

MATTERS 2019

MARCH 2019

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>OP 00395535/4162118 &amp; OP 003935/19226298 Dr M Depayekga</p>	<p><b><u>CHARGER 1</u></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 during in February 2015, in respect of the complainant, you acted in a manner that was fraudulent in that you submitted a claim to the complainant's medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</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 during in November - December 2014, in respect of the complainant, in a manner that was fraudulent in that you submitted a claim to the complainant's medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</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 during in December – February 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant's medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p>	<p>OP 0039535/4162118 on Counts 1,2,3,4,5,8,9,10,11,12</p> <p>OP 0039535/19226298 on Counts 1, 2 and 3.</p> <p>Sentence: both matters taken together: fine of R140 000 of which R90 000 is suspended for a period of 5 years on condition that she does not commit a similar offence. The 50 000 is payable to HCSA for a period of 24 months plus a suspension from practice for two years which is wholly suspended for 5 years.</p>	<p>Pretoria</p>

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	<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 during in January – February 2015, in respect the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant’s medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</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 during in November - December 2014, in respect the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant’s medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p> <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 during in January 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant’s medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</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 during in January – March 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the</p>		

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	<p>complainant's medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</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 during in April 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant's medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p> <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 during in February 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant's medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p> <p><b><u>COUNT 10</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 during in March 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant's medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p> <p><b><u>COUNT 11</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 during in</p>		

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	<p>January – April 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant’s medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p> <p><b><u>COUNT 12</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 during in January – February 2015, in respect of the complainant you acted in a manner that was fraudulent in that you submitted a claim to the complainant’s medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p> <p><b><u>COUNT 13</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 during in January 2015, in respect of the complainant, you acted in a manner that was fraudulent in that you submitted a claim to the complainant’s medical aid scheme in respect of alleged professional services rendered by you or your practice whilst no such services were rendered.</p> <p><b><u>CHARGE 2</u></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 you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient and/or the patient’s dependants, an account/statement wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account/statement in respect of professional services rendered and</p>		

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	<p>glasses allegedly dispensed by yourself and/or your practice on or about January 2013, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>b) you were not entitled to payment of one or more or all of the amounts specified in the said account/statement; and/or</li> <li>c) the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</li> <li>d) the said account/statement was drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul> <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 you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient and/or the patient's dependants, an account/statement wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account/statement in respect of professional services rendered and glasses allegedly dispensed by yourself and/or your practice on or about January 2013, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>b) you were not entitled to payment of one or more or all of the amounts specified in the said account/statement; and/or</li> <li>c) the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</li> <li>d) the said account/statement was drafted in such a manner as to</li> </ul>		

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	<p>cause financial or potential prejudice to the Medical Aid Scheme concerned.</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 you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of, your patient and/or the patient's dependant/s, an account/statement wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account/statement in respect of professional services rendered and glasses allegedly dispensed by yourself and/or your practice on or about February 2013, whilst:</p> <p>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</p> <p>b) you were not entitled to payment of one or more or all of the amounts specified in the said account/statement; and/or</p> <p>c) the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</p> <p>d) the said account/statement was drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</p>		
<p><b>MP 0579009/4256142</b> <b>Dr I Manga</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 you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, an account/statement wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account/statement in respect of professional services allegedly rendered by you on or about June 2013, whilst:</p> <p>a) you knew she was not a member of a medical aid scheme; and/or</p>	<p>The Respondent was found guilty as charged.</p> <p>Sentence: A fine of R50 000 of which R25 000 is paid immediately and the rest of R25 000 is paid within 90 days from today plus 2 years suspension from practice which is wholly suspended for 7 years on condition that he is not</p>	<p>Durban</p>

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	<ul style="list-style-type: none"> <li>b) you were not entitled to payment of one or more or all of the amounts specified in the said account/statement; and/or</li> <li>c) the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</li> <li>d) the said account/statement was drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul>	again found guilty of a similar offence.	
<b>MP 0312053/7648124</b> <b>Dr N Mogodi</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 in December 2012, in respect of the patient, you or your practice conducted yourself in a manner that is not in accordance with the norms and standards of your profession in that you or your practice submitted claims to Discovery Health Medical Scheme in respect of alleged professional services rendered by you or your practice to the patient in November 2012 and December 2012, whilst:-</p> <ul style="list-style-type: none"> <li>1. no professional services were rendered in November 2012, and/or</li> <li>2. you charged medicines that were not dispensed; and/or</li> <li>3. your claims were drafted in such a manner as to cause financial prejudice or potential prejudice as the scheme was called upon to pay for services that have not been rendered.</li> </ul> <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 in May 2013, in respect of the patient, you or your practice conducted yourself in a manner that is not in accordance with the norms and standards of your profession in that you or your practice submitted claims to the Medical Scheme in respect of alleged professional services rendered by you or your practice to the patient in May 2013 and 17 May 2013 whilst:-</p> <ul style="list-style-type: none"> <li>3 no professional services were rendered in 14 May 2013, and/or</li> <li>4 you charged medicines that were not dispensed; and/or</li> </ul>	<p>The Respondent was found guilty on Count 1 and 2 and sentenced as follows;</p> <p>Fine of R30 000 payable within a period of 3 months plus 12 months suspension from practice which is wholly suspended for 24 months on condition that he is not again found guilty of the similar offence.</p>	

