

Finalised Matters

February 2012

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr TS Mpotoane</b> <b>MP 039664/410/2010</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 upon or about or during March 2010 and 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 and/or neglected to communicate your patient's diagnosis and/or treatment intervention with her family members and/or failed to keep them informed.</p>	<p>Paid admission of guilt fine for R5000.</p>	<p>Pretoria</p>
<p><b>Dr AC Bakundukize</b> <b>MP 0603775/1049/2008</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 to your profession, is unprofessional in that, during or about July 2005 to August 2008, or portions thereof, you practised beyond the scope of your practise in that:</p> <p>1.1 you practiced in independent practice, whilst in truth and in fact, you were registered with Council to practice in the category, Public Service – Medical Practitioner.</p> <p><b><u>COUNT 2:</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which, when regard to your profession, is unprofessional in that, during or about May 2010 to date, or portions thereof, you practised beyond the scope of your practise in that:</p> <p>2.1 you practiced in independent practice, whilst in truth and in fact, you were registered with Council to practice in the category, Public Service – Medical Practitioner.</p>	<p>The Professional Conduct Committee of the Medical and Dental Professions Board found the respondent guilty of unprofessional conduct on the attached charge-sheet.</p> <p>As a penalty the Committee resolved that the respondent be suspended for 5 years but that the operation thereof is wholly suspended for 10 years on condition that he is not found guilty of a similar offence during the period of suspension.</p>	<p>Durban</p>
<p><b>Dr J Van Der Walt</b> <b>MP 0407771/344/2010</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which, when regard to your profession, is unprofessional in that during or about 2004, at your practice, you employed as a locum, whilst you knew or ought to have known that the respondent is not a registered medical practitioner</p>	<p>The Professional Conduct Committee of the Medical and Dental Professions Board found the respondent guilty of unprofessional</p>	<p>Johannesburg</p>

	<p>with Council and thereby contravened Rule 9(1) of the Ethical Rules of Conduct for practitioners registered under the Health Professions Act 1974 56 of 1974 as amended.</p>	<p>conduct in terms of regulations 4 (9) of the regulations relating to the Conduct Inquiry under the Health Professions Act of 974, and to impose as a penalty a fine of R20 000 in terms of section 42(1)(d) of the Act.</p> <p>The respondent elected to pay the admission of guilt fine.</p>	
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March 2012

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr JA Margolis</b> <b>MP 0272787/330/2009</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 February 2009 and/or portion(s) thereof in respect of your patient, you treated and/or managed the patient inappropriately and/or not in accordance with acceptable norms and standards of medical care in that you:</p> <ol style="list-style-type: none"><li>1. hastily operated on your patient without adequate preoperative assessment and preparation; and/or</li><li>2. failed and/or neglected to keep proper and/or adequate clinical notes; and/or</li><li>3. failed and/or neglected to recognise an apparent complication and/or ano-rectal injury of the patient.</li></ol>	The respondent elected to pay admission of guilt fine in the amount of R25 000 without appearing at the inquiry.	Durban
<b>Mr MJ Gole</b> <b>OP 0036501/1274186</b>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard 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/spectacles allegedly dispensed by your practice on or about September 2010, whilst:</p> <ol 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></ol>	The respondent has elected to pay the admission of guilt fine in the amount of R20 000.	Johannesburg

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<p><b>Dr F Maubane</b> <b>DP 0072567/560360</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 to your profession, is unprofessional in that during the period January 2009, in respect of your patient and/or his dependent(s), you and/or your practice claimed and/or attempted to recover one or more or all amount(s) stipulated in a statement of account in respect of professional service allegedly rendered by you and/or your practice whilst</p> <p>1. one or more or all of the said statement(s) of account was/were incorrect or false in one or more or all of the following respect in that:</p> <p>1.1.1 you did not in truth and in fact render any professional service in respect of your patient and/or his dependent(s); and/or</p> <p>1.1.2 you and/or your practice claimed or attempted to recover fees to which you were not entitled to; and/or</p> <p>1.1.3 one or more or all of the said statement(s) of account was/were drafted in such a manner as to cause financial prejudice or potential prejudice to your patient and/or his dependent(s) and/or Building and Construction Medical Aid.</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 the period January 2009, in respect of your and/or his dependent(s), you and/or your practice claimed and/or attempted to recover one or more or all amount(s) stipulated in a statement of account marked in respect of professional service allegedly rendered by you and/or your practice whilst:</p> <p>2. one or more or all of the said statement(s) of account was/were incorrect or false in one or more or all of the following respect in that:</p> <p>2.1.1 you did not in truth and in fact render any professional service in respect of your patient and/or his dependent(s); and</p> <p>2.1.2 you and/or your practice claimed or attempted to recover fees to which you were not entitled to; and/or</p> <p>2.1.3 one or more or all of the said statement(s) of account was/were drafted in such a manner as to cause financial prejudice or potential prejudice to your patient and/or his</p>	<p>The accused was found guilty of unprofessional conduct on accounts 1 &amp; 2 of the charges and found not guilty on counts 3,4,5,6 &amp; 7 due to the fact that the complainants on above counts refused to testify against the practitioner and the penalty imposed was as follows: Two (2) years suspension from practice which is wholly suspended for a period of three (3) years on condition that the practitioner is not found guilty of a similar offence during the period of suspension.</p>	<p>Pretoria</p>

