



PRESS RELEASE

Reference: Section 59 Investigation Preliminary Report
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Press Release 19 of 2020: Section 59 Investigation Preliminary Report

The Council for Medical Schemes (CMS) would like to announce that the Section 59 Investigation Preliminary Report will be released at a Press Conference that will take place on 16 December at 10:00 – 11:30.

The Chairperson of the panel, Adv Tembeka Ngcukaitobi will present the report to the media, the Section 59 Steering Committee and the Council of CMS. The proceedings will be streamed on CMS' YouTube [page](#).

The preliminary report will be made available on the Section 59 Investigation's website, accessible [here](#).

About the Section 59 Investigation

In May 2019, members of the National Health Care Professionals Association (NHCPA) and Solutionist Thinkers, made public allegations that they were being discriminated against by medical schemes and administrators and their claims were being withheld based on their race and ethnicity.

Medical schemes and administrators were making use of [section 59](#) of the Medical Schemes Act (131 of 1998), to withhold payments to these medical practitioners once they had rendered healthcare services.

The CMS then constituted a multi-disciplinary Steering Committee – consisting of the complainants, industry associations and co-regulators – that supported the [establishment](#) of an independent investigation to conduct an inquiry into the above allegations.

The CMS launched the [Section 59 Investigation](#) into allegations of racial discrimination by medical schemes and administrators in terms of its regulatory mandate, under section 7(a)(b)(c)(d), 8(a) and (k) and 9(2) of the Medical Schemes Act, (131 of 1998) in July 2019.

An [independent panel](#) consisting of Advocates Tembeka Ngcukaitobi, Adilla Hassim and Kerry Williams led the Section 59 Investigation, [tasked](#) to investigate the complaints, identify trends and make recommendations that may require legal or policy interventions, amendments to legislation and regulations.

The panel issued a call for written submissions and thereafter held public hearings from July 2019 – January 2020, with the intention of releasing a preliminary and final report on the findings.

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Note to Editors:

Please mail media@medicalschemes.co.za to get the link to the interactive Press Conference on MS Teams.

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