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	<p>5 your claims were drafted in such a manner as to cause financial prejudice or potential prejudice as the scheme was called upon to pay for services that have not been rendered.</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 between July – August 2013, in respect of the patient, you or your practice acted in a manner that is not in accordance with the norms and standards of your profession in that you submitted claims to the Medical Scheme in which you or your practice claimed for alleged professional services rendered by you, whilst:</p> <p>3.1 the claims were false or incorrect in that you did not render some of the services you charged for; and/or</p> <p>3.2 you claimed for serviced allegedly rendered to the patient's dependant whilst she did not consult with you; and or;</p> <p>3.3 you claimed for serviced rendered to a person who is not a member of the scheme.</p>		



APRIL 2019

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>MP 0320498/19866500 Dr J Venter</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, on or about August 2014, you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, accounts/statements wherein you charged and/or attempted to recover one or more or all of the amounts specified therein for professional services rendered by you and/or your practice, whilst:</p> <ul style="list-style-type: none"> <li>e) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>f) you did not in truth and in fact render any professional services in respect of your patient and/or his dependants</li> <li>g) you were not entitled to payment of one or more or all of the amounts specified in the said accounts/statements; and/or</li> <li>h) the said accounts/statements were drafted in a manner that was inaccurate or incorrect; and/or</li> <li>i) the said accounts/statements were drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul> <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, on or about August 2014, you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, accounts/statements wherein you charged and/or attempted to recover one or more or all of the amounts specified therein for professional services rendered by you and/or your practice, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>b) you did not in truth and in fact render any professional services in respect of your patient and/or his dependants</li> </ul>	<p>The Respondent was found guilty charged.</p> <p>Sentence: A fine R10 000 payable to HPCSA plus a 12 months suspension from practice which wholly suspended for 3 years on condition that he is not again found guilty of a similar offence.</p>	<p>Pretoria</p>

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	<ul style="list-style-type: none"> <li>c) you were not entitled to payment of one or more or all of the amounts specified in the said accounts/statements; and/or</li> <li>d) the said accounts/statements were drafted in a manner that was inaccurate or incorrect; and/or</li> <li>e) the said accounts/statements were drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul>		
<p><b>PSIN 0106712/20541210</b> <b>Mr S S Mngomezulu</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, on or about January 2015, you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, accounts/statements wherein you charged and/or attempted to recover one or more or all of the amounts specified therein for professional services rendered by you and/or your practice, whilst:</p> <ul style="list-style-type: none"> <li>j) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>k) you did not in truth and in fact render any professional services in respect of your patient and/or his dependants</li> <li>l) you were not entitled to payment of one or more or all of the amounts specified in the said accounts/statements; and/or</li> <li>m) the said accounts/statements were drafted in a manner that was inaccurate or incorrect; and/or</li> <li>n) the said accounts/statements were drafted in such a manner as to cause financial or potential prejudice the Medical Aid Scheme concerned.</li> </ul> <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, on or about May 2015, you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, accounts/statements wherein you charged and/or attempted to recover one or more or all of the amounts specified therein for professional</p>	<p>The Respondent was found guilty as charged in all of accounts 1 -5.</p> <p>Sentence: A fine of R50 000 payable to HPCSA within a period of 10 months plus suspension for 5 years which is wholly suspended for 3 years on condition that he is again found guilty of a similar offence.</p>	<p>Durban</p>

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	<p>services rendered by you and/or your practice, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>b) you did not in truth and in fact render any professional services in respect of Princess Maphumulo and/or his dependants</li> <li>c) you were not entitled to payment of one or more or all of the amounts specified in the said accounts/statements; and/or</li> <li>d) the said accounts/statements were drafted in a manner that was inaccurate or incorrect; and/or</li> <li>e) the said accounts/statements were drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul> <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, on or about March 2015, you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, accounts/statements wherein you charged and/or attempted to recover one or more or all of the amounts specified therein for professional services rendered by you and/or your practice, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>b) you did not in truth and in fact render any professional services in respect of your patient and/or his dependants</li> <li>c) you were not entitled to payment of one or more or all of the amounts specified in the said accounts/statements; and/or</li> <li>d) the said accounts/statements were drafted in a manner that was inaccurate or incorrect; and/or</li> <li>e) the said accounts/statements were drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul>		

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	<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, on or about 15 February 2015 , you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, accounts/statements wherein you charged and/or attempted to recover one or more or all of the amounts specified therein for professional services rendered by you and/or your practice, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>b) you did not in truth and in fact render any professional services in respect of patient and/or his dependants</li> <li>c) you were not entitled to payment of one or more or all of the amounts specified in the said accounts/statements; and/or</li> <li>d) the said accounts/statements were drafted in a manner that was inaccurate or incorrect; and/or</li> <li>e) the said accounts/statements were drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul> <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, on or about January 2018, you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, accounts/statements wherein you charged and/or attempted to recover one or more or all of the amounts specified therein for professional services rendered by you and/or your practice, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</li> <li>b) you did not in truth and in fact render any professional services in respect of your patient and/or his dependants</li> </ul>		

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	<ul style="list-style-type: none"> <li>c) you were not entitled to payment of one or more or all of the amounts specified in the said accounts/statements; and/or</li> <li>d) the said accounts/statements were drafted in a manner that was inaccurate or incorrect; and/or</li> <li>e) the said accounts/statements were drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ul>		