The Council of Medical Schemes (CMS) will be investigating claims of racial discrimination in healthcare

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The Council of Medical Schemes has announced that it will be investigating claims of racial discrimination in healthcare. The Council made this commitment on Wednesday the 15th May 2019.

This investigation follows revelations by more than 1000 Black, Coloured and Indian healthcare practitioners who reported that they are not treated by Medical Aid Schemes in the same manner as are their white colleagues, and that they have endured being exploited and harassed over the years.

Some practitioners have come out detailing various experiences in this regard. The issues revolve around allegations of racial profiling, blacklisting for payments, blocked payments, demands of confidential clinical information, bullying and harassment, coercion, entrapment and the use of hidden cameras.

The CEO of the Council, Sipho Kabane, says they are opposed to any conduct involving racial profiling and harassment. "We are opposed to any conduct that includes racial profiling, harassment, bullying and blacklisting of service providers. These actions are not permissible by the Medical Schemes Act and the Constitution".



National Healthcare Professionals Association's Dr Prudence Buthelezi discouraged black practitioners or anyone affected from signing an acknowledgement of debt saying "Once you sign that acknowledgement of debt, then you've put yourself now as fraudulent and you have to pay them back. So that thing has caused many black practitioners to have depression and commit suicide". His view is that If any healthcare practitioner is seen to be committing a felony, the Schemes should report the case to the police and a file should be opened accordingly.

Other schemes, apart from Discovery, apparently did not respond to an enquiry by the SABC, Discovery responded to report that they act only against those practitioners suspected of fraud. "These issues have nothing to do with race and everything to do with fraud and billing abuse. We have from time to time, blocked practitioners from payment after many years of cumulative evidence. That list sits at 367 people out of 35 000; we have no idea of the race. In this context, consider the volume of claims, which exceeds 200 000 a day. The claims are handled by machines (computers). Risks are identified and where applicable our investigators call and meet with those implicated".

The Council for Medical Schemes (CMS) have retained advocate Tembeka Ngcukaitobi to chair an investigation into these allegations of racial profiling against black, coloured and Indian doctors. Ngcukaitobi is an advocate of the High Court and was recently nominated for Senior Counsel status by the Johannesburg Bar.

He will be assisted by two colleagues, Adila Hassim, an advocate of the High Court who practises in various areas with a focus on constitutional law and Kerry Williams, an advocate who has advised extensively on health care matters over the last 15 years.

The CMS Investigating Panel have invited written submissions to be sent to *cmsinvestigation@medical-schemes.com* which should have been received by 19th of July 2019. Interviews and public hearings will be conducted from the 8th of July through to September. The final report is expected to be delivered by the Investigating Panel on 1 November 2019.

SADA is very much opposed to any racial behaviours and supports the appointment of the Investigation Panel. The Association awaits the conclusion of the hearings and the findings of the Panel. Should these allegations be proven to be true, it would be justice to see the culprits face the might of the law.

SADA has encouraged those members who may have relevant information or have suffered an experience as described above, to register with the Investigation Panel and to participate in the public hearings. SADA will be following this investigation very closely and from time to time we will inform our members of the progress and the outcome.