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	<p style="text-align: right;">dependent(s) and/or Building and Construction Medical Aid.</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 August 2008, in respect of your patient and/or his dependent(s), you and/or your practice claimed and/or attempted to recover one or more or all amount(s) stipulated in a statement of account in respect of professional service allegedly rendered by you and/or your practice whilst:</p> <p>3. one or more or all of the said statement(s) of account was/were incorrect or false in one or more or all of the following respect in that:</p> <p>3.1.1 you did not in truth and in fact render any professional services as stated in your statement of account in respect of your patient and/or his dependent(s) but rendered a gold teeth which is not covered by the medical aid and claimed for professional services that are covered by the medical and; and/or</p> <p>3.1.2 you and/or your practice claimed or attempted to recover fees to which you were not entitled to; and/or</p> <p>3.1.3 one or more or all of the said statement(s) of account was/were drafted in such a manner as to cause financial prejudice or potential prejudice to your patient and/or his dependent(s) and/or Building and Construction Medical Aid.</p>		
<p><b>Mr S Gqada</b> <b>OP 0022144/619380</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 you 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 rendered and glasses allegedly dispensed by yourself and/or your practice on or about February 2010, whilst:</p> <p>a) one or more or all of the aforesaid professional services was / were not rendered by your; and/or</p>	<p>The Respondent elected to pay the admission of guilt fine in the amount of R20 000</p>	<p>Cape Town</p>

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	<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><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 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 March 2010, whilst:</p> <p>a) one or more or all of the aforesaid professional services was / were not rendered by your; and/or</p> <p>b) you were not entitled to payment of one or more or all of the amounts specified in the said the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</p> <p>c) 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>Dr OA Oduntan</b>  <b>MP0462438/1084/2006,</b>  <b>MP0462438/618/2008,</b>  <b>MP0462438/568/2008</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 or about February 2006, in respect of your patient, you conducted yourself in a manner that is not in accordance with the standards and norms of your profession in that you:</p> <p>1.1 failed and/or neglected to properly assess your patient's pregnancy and/or labour, and/or</p> <p>1.2 failed to diagnose fetal distress in labour timeously and to ensure that a</p>	<p>The respondent was found guilty of unprofessional conduct on Count 2 and 3 of the charge-sheet and was removed from the HPCSA register of medical practitioners and was found not guilty to count 1 of the charge-sheet due to the fact that the complainant refused to attend the hearing and indicated that</p>	<p>Johannesburg</p>

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	<p>caesarean section was done as a matter of urgency; and/or</p> <p>1.3 managed your patient's pregnancy and subsequent labour in a manner that was incompetent and/or negligent, resulting in your patient giving birth to a macerated stillborn baby; and/or</p> <p>1.4 delayed in referring your patient to a hospital for an urgent caesarean section to be carried out; and/or</p> <p>1.5 failed to document clinical observations in labour; and/or</p> <p>1.6 failed and/or neglected to comply with the conditions set out by the Provincial Department of Health for the establishment of a properly equipped clinic and/or hospital.</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 or about December 2007, in respect of your patient, you conducted yourself in a manner that is not in accordance with the standards and norms of your profession in that you:</p> <p>2.1 failed and/or neglected to provide a reasonable standard of health care to your patient in labour by providing poor monitoring of the mother and baby during labour; and/or</p> <p>2.2 failed and/or neglected to recognise the need to refer the patient who was declining internal examinations to a referral facility or hospital with a setting of ruptured membranes; and/or</p> <p>2.3 failed and/or neglected to document clinical observations in labour; and/or</p> <p>2.4 failed and/or neglected to comply with the conditions as set out by the Provincial Department of Health for the establishment of a properly equipped clinic and/or or hospital.</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 or about December 2007, in respect of your patient, you conducted yourself in a manner that is not in accordance with the standards and norms of your profession in that you:</p>	<p>she has moved on with her life. On 26 March 2012 Council was served with Notice of motion by the attorneys of the respondent which is the urgent application to allow the practitioner to practice his profession until the final ruling is made by the High Court.</p>	

