

## MATTERS JANUARY 2024 TO DECEMBER 2024

JANUARY 2024

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>DR FS KHUMALO</b>  <b>MP 0335223/ 2023/230111-000887</b>	<p><b><u>COUNT 1:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect of deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession, in that you completed the Notice of Death Form B1 1663A as a medical practitioner registered to practice your profession, pretended to the Department of Home Affairs and certified that you have examined the deceased person whereas in truth and in fact, you knew that you did not examine the deceased person, to the actual or potential prejudice of FNB.</p> <p><b><u>COUNT 2:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect of a deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession when completing the Notice of Death Form B1 1663A as a medical practitioner registered with the HPCSA to practice your profession and you negligently failed to confirm the identity of the deceased person.</p> <p><b><u>COUNT 3:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession, in that you completed the Notice of Death Form B1 1663A as a medical practitioner registered to practice your profession, pretended to the Department of Home Affairs and certified that you have examined the</p>	<p>The Professional Conduct Committee found the Practitioner guilty of counts 2, 4, 6 and 8 and sentenced as follows:</p> <ul style="list-style-type: none"> <li>• Fifty Thousand Rand (R50 000.00), whereof Twenty-Five Thousand Rand (R25 000.00) is payable in three monthly instalments and the other R25 000.00 wholly suspended for three (3) years on condition that the Respondent is not found guilty of a similar offence committed during the period of suspension.</li> </ul>	Virtual

	<p>deceased person whereas in truth and in fact, you knew that you did not examine the deceased person to the actual or potential prejudice of FNB.</p> <p><b><u>COUNT 4:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect of deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession when completing the Notice of Death Form B1 1663A as a medical practitioner registered with the HPCSA to practice your profession and you negligently failed to confirm the identity of the deceased person.</p> <p><b><u>COUNT 5:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect of deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession, in that you completed the Notice of Death Form B1 1663A as a medical practitioner registered to practice your profession, pretended to the Department of Home Affairs and certified that you have examined the deceased person whereas in truth and in fact, you knew that you did not examine the deceased person to the actual or potential prejudice of FNB.</p> <p><b><u>COUNT 6:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect of deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession when completing the Notice of Death Form B1 1663A as a medical practitioner registered with the HPCSA to practice your profession and you negligently failed to confirm the identity of the deceased person.</p>		
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	<p><b><u>COUNT 7:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect of deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession, in that you completed the Notice of Death Form B1 1663A as a medical practitioner registered to practice your profession, pretended to the Department of Home Affairs and certified that you have examined the deceased person whereas in truth and in fact, you knew that you did not examine the deceased person to the actual or potential prejudice of FNB.</p> <p><b><u>COUNT 8:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about October 2022, and in respect of deceased person, you acted in a manner that is not in accordance with the norms and standards of your profession when completing the Notice of Death Form B1 1663A as a medical practitioner registered with the HPCSA to practice your profession and you negligently failed to confirm the identity of the deceased person.</p>		
<p><b>MR T MATLOU</b> <b>PT 0116025/221589264</b></p>	<p><b><u>COUNT 1:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period May 2022 to March 2023, and in respect of members belonging to Medical Aid scheme, you acted in a manner that is not in accordance with the norms and standards of your profession in that you obstructed the Health Professions Council of South Africa ("HPCSA") in that you defeated or obstructed the HPCSA in the performance of its duties in that you did not respond to its request to submit documents and failed to appear for consultations despite multiple communications sent to you.</p> <p><b><u>COUNT 2:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period May 2022 to March 2023, and in respect of members belonging to a Medical Aid scheme, you acted in a manner that is not in</p>	<p>1. The Professional Conduct Committee found the Respondent guilty as charged on all three counts. Further, that the Committee imposed the following Penalties:</p> <ul style="list-style-type: none"> <li>Practitioner must attend a few courses which are Ethics CPD courses related, further must attend a course in coding. All courses to be attended completed within this year 2024 and prove to be submitted to the HPCSA.</li> </ul>	Virtual

	<p>accordance with the norms and standards of your profession in that you claimed for professional services not rendered.</p> <p><b><u>COUNT 3:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period May 2022 to March 2023, and in respect of members belonging to a Medical Aid scheme, you acted in a manner that is not in accordance with the norms and standards of your profession in that you failed to keep your patients' accurate records.</p>	<ul style="list-style-type: none"> <li>• In addition, the practitioner is fined One Hundred Thousand Rand (R100 000. 00), wholly suspended for a period of three (3) years on condition that the Respondent is not found guilty of having committed a similar offence during the period of suspension.</li> </ul>	

