



**NATIONAL HEALTH INSURANCE BILL**  
**Submission by the HPCSA to Parliament**  
**18<sup>th</sup> May 2021**

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# GUIDING THE PROFESSIONS, PROTECTING THE PUBLIC

National Development Agenda (NDP; MTSF, NDOH Strategy and health policies such as the NHI) informing the HPCSA



Legislative and Regulatory Environment (Constitution, National Health Act, 61 of 2003, Health Professions Act and regulations) informing the HPCSA



## **The Council welcomes the National Health Insurance for the following reasons:**

- Health equity and social justice
- Reducing inequalities between the public and private sectors
- Ensuring quality assurance for universal health coverage
- Enforcing Professional Codes of Conduct and Ethics
- Enhancing the Human Resources for Health as the key component and driver of universal coverage for health by ensuring that there are adequately qualified professionals trained and registered that meet the needs of the country by effectively carrying out its mandate of providing for control over the education, training and registration for and practising of health professions registered under the Act.



# HPCSA AS PARTNER TO THE NHI

- Experience in engagement with communities, professional associations and other regulators:
  - SANC
  - Pharmacy Council
  - SAHPRA
  - Etc
- Experience in managing registrations of over 200,000 practitioners in any one year through its registers
- Managing accreditations of training and internship programmes and their evaluations






# HPCSA'S VIEWS ABOUT NHI

- The National Health Insurance (NHI) should be the only funding mechanism for health in the Republic.
- NHI should be funded through tax of all employed South Africans
- Private medical aid schemes may continue to exist but funded separately over and above tax paid for the NHI
- For NHI to succeed health must be an exclusive national competence and that any section(s) of the Constitution that militate against this view must be amended.
- The Medical Schemes Act must be amended to ensure alignment with the NHI.
- NHI should be about funding and contracting while service provision is left to other entities, public and private



# JURISDICTION OF RELEVANT STATUTORY BODIES EVEN AFTER THE NHI



Accreditation of professionals and their practices under relevant statutory bodies

Accreditation of facilities by the Office of Health Standards Compliance;

Standards setting for professions;

Registration of professionals by the amongst others, the HPCSA

Conduct of professionals

Treatment protocols



# PROPOSED SPECIFIC AMENDMENTS TO THE BILL

Section	Clause	Challenge with current formulation	Proposed Amendment / New formulation
Rights of Users	6 (o)	This clause creates a duplicative coverage by medical schemes and undermines the single-payer model of NHI	To pay through out-of-pocket means, health care services that are not covered by Fund
Cost Coverage	8	This clause creates a duplicative coverage by medical schemes and undermines the single-payer model of NHI	A person or user as the case may be must pay for health care services of that person or user:
Cost Coverage	8(b)	This clause will encourage non-adherence to the referral pathway and will create a parallel system by undermining referral pathways	Delete Clause 8 (b)
Powers of the Fund	11(h)	The Fund must not be seen to be the player and the referee	Investigate complaints against Fund, health care providers, health establishment and suppliers in collaboration with law enforcement agencies, statutory councils and regulatory authorities
Constitution and Composition of Board	13(6)	There needs to be active participation of strategic members in the Board	The CEO, CFO and Chief Actuarial Officer are ex-officio members of the Board but may not vote at Board Meetings





# PROPOSED SPECIFIC AMENDMENTS TO THE BILL

## ...CONTINUED

Section	Clause	Challenge with current formulation	Proposed Amendment / New formulation
Role of Medical Schemes	33	NHI may never be fully implemented	The future role of medical schemes will be to offer complementary coverage to services not covered by NHI as determined by the Benefits Advisory Committee. The Minister will determine through regulations in a gazette when this phase will ensue
National Health Information System	34 (3)	This clause must be strengthened to ensure that in addition to provisions of the NHA, it must also comply with requirements of this Act	Health Workers, health care service providers and persons in charge of health establishments must comply with provisions of the National Health Act and provisions of Section 40 of this Act relating to access to health records and the protection of health records
Appeal Tribunal	44 (a)	May be misinterpreted as Chairperson of Board of NHI Fund	Remove the word Board at the end of sentence