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	<p>3.1 failed and/or neglected to provide a reasonable standard of health care to your patient in labour by providing poor monitoring of the mother and baby during labour; and/or</p> <p>3.2 failed and/or neglected to recognise the need to refer the patient who was declining internal examinations to a referral facility or hospital with a setting of ruptured membranes; and/or</p> <p>3.3 failed and/or neglected to document clinical observations in labour; and/or</p> <p>3.4 failed and/or neglected to comply with the conditions as set out by the Provincial Department of Health for the establishment of a properly equipped clinic and/or hospital.</p>		
<p><b>Dr F Kasoojee</b> <b>DP 0089516/389/2010</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 to your profession, is unprofessional in that on or about February 2010, 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:</p> <p>i) your management of the patient was poor  ii) You failed to diagnose intraoral entry opening; and  iii) You failed and/or neglected to take steps to remedy the broken fractured root.</p>	<p>The respondent elected to pay a fine in the amount of R5 000 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p><b>Drs M Rakgole and N Mphathulo</b> <b>MP 0553565/1383630,</b> <b>MP 0555231/1383422</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 a statement of account to the medical aid in respect of your patient for professional services allegedly rendered on during October 2010 whilst: -</p> <p>1.1 You did not render any professional services to your patient and/or his dependents, and/or;</p> <p>1.2 You were not entitled to the fees charged in the statement;</p> <p>1.3 The statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the medical aid.</p> <p><b><u>COUNT 2</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard</p>	<p>Both respondents pleaded guilty and were sentenced as follows:</p> <ul style="list-style-type: none"> <li>12 months suspension from private practice wholly suspended for a period of 5 years on condition that they are not found guilty of same or similar offence during the period of suspension.</li> </ul>	<p>Pretoria</p>



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	<p>to your profession, is unprofessional in that you and/or your practice rendered or caused or permitted to be rendered a statement of account to the medical aid in respect of your patient for professional services allegedly rendered during November 2010 whilst: -</p> <p>1.1 You did not render any professional services to your patient and/or his dependents, and/or;  1.2 You were not entitled to the fees charged in the statement;  1.3 The statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the medical aid.</p> <p><b><u>COUNT 3</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard to your profession, is unprofessional in that during February, and in respect your patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you sent her an unacceptable threatening text message, which contents appear more fully on annexure "B" hereto attached.</p>		
<p><b>Dr SJ Van Zyl</b>  <b>MP 0033227/1819/2009</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard to your profession, is unprofessional in that during August 2008, at a Commercial Crimes Court, you conducted yourself in a manner that brought your profession into disrepute in that you were convicted of 1947 counts of fraud relating to Medical Aid claims submitted to a Medical Scheme amounting to R387 350,60 and sentenced to a fine of R200 000,00 or two years imprisonment with a further six years imprisonment conditional for five years.</p>	<p>The respondent pleaded guilty and the Committee resolved that he be sentenced as follows:</p> <ul style="list-style-type: none"> <li>• 5 years suspension from the register, wholly suspended for a period of five (5) years.</li> </ul>	<p>Pretoria</p>
<p><b>Dr MD Hatchuel</b>  <b>MP 0208213/1784/2009</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard to your profession is unprofessional, in that upon or about April 2009 and in respect of your 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 or your practice rendered or caused or permitted to be rendered, a statement of account in respect of alleged professional services rendered by you or your practice, whilst:</p>	<p>The Respondent elected to pay a fine in the amount of R10 000 without appearing at the inquiry.</p>	<p>Johannesburg</p>

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	<ol style="list-style-type: none"> <li>1. you charged a fee that was 400% above your patient's medical aid rate and failed to discuss your fee structure and obtain written informed consent from her; and/or</li> <li>2. failed and/or neglected to advise your patient that she was liable for the shortfall in the amount not covered by her medical aid scheme.</li> </ol>		
<b>Dr RY Frempong</b> <b>MP 0376132/728/2008</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 you or your practice rendered or caused or permitted to be rendered a statement of account to the medical aid, for professional services and prescription of medication allegedly rendered during August 2006 whilst:-</p> <ol style="list-style-type: none"> <li>1.1 the statement contained claims for the following services that were not rendered to the patient to wit</li> <li>1.2 you were not entitled to the fees charged in the statement; and/or</li> <li>1.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the medical aid.</li> </ol> <p><b><u>COUNT 2</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to a Medical Aid, in respect of your patient for professional services and prescription of medication allegedly rendered during October 2006 whilst:-</p> <ol style="list-style-type: none"> <li>2.1 the statement contained claims for the following services that were not rendered to patient to wit,</li> <li>2.2 you were not entitled to the fees charged in the statement;</li> <li>2.3 the statement was drafted in such a manner as to mislead cause financial prejudice or potential prejudice to the medical aid.</li> </ol> <p><b><u>COUNT 3</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid,</p>	<p>The Respondents elected to pay a fine in the amount of R5000 each without appearing at the inquiry.</p>	<p>Pretoria</p>