**FEBRUARY 2024**

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>DR PW DU TOIT</b> <b>DP 0062014/220927-002676 &amp;</b> <b>DP 0062014/220928-003975</b>	<p><b><u>COUNT 1</u></b></p> <p>That you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about the period of July 2022 in respect of your patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you failed to obtain consent for performing treatment under general anaesthetic.</p> <p><b><u>COUNT 2</u></b></p> <p>That you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about the period of September 2021 in respect of your patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you failed to inform your patient that you broke off an instrument in the canal while performing a root canal treatment.</p>	<ol style="list-style-type: none"> <li>1. The Respondent appeared before the Professional Conduct Committee for unprofessional conduct.</li> <li>2. The Respondent was found guilty on count 2 of the charge sheet and was sanctioned as follows: <ul style="list-style-type: none"> <li>• The Respondent is to refund to the complainant, the monies paid to him, for the procedure done;</li> <li>• R20 000. fine; payable by the end of February 2024;</li> <li>• In addition; the respondent is suspended from practice for a period of 1 year, which is wholly suspended for 2 years;</li> <li>- On condition that he is not found guilty of a similar offence during the period of suspension.</li> </ul> </li> </ol>	Virtual

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>DR S MAJOZI</b> <b>CA 0001198/ 230127-004364</b>	<p><b><u>COUNT 1:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period January 2018 and February 2018, and in respect of patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you engaged in undesirable business practice and model with the patient, a health practitioner when you entered into a contract with him and failed to honor same.</p> <p><b><u>COUNT 2:</u></b></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period January 2018 and February 2018, and in respect of the patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you failed to pay the patient ("a health practitioner") according to the contract.</p>		
<b>MS M LEDWABA</b> <b>OS 0010120/24402610</b>	<p><b><u>COUNT 1</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct and or conduct which when regard is had to your profession, is unprofessional in that on or about January 2020 until June 2020, you and/or your practice;</p> <p>a) irregularly claimed from GEMS medical scheme using code 10313 and 10433; and you</p> <p>b) failed to keep proper clinical files of your patient, Khomotso Shayi.</p> <p><b><u>COUNT 2:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct and or conduct which when regard is had to your profession, is unprofessional in that on or about January 2020, you and/or your practice claimed from medical aid member, for services not rendered.</p>	<p><b>1.</b> The Professional Conduct Committee found the Respondent guilty and imposed the following penalty:</p> <ul style="list-style-type: none"> <li>- Seventy Thousand Rand (R70 000) fine suspended for three (3) years on condition that she does not commit similar offenses during the period of suspension.</li> </ul>	Virtual

**MARCH 2024**

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>DR X NTSHANGASE</b> <b>MP 0593316/230111-000887</b>	<p><b><u>COUNT 1</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about December 2022 in respect of the “the deceased” you failed to personally examine the deceased before you signed off the BI 1663 form.</p> <p><b><u>COUNT 2</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about July 2023 in respect of “the deceased”, you failed to personally examine the deceased before you signed off the BI 1663 form.</p>	<ol style="list-style-type: none"> <li>1. The Professional Conduct Committee considered this matter on 07 March 2024.</li> <li>2. Dr Ntshangase, the respondent, was charged with two (2) counts of unprofessional conduct, relating to signing off the BI 1663 Form without examining the deceased. The respondent entered a guilty plea in respect of both counts and was found guilty on the strength of his plea.</li> <li>3. The professional conduct committee imposed the following penalty:               <ol style="list-style-type: none"> <li>3.1 R100 000.00 fine, half of which is suspended for a period of 3 years on condition that the respondent is found not guilty of a similar offence during the period of suspension.</li> <li>3.2 The balance of R50 000.00 is payable within 6 months from the date hereof.</li> </ol> </li> </ol>	Virtual
<b>DR D VAN ZIJL</b> <b>MP 0430048/2487438</b>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during the period June 2011, in respect of your patient, you acted in a manner that is not in accordance with the norms and standards of</p>	<ol style="list-style-type: none"> <li>2. The Professional Conduct Committee found the Respondent guilty of unprofessional conduct and imposed the following sanction:</li> </ol>	Cape Town

