between R1 200 and R1 600 an hour, said Casper Venter, the MD of HealthMan, a healthcare consultancy.

Another issue is the fact that the GP contracting model restricts doctors to working in state facilities.

From April 2019, it will offer GPs the opportunity to see state patients in their own consulting rooms, under a "capitation" model in which they will receive a set fee to take care of a specific number of patients per month, according to the department's deputy director-general for NHI, Ansan Pillay.

## PMB review costing committee stakeholder engagement



The Council for Medical Schemes Costing Committee, which is responsible for the costing of a revised PMB Benefit Package, invited stakeholders in a press release to give input regarding the PMB costing methodology by attending meetings at the CMS offices.

Submissions can be tendered in oral or written format during the engagements.

**Stakeholder Date (10:00 – 13:00)**

- Medical Schemes, Funders' Groups 23 November 2018
- Hospitals, Hospital Groups 30 November 2018
- Administrators, Managed Care Organisations, Brokers 07 December 2018
- Specialists and the corresponding Professional Bodies 14 December 2018
- Pharmaceutical and health technology 18 January 2019
- General Practitioners, Allied Professionals, and the corresponding Professional bodies, Actuarial Society of SA, SAMA, SAPPF, IFA-UK, DENOSA-HOSPERSA 25 January 2019
- Consumers, Consumer Groups, Unions 01 February 2019

For a brief summary of the CMS Quarterly Report - End June 2018, see the attached document

## Special News

## Honouring SA Doctors with Doctors Day

In recognition of the critical role that South African doctors play in the healthy functioning of South African society, 16 November has been declared National Doctors Day.

"Doctors play a critical role in meeting the healthcare needs of our nation," says Dr Bettina Taylor, clinical risk specialist at Ethiqal, a division of Constantia Insurance Company, the company at the head of the campaign.

The Doctors Day campaign aims to create awareness around the need to protect and appreciate South African doctors, and to assure them that their contributions are recognised and valued. Moreover, it's to encourage stakeholders to come up with solutions that will aid doctors and doctors-in-training in overcoming industry challenges.

Constantia Insurance urges all South Africans to show appreciation to their doctor on Doctors Day, or to share stories of how a doctor has positively impacted their lives.

Read more in the attached document

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## Shelved REF and LCOBs making a comeback...?



While the recent Presidential Health Summit was particularly encouraging in terms of the immense positive energy displayed across the board, it did give rise once again to concerns about coherent integration between the proposed regulations and particularly sector commission recommendations.

Alluding to this at an IHFM Seminar in Johannesburg, MMI strategist Dr Boshoff Steenekamp made particular reference to the following WHO Summit summary:

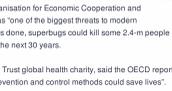
"Outputs from the private sector commission Health Market Inquiry (HMI) report and other commissions need to be coherently integrated."

To read more, click on the button below

Button

## Pharmaceutical News

## Just \$2 per person a year could halt deadly superbugs



Halling the rise of deadly drug-resistant "superbug" infections that kill millions around the world could cost just \$2 per person a year, according to the Organisation for Economic Cooperation and Development (OECD). Describing drug resistance as "one of the biggest threats to modern medicine", the OECD said, "however, that if nothing is done, superbugs could kill some 2.4-m people in Europe, North America and Australia alone over the next 30 years."

Tim Jinks, a drug-resistance expert at the Wellcome Trust global health charity, said the OECD report showed "how simple, cost-effective surveillance, prevention and control methods could save lives".

## General News

## AfriForum to lay charges against top health officials

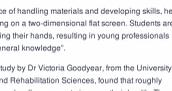


Lobby group AfriForum announced that it will be laying criminal charges against the nine heads of the provincial departments of health in terms of the Public Finance Management Act, reported **Business Live on 5 November**.

According to a statement by AfriForum these nine departments were all guilty of irregular, fruitless, wasteful and unauthorised expenditure, altogether wasting over R10-bn during the 2016/2017 financial year. This information was obtained from the annual reports of the departments.

The first charges were submitted against the current Gauteng head of health, Mkhululi Lukhele, who is alleged to have misappropriated R1.3-bn in the 2017/2018 financial year.

## Surgical students battle with dexterity, thanks to screens



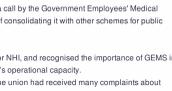
A surgery professor is worried that students are losing their ability to perform the simple manual tasks needed to stitch and sew up patients, thanks to the proliferation of digital devices. **BiCommunity posted on 5 November** that Roger Kneebone, a professor of surgical education at Imperial College, London said the BBC that he has seen a decline in the manual dexterity of students over the past decade – which he says is a problem for surgeons, who need craftsmanship as well as academic knowledge.

An increase in technology takes away the experience of handling materials and developing skills, he said, adding that a lot of things are reduced to swiping on a two-dimensional flat screen. Students are becoming "less competent and less confident" in using their hands, resulting in young professionals who "have very high exam grades but lack tactile general knowledge".

- However, not all screen time is bad. A new study by Dr Victoria Goodyear, from the University of Birmingham's School of Sport, Exercise and Rehabilitation Sciences, found that roughly one in three British teens uses exercise, diet and wellness apps to improve their health. There are about 160 000 health apps available but most of them are designed for adults, said lead researcher.

## News on Medical Aids

## Public servants must benefit from medical schemes merging



The Public Servants' Association (PSA) welcomed a call by the Government Employees' Medical Scheme (GEMS) to carefully consider the process of consolidating it with other schemes for public servants.

The PSA said it supported the government's push for NHI, and recognised the importance of GEMS in this initiative, but remained concerned about GEMS's operational capability. Tahir Mappa, spokesperson for the PSA, said that the union had received many complaints about GEMS from its members and was concerned about its financial stability as its solvency ratio was below the 25% statutory requirement.

## Circulars: Council for Medical Schemes



The following Circulars were published by the CMS in November 2018. Visit [www.medicalschemes.co.za](http://www.medicalschemes.co.za) for more info.

48 of 2018  
Quarterly Statutory Returns for 2018

51 of 2018  
Standards for Authorisation of Auditors for Medical Schemes

49 of 2018  
Vetting of Medical Scheme Officers

52 of 2018  
Real time monitoring (RTM) 2019

50 of 2018  
Demarcation Exemption Appeal Outcome

53 of 2018  
PMB Review Costing Committee Stakeholder Engagement

## Special Notices

## Equipment for sale:

- Carl Zeiss IOL Master 861-107 with IOL Master software version 7.5 serial nr 1078674 – R 150 000
- Visulias 890 Plus and Visulias PTDU with SL 130 laser (for photo dynamic treatment – PDT –) with omiluse standard 0159-0001 (infusion pump) – R200 000
- Optomed Smartscope MS PRO Fundus Camera (with WIFI Image Transfer, silent auto focus, retinal and anterior segment lenses) – R 80 000
- The quoted amounts are VAT EXCLUSIVE

For more info, call Dr Julie Conradie at 018 2972278/9

## Practice Plus: Private Practice opportunity in the KZN Midlands

Opportunity for a Specialist Neurologist to set up in private practice in Hilton, KZN, just outside Pietermaritzburg. Two hospitals - Lite Hilton Private Hospital and Mediclinic Howick in close vicinity.

- Practice PLUS is a specialist practice management company that will support you every step of the way in setting up your new practice.

For more info, contact: Lisa McAllister on 083 321 7341 or [lisa@pracplus.co.za](mailto:lisa@pracplus.co.za)

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