



RULINGS ISSUED BY THE OFFICE OF THE REGISTRAR

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J v DISCOVERY HEALTH MEDICAL SCHEME

The complaint concerned the Scheme's decision to terminate the Complainant's membership due to alleged non-disclosure of material information in terms of section 29(2)(e) of the Act.

In its response to the complaint, the Scheme indicated that the membership was terminated because the Complainant's Dependant was diagnosed with Chronic Suppurative Otitis Medica and Chronic Sinusitis within 12 months prior to application or commencement of membership and this information was not disclosed by the Complainant on the application form.

Section 29(2)(e) of the Act provides for a recourse to a medical scheme in instances where a member has failed to disclose material information. The section reads as follows:

“(2) A medical Scheme shall not cancel or suspend a member's membership or that of any of his or he dependants, except on the grounds of -;

(e) the non-disclosure of material information.”

Upon review of the submitted evidence, the Registrar found that the Complainant had an obligation to disclose this information and her failure rendered the Scheme unable to assess its risk exposure.

The Registrar concluded that the Scheme's decision to terminate the Complainant's membership was justified and in accordance with the provisions of section 29(2)(e) of the Act.