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	<p>in respect of your patient for professional services allegedly rendered during December 2006 whilst:-</p> <p>3.1 the statement contained claims for the services that were not rendered to patient, to wit,</p> <p>3.2 you were not entitled to the above-mentioned fees charged in the statement;</p> <p>3.3 the statement was drafted in such a manner as to mislead cause financial prejudice or potential financial prejudice to the medical aid.</p> <p><b><u>COUNT 4</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, in respect of your patient for professional services, medication dispensed and/or administered allegedly rendered during of January 2007 till May 2007:</p> <p>4.1 you were not entitled to the above- mentioned fees charged in the statement; and/or</p> <p>4.2 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to the medical aid.</p> <p><b><u>COUNT 5</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, in respect of your patient for professional services allegedly rendered during August 2007 whilst:-</p> <p>5.1 the statement contained claims for the following services that were not rendered to patient to wit,</p> <p>5.2 you were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>5.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to the medical aid.</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 to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered on during August 2007 whilst:-</p> <p>6.1 the statement contained claims for the following services that were not rendered to patient to wit,</p> <p>6.2 you were not entitled to the above –mentioned fees charged in the statement; and/or</p> <p>6.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to the medical aid</p> <p><b><u>COUNT 7</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered during July 2007 whilst:-</p> <p>7.1 the statement contained claims for the following services that were not rendered to patient to wit,</p> <p>7.2 you were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>7.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential, financial prejudice to the medical aid.</p> <p><b><u>COUNT 8</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered during August 2007 whilst:-</p> <p>8.1 statement contained claims for the following services that were not</p>		

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	<p>rendered to patient to wit,</p> <p>8.3 you were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>8.4 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential, financial prejudice to the medical aid.</p> <p><b><u>COUNT 9</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered during September 2007 whilst:-</p> <p>9.1 the statement contained claims for the following services that were not rendered to patient to wit, and/or</p> <p>9.2 you were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>9.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential, financial prejudice to the medical aid.</p> <p><b><u>COUNT 10</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered during October 2007 whilst:-</p> <p>10.1 statement contained claims for the following services that were not rendered to patient to wit, Acute Gastric Ulcer (0190); and/or</p> <p>10.2 you were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>10.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to the medical aid.</p>		

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	<p><b><u>COUNT 11</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered during January 2007 whilst:-</p> <p>11.1 statement contained claims for the following services that were not rendered to patient to wit, and/or</p> <p>11.2 you were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>11.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to the medical aid.</p> <p><b><u>COUNT 12</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional, in that you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered during April 2008 whilst:-</p> <p>12.1 statement contained claims for the following services that were not rendered to patient to wit, and/or</p> <p>12.2 you were not entitled to one or more of the fees charged in the statement; and/or</p> <p>12.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to the medical aid.</p>		
<p><b>Dr G Mdlalose &amp; NJ Malinga MP 0489522/1282324 &amp; MP 0484369/1282224</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 to your profession is unprofessional in that you rendered or caused or permitted to be rendered on your behalf, in respect of your patient, an account/statement wherein you charged and or attempted to recover the amount specified in the said account/statement in respect of professional services rendered by you on or about September 2009, whilst the said account was drafted in a manner that is inaccurate or incorrect</p>	<p>The respondents elected to pay a fine in the amount of R5 000 each without appearing at the inquiry.</p>	<p>Pretoria</p>