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	your profession in that you did not discuss and/or disclose your fees to the patient (failure to obtain informed consent).	<ul style="list-style-type: none"> <li>- The Respondent is sentenced to a fine of Thirty Thousand Rand (R30 000.00), Fifteen Thousand Rand (R15 000.00) of which is suspended for a period of two (2) years on condition that the Respondent is not found guilty of a similar offence committed during the period of suspension.</li> <li>- The Fifteen Thousand Rand (R15 000.00) is payable within seven (7) days of receipt of the sanction.</li> </ul>	
<b>Dr Z Mlangeni</b> <b>MP 0731846/230303-002435</b>	<p><b><u>COUNT 1:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period October 2020 to July 2022, and in respect of members belonging to Medical Aid Schemes, you acted in a manner that is not in accordance with the norms and standards of your profession in that you and/or your practice:</p> <ol style="list-style-type: none"> <li>1. claimed for professional services not rendered; and/or</li> <li>2. your accounts/statements were drafted in a manner that was inaccurate and/or incorrect; and/or</li> <li>3. were not entitled to one or some of any payment of the amounts specified in your and/or your practice accounts/statements submitted to one and/or more than one medical aid scheme(s).</li> </ol> <p>to the financial prejudice of one or more of the Medical Aid Schemes.</p>	<p>3. The Professional Conduct Committee found the Respondent guilty as per his plea explanation and not guilty count 2.</p> <ul style="list-style-type: none"> <li>- Penalty: effective R30 000. 00 (Thirty Thousand Rand) fine payable in 3 (three) monthly instalments (end March 2024, end April 2024 and end May 2024). POP must be submitted to PFC once payment is made.</li> <li>- Further 2 (two) years suspended for 3 (three) years on condition that he is not found guilty of a similar offence committed during the period of suspension.</li> </ul>	Virtual



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	<p><b><u>COUNT 2:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period October 2020 to July 2022, and in respect of members belonging to Medical Aid Schemes, you acted in a manner that is not in accordance with the norms and standards of your profession in that you and/or your practice over serviced and over charged your patients.</p>		
<p><b>Dr B Maboso</b> <b>MP 0926159/231128-00279</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during the period September 2021 to September 2022, you were practicing in the private sector whereas you are registered under public category.</p>	<p>1. The Professional Conduct Committee found the Respondent guilty and imposed the following penalty:</p> <ul style="list-style-type: none"> <li>- Ten Thousand Rand (R10 000), payable before 20 April 2024.</li> </ul>	Virtual
<p><b>DR E MOLOI</b> <b>MP 0394599/24845638 and</b> <b>MP 0394599/24436878</b></p>	<p><b><u>COUNT 1:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2021, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of Ms Ina Nelisiwe your patient, in that you and/or your practice conducted yourself in an improper and/or disgraceful manner in relation to fees and commission which your patient was required to pay.</p> <p><b><u>COUNT 2:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2021, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that you and/or your practice</p>	<p>1. The Professional Conduct Committee gave the following penalty:</p> <ul style="list-style-type: none"> <li>- The respondent was found not guilty in Counts 1 and 2;</li> <li>- Found guilty of Counts 3 – 9; and</li> </ul> <p>2. Penalised as in the following:</p> <ul style="list-style-type: none"> <li>- 1 (one) year immediate suspension from practicing his profession followed by 2 years immediate suspension wholly suspended for a period of five (5) years on condition that the Respondent is not found guilty of</li> </ul>	Virtual

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	<p>overcharged your patient for services rendered for the procedure performed.</p> <p><b><u>COUNT 3:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2021, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that you and/or your practice exposed your patient to danger and/or harm.</p> <p><b><u>COUNT 4:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2021, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that you provided insufficient care to your patient.</p> <p><b><u>COUNT 5:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2021, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that you provided treatment to your patient without obtaining her informed consent.</p>	<p>having committed similar offences during the period of suspension.</p> <p>- In addition, the Respondent is fined Seventy Thousand Rand (R70 000. 00) payable immediately and that the Respondent must attend a course on Ethics related to communication.</p>	

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	<p><b><u>COUNT 6:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2021, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that you and/or your practice engaged in undesirable business practices or models.</p> <p><b><u>COUNT 7:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period between February 2022 and May 2020, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that you did not obtain an adequate informed consent from your patient and thereafter performed a procedure that was not understood by your patient .</p> <p><b><u>COUNT 8</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period between February 2020 and May 2020, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that you prior to performing a procedure on your patient, you did not to obtain an adequate informed consent from your patient by failing to explain to your patient the consequences of the procedure you were going to perform on her which were material to the patient's decision making.</p>		

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	<p><b><u>COUNT 9:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about or during the period between February 2022 and May 2020, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of your profession in respect of your patient, in that there were discrepancies between codes submitted by you and/or your practice to the medical aid and the procedure that you explained to the patient which you eventually performed.</p>		