



## RULINGS ISSUED BY THE OFFICE OF THE REGISTRAR

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## L v DISCOVERY HEALTH MEDICAL SCHEME

The complaint concerns the decision of the Scheme in declining to fund a Continuous Positive Airway Pressure (CPAP) machine and nasal mask from the risk benefits on the basis that the member's condition is non-PMB. The Member indicated that she applied for Ex Gratia and the request was also declined.

In responding to the complaint, the Scheme indicated that its decision was based on the fact that the sleep study report and letters of motivation submitted by the treating doctor, do not provide confirmation that the member's diagnosis of Sleep Apnoea has resulted in cor pulmonale, therefore her specified clinical circumstances do not fulfil or meet the requirements for funding from PMB and her plan benefits will apply. Furthermore, the Scheme indicated that while chronic upper airway obstruction resulting in cor pulmonale is a PMB, CPAP machines are not PMB level of care, thus they cannot be funded as such.

The issue which fell for determination was whether the Scheme was correct in declining to fund the Continuous Positive Airway Pressure (CPAP) machine and nasal mask from the risk benefits.

Upon investigation, the submissions made by the Member and the Scheme were reviewed. Furthermore, the complaint was referred to our Clinical Review Committee ("CRC") for clinical opinion. CRC advised that there is no evidence in the clinical reports that the Member suffers from cor pulmonale. Furthermore, CRC confirmed that CPAP and nasal mask are not PMB level of care in this case.

In the absence of a PMB condition, the scheme rules and or member's plan benefits apply. In terms of the annexure 6 of the scheme rules, positive airway pressure machines are listed under the list of external medical items paid from Medical Savings Account (MSA).

It was to this end that a ruling was issued confirming that the Scheme is correct in declining to fund Continuous Positive Airway Pressure (CPAP) machine and nasal mask from the Risk benefits. This complaint was dismissed.