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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 to your profession is unprofessional in that you rendered or caused or permitted to be rendered on your behalf, in respect of your patient, an account/statement wherein you charged and or attempted to recover the amount specified in the said account/statement in respect of professional services rendered by you on or about December 2009, whilst the said account was drafted in a manner that is inaccurate or incorrect</p> <p><b><u>COUNT 3</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard to your profession is unprofessional in that you rendered or caused or permitted to be rendered on your behalf, in respect of your patient, an account/statement wherein you charged and or attempted to recover the amount specified in the said account/statement in respect of professional services rendered by you on or about December 2010, whilst the said account was drafted in a manner that is inaccurate or incorrect.</p>		
<p><b>Dr C Benecke</b> <b>MP 0457503/1384/2009</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard to your profession, is unprofessional during July 2009 during a consultation with a patient you displayed rude behavior towards your patient.</p>	<p>The Professional Conduct Committee discharged the respondent in terms of Regulations 9(7).</p>	<p>Cape Town</p>
<p><b>Dr PS Fourie</b> <b>MP 02077131/1479/2008</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard to your profession is unprofessional, in that during the period November 2008, in respect your patient you treated and/or managed your patient inappropriately and/or not in accordance with acceptable norms and standards of medical profession in that you:</p> <ol style="list-style-type: none"> <li>1. failed and/or neglected to properly diagnose the illness of the patient and/or poorly communicated with him; and/or</li> <li>2. prescribed medication which was not indicated and/or provided the patient with substandard care and/or insufficient care.</li> </ol>	<p>The respondent elected to pay a fine in the amount of R10 000 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p><b>Dr Y Moodley</b> <b>MP 0519650/1130//07</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard to your profession, is unprofessional in that during the period August 2007, in respect of your patient you inadequately managed the pregnancy.</p>	<p>The Respondent paid an admission of guilt fine in the amount of R 2 500.</p>	<p>Pretoria</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr R Rahbeeni</b> <b>DP 0047163/924564</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 you and/or your practice rendered a 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 rendered allegedly by yourself and/or your practice on or about 8 July 2009, whilst:</p> <p>1.1 one or more or all of the aforesaid professional services was/were not rendered by you; and/or</p> <p>1.2 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>1.3 the said account/statement was drafted in a manner that was inaccurate and/or incorrect; and /or</p> <p>1.4 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>The Medical and Dental Professions Board resolved that the doctor be cautioned.</p>	<p>Cape Town</p>
<b>Dr AJ Coetsee</b> <b>MP 0499269/1415/2009</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 or about April 2009 to August 2009, or portions thereof, and in respect of your patient, you managed your patient in a manner that was incompetent and/or negligent and/or which does not conform to generally acceptable norms and standards of your profession in that, you:</p> <p>1.) kept and/or issued schedule 5 medicine/s without keeping a proper drug register; and/or</p> <p>2.) failed and/or neglected to keep proper medical records of your patient/s for which he prescribed and/or issued schedule 5 medication; and/or</p> <p>3.) prescribed and/or supplied schedule 5 medication to your patient/s without a valid medical indication; and /or</p> <p>4.) prescribed and/or issued prescriptions for schedule 5 medication to your patient/s without performing a thorough medical examination of the patient; and/or</p> <p>5.) failed and/or neglected to keep schedule 5 medication in a secure facility; and/or</p> <p>6.) failed and/or neglected to instruct your patient/s against the dangers of use and/or overuse of schedule 5 medication; and/or</p>	<p>The practitioner was suspended from the roll for 5 years but that the operation thereof is wholly suspended for 10 years on condition that he is not found guilty of a similar offence during the period of suspension.</p>	<p>Bloemfontein</p>



Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>7.) over prescribed and/or inappropriately prescribed schedule 5 medication to your patient/s; and/or</p> <p>8.) prescribed schedule 5 medication without having regard to patient safety.</p> <p>9.) failed and/or neglected to refer and/or to investigate your patient's dependency symptoms.</p> <p>ALTERNATIVE TO PARAGRAPH 9: failed and/or neglected to refer the patient for psychiatric evaluation and/or investigation.</p>		

April 2012

Registration Number & Name of Practitioner	Nature of Complaint	Penalty	Town
<b>Dr PS Fourie</b> <b>MP 02077131/1479/2008</b>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard to your profession is unprofessional, in that during the period November 2008, in respect your patient you treated and/or managed your patient inappropriately and/or not in accordance with acceptable norms and standards of medical profession in that you:</p> <ol style="list-style-type: none"> <li>1. failed and/or neglected to properly diagnose the illness of the patient and/or poorly communicated with him; and/or</li> <li>2. prescribed medication which was not indicated and/or provided the patient with substandard care and/or insufficient care.</li> </ol>	<p>The Respondent elected to pay a fine in the amount of R10 000 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<b>Dr V Dobreff</b> <b>MP 0375080/83/2010</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 on or about 5 January 2010 and in respect of your patient, you acted in a manner that is not in accordance with norms and standards of your profession in that you communicated with patient using words and/or phrases that were of a derogative nature and which impaired or could have impaired the dignity of your patient.</p>	<p>The 2<sup>nd</sup> Medical Committee of Preliminary Inquiry Board resolved that the practitioner is found guilty of unprofessional conduct in terms of regulation 42 (8) and (9) Act of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to impose as penalty a fine of R 5 000 based on the following points:</p> <ul style="list-style-type: none"> <li>• The respondent passed racist comments to the complainant. The respondent elected to pay the admission of guilt fine in the amount of R5 000.</li> </ul>	<p>Durban</p>
<b>Dr S Dhooma</b> <b>MP 0506222/1221/2008</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 July 2008, 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 rendered a</p>	<p>The First Medical Committee of Preliminary Inquiry Board resolved that the practitioner is found guilty of unprofessional conduct in terms</p>	<p>Durban</p>

Registration Number & Name of Practitioner	Nature of Complaint	Penalty	Town
	<p>statement of account in respect of alleged professional services rendered by you the patient whilst:</p> <ol style="list-style-type: none"> <li>1. You failed and/or neglected to obtain informed written consent to attend to your patient and/or</li> <li>2. Failed to discuss your fee structure and/or to obtain informed consent to charge a fee that was above the rate paid by the patient's Medical Aid Scheme.</li> </ol>	<p>of Regulation 4(9) Act of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to impose as a penalty a fine of R 2 000 based on the following:</p> <ul style="list-style-type: none"> <li>• The accused allegedly claimed for services not rendered.</li> <li>• The respondent elected to pay the admission of guilt fine in the amount of R2 000.</li> </ul>	
<p><b>Mr S Papaikonomou</b> <b>OP 0015652/564320</b></p>	<p>That you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional, in that you incorrectly reflected on your letter head, dated 29 June 2009, that you are a Specialist Optometrist, and a Doctor, whilst in truth and in fact you were using a title and a category that is not recognised in Optometry.</p>	<p>The First Medical committee of Preliminary Inquiry Board resolved that the respondent is found guilty of unprofessional conduct in terms of Regulation 4(9) Act of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to impose as penalty a fine of R3 000 based on the following points:</p> <ul style="list-style-type: none"> <li>• Misleading the public by being called a doctor on his letterhead, and a specialist optometrist. The respondent elected to pay the admission of guilt fine in the amount of R3 000.</li> </ul>	<p>Johannesburg</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 or about February 2010 to May 2010, or portions thereof, you offered to pay commission and/or material consideration ( monetary or otherwise) to any person for recommending patients to your practice as part of a loyalty campaign and thereby contravened rule 7(2) of the ethical rules of conduct for practitioners registered under the Health Professions Act, 1974 (Act No.56 of 1974).</p>	<p>The Professional Conduct Committee of the Medical and Dental Professions Board resolved that the respondent is found guilty of unprofessional conduct in terms of Regulation 4(9) Act of the regulation relating to the conduct of inquiries under the Health</p>	<p>Cape Town</p>

Registration Number & Name of Practitioner	Nature of Complaint	Penalty	Town
		<p>Professions Act, 1974 and to impose as penalty a fine of R5 000 based on the following points:</p> <ul style="list-style-type: none"> <li>• Unethical advertising.</li> </ul> <p>The respondent elected to pay the admission of guilt fine in the amount of R5 000.</p>	
<p><b>Dr EAG Assad</b> <b>DP 0022780/745170</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 or about October 2010 to November 2010, or portions thereof, and in respect of your patient you failed and/or neglected and/or refused to remove patient's orthodontic appliance which could lead to the detriment of your patient.</p>	<p>The Professional Conduct Committee of the Medical and Dental Professions Board resolved that the respondent is found guilty of unprofessional conduct in terms of Regulation 4(9) Act of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to impose as penalty a fine of R20 000 based on the following points:</p> <ul style="list-style-type: none"> <li>• With holding of disbandment of a treatment.</li> </ul> <p>The respondent elected to pay the admission of guilt fine in the amount of R20 000.</p>	<p>Johannesburg</p>
<p><b>Dr TS Mpotoane</b> <b>MP 0396664/410/2010</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 upon or about or during March 2010 and 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 and/or neglected to communicate your patient's diagnosis and/or treatment intervention with her family members and/or failed to keep them informed.</p>	<p>The first Medical Committee of Preliminary Inquiry Board resolved that the respondent is found guilty of unprofessional conduct in terms of Regulation 42 (8) and (9) Act of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to impose as a penalty a fine of R10 000 based on the following:</p> <ul style="list-style-type: none"> <li>• The respondent failed to</li> </ul>	<p>Johannesburg</p>

Registration Number & Name of Practitioner	Nature of Complaint	Penalty	Town
		<p>provide patient and family members his diagnosis of the condition post operation neither has he given medical report to the relevant person despite numerous requests to do so.</p> <p>The respondent has elected to pay the admission of guilt fine in the amount of R10 000.</p>	
<p><b>Dr F Lotter</b> <b>MP 0331821/924502</b></p>	<p><b>COUNT 1</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 December 2010, 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 issued medical certificates to your patients whilst the certificates did not comply with the provisions of Rule 16 of the Ethical Rules of Conduct in that you:-</p> <p>failed and/or neglected to delete words which were not applicable; and/or</p> <p>failed to indicate in block letters, the name of the practitioner issuing the certificate; and/or</p> <p>failed to indicate the time of treatment.</p> <p><b>COUNT 2</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 December 2010, you acted in a manner that is not in accordance with the norms and standards of your profession in that you employed a locum who was not registered to practice medicine outside of a public hospital and/or who was not registered to perform private practice.</p>	<p>The first Medical Committee of Preliminary Inquiry Board resolved that the respondent is found guilty of unprofessional conduct in terms of Regulation 4 (9) Act of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to impose as a penalty a fine of R32 500 based on the following:</p> <ul style="list-style-type: none"> <li>• Issuing of unprofessional medical certificates which were completed without deletion on unfilled areas and without stating the time,</li> <li>• Employed a locum who was registered for public service only and not for private practice.</li> </ul> <p>The respondent elected to pay the admission of guilt fine in the amount of R32 500.</p>	<p>Pretoria</p>

Registration Number & Name of Practitioner	Nature of Complaint	Penalty	Town
<p><b>Dr TW Molaoa</b> <b>MP 0660566/91/2009</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 upon or about 2009, you acted in a manner that was not in accordance with the norms and standards of your profession in that you contravened Ethical Rule 20, you failed and/or refused to respond to Council's correspondence relating to a complaint lodged by your patient against you.</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 upon or about 20 May 2010, you acted in a manner that was not in accordance with the norms and standards of your profession in that you contravened Ethical Rule 20 in that you failed and/or refused to attend a consultation with the Councils Committee of Preliminary Inquiry at its meeting held on 20 May 2010.</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 upon or about December 2008, you acted in a manner that was not in accordance with the norms and standards of the professions in that you absented yourself from duty at your place of work thus compromising patient care and/or putting your patient's lives at risk.</p>	<p>The first Medical Committee of Preliminary Inquiry Board resolved that the respondent is found guilty of unprofessional conduct in terms of Regulation 42 (8) and (9) Act of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to impose as a penalty a fine of R10 000 based on the following:</p> <ul style="list-style-type: none"> <li>• Contempt of Council for failure to file an explanation</li> <li>• Contempt of Council for failure to consult with Committee as directed</li> <li>• Absconding from duty and</li> <li>• Compromising patient care.</li> </ul> <p>The respondent elected to pay the admission of guilt fine in the amount of R10 000.</p>	<p>Durban</p>

MAY 2012

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr SW Maphisa</b> <b>MP 04404421/171/2009</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 December 2008, in respect of your patient, you and/or your practice employed a person with a limited registration to work as a locum.</p>	<p>The respondent elected to pay a fine of R10 000,00 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p><b>Ms T Pokroy</b> <b>OP 0030562/1287972</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 during the period between December 2010 and January 2011, in respect of your patient, you and/or your practice:</p> <ol style="list-style-type: none"> <li>1. claimed fees from a Medical Aid Scheme of your patient without his and/or her consent and/or authorization; and/or</li> <li>2. failed and/or neglected to discuss your fee structure and obtain written informed consent from him and/or her; and/or</li> <li>3. failed and/or neglected to advise your patient that she was liable for shortfall in the amount not covered by his and/or her medical aid.</li> </ol>	<p>The respondent elected to pay a fine in the amount of 20 000,00 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p><b>Dr PP Skosana</b> <b>MP 0564362/99/2010</b></p>	<p><b>COUNT 1</b> <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 year 2009, you and/or your practice rendered a statement of account to your patient and/or his medical aid in respect of professional services rendered to your patient, whilst:</p> <ol style="list-style-type: none"> <li>1.1 you knew and/or ought to have known that no professional services were rendered to your patient and/or dependents.</li> </ol>	<p>The respondent elected to pay an admission of guilt fine of R10 000.</p>	<p>Johannesburg</p>
<p><b>Mrs RL Fasser</b> <b>PS 0030180/1198/2009</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 or about April 2009 and May 2009 you entered into a multiple relationship with your patient and thereby contravened Rule 18 of the rules of conduct pertaining specifically to the profession of Psychology as contained in Annexure 12 of the ethical rules of conduct for practitioners registered under the Health Professions Act, 1974.</p>	<p>The Professional Committee of the Professional Board for Psychology found the respondent not guilty of unprofessional conduct on the attached charge-sheet. The Committee stated that although the respondent did enter into a multiple</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
		relationship with the client, there had been no evidence that the respondent transgressed the said ethical rule.	
<b>Dr J Viljoen</b> <b>MP 0391506/374/2008</b>	<p><b>THAT</b> you are guilty of improper or disgraceful conduct or conduct which, when regard is had to your profession is improper or disgraceful in that on 28 February 2008, you furnished or issued and/or caused to be furnished and/or issued a medical certificate in respect of your patient, whilst</p> <p>1.1 you did not examine the patient properly or at all;  1.2 you did not indicate whether the certificate was issued as a result of personal observations by yourself during examination or as a result of information received from your patient.</p>	The respondent paid admission of guilt fine of R5 000 without appearing at the inquiry.	Johannesburg
<b>Dr M Gainsford</b> <b>MP 0391310/1449850</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 24 March 2011, 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 were rude towards your patient.</p>	The respondent was found guilty of unprofessional conduct as per the charge-sheet and was sentenced as follows: cautioned and reprimanded.	Port Elizabeth



JUNE 2012

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr M Selikson</b> <b>DP 0059056/602796</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 on or about 01 February 2010, in respect of your patient; you and/or your practice rendered or caused or permitted to be rendered on your behalf, a statement of account wherein you charged and/or attempted to recover one or more or all of the amount specified in the said account in respect of alleged professional services rendered, whilst:</p> <ol style="list-style-type: none"><li>1. the statement of account was false or incorrect or inaccurate in that you did not render one or more or all of the aforesaid professional services and/or charged codes 8147 and 9187 when in truth the procedure was performed under local anaesthetic; and/or</li><li>2. 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>3. the said account/statement was drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li></ol>	The respondent elected to pay a fine in the amount of R10 000 without appearing at the inquiry.	Johannesburg
<b>Dr V Solanki</b> <b>MP 0327492/195/2010</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 February 2010, you acted in a manner that was unprofessional and/or not in accordance with generally accepted norms and standards of the medical profession in that you used and/or sold unregistered medicine at an airport.</p>	The respondent elected to pay a fine in the amount of R20 000 without appearing at the inquiry.	Johannesburg

JULY 2012

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr D Ledzinski</b> <b>MP 0249688/447/2010</b>	<b>The Preliminary Committee resolved that:</b> i) that the doctor is guilty of unprofessional conduct in terms of regulation 4(9) of the regulations relating to the conduct inquiries under the Health Professions Act 1974; and ii) To impose as a penalty, a fine of R5 000 in terms of section 42(1)(d) of the Act.	The respondent elected to pay a fine of R5 000 without appearing at the inquiry.	East London
<b>Ms H Redelinghuys</b> <b>PS 0058823/1540566</b>	<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 October 2010, in respect of a minor child, you prepared and compiled a written report and made a recommendation in favour of the mother regarding the full custody of a minor child without a thorough evaluation of another biological parent to wit the father and also recommended limited visitations by the father.  Alternatively: that you were biased and/or one sided when making recommendations and/or compiling the said report.	The respondent was found guilty and paid a fine of R20 000	Bloemfontein
<b>Dr Appiah-Baiden</b> <b>MP 0426849/377/2009</b>	<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 February 2009 you issued a medical certificate in respect of your patient without having consulted with and/or examined the patient and/or without having personal knowledge of his medical condition.	The respondent paid an admission of guilt fine in the amount of R2 000.	Johannesburg
<b>Dr E Musoke</b> <b>MP 0387240/1591286</b>	<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 November 2010 and March 2011 and 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:-  i) You charged your patient private rates without obtaining informed billing consent.	The respondent elected to pay a fine in the amount of R10 000 without appearing at the inquiry.	Johannesburg
<b>Dr TL Khalo</b> <b>MP 0549312/694/2007</b>	<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 March 2004, in respect of your patient, you acted in a manner that is not in accordance with the norms and standards of medical	The respondent pleaded guilty and was convicted on the strength of his plea and sanctioned as follows: Caution and Reprimanded.	Johannesburg

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>profession in that you:</p> <ol style="list-style-type: none"> <li>1.1 completed a death certificate without a post-mortem being done;</li> <li>1.2 failed and/or neglected to perceive that the cause of death of the deceased was of such a nature, that a post-mortem was mandatory;</li> <li>1.3 completed a death certificate when you were not a treating doctor.</li> </ol>		
<p><b>Dr SG Patel</b> <b>MP06007097/708874</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 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 the amount specified in the said account/statement in respect of professional services allegedly rendered by you or about the January 2008 until September 2009 whilst the said account/statement was drafted in a manner that was inaccurate or incorrect.</p>	<p>The respondent elected to pay a fine in the amount of R5 000 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p><b>Dr DA Merrell</b> <b>MP 0135577/1527684</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 March 2011, in respect of your patient, you managed your patient in a manner that was incompetent and/or negligent and/or which does not conform to generally acceptable norms &amp; standards of your profession in that:</p> <ol style="list-style-type: none"> <li>1. you performed a trans-vaginal ultrasound and digital vaginal examination on your patient who was a virgin and who informed you that she was not comfortable with an internal examination.</li> </ol>	<p>The respondent was found guilty of unprofessional conduct based on the following point:</p> <ul style="list-style-type: none"> <li>• trans-vaginal ultrasound and digital vaginal examination on your patient who was a virgin and who informed you that she was not comfortable with an internal examination.</li> </ul> <p>The respondent was cautioned and reprimanded.</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr WL Vickers</b> <b>MP 0321630/112/2207</b>	<p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during or about May 2006 and in respect of your patient you:</p> <ul style="list-style-type: none"> <li>a) Pre-operatively failed and/or neglected to counsel your patient concerning alternative treatment methods to a mesh prolift procedure for the treatment of your patients grade II pelvic prolapse; and</li> <li>b) Pre-operatively you failed and/or neglected to obtain your patient's informed consent to place a tension-free vaginal tape.</li> </ul>	<p>The respondent paid an admission of guilt fine in the amount of R10 000.</p>	<p>Johannesburg</p>
<b>Mr SH Pitamber</b> <b>Op 0028029/208/2010</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 on or about September 2009, in respect of your patient you and/or your practice processed a claim for goods from a medical aid without informed consent from your patient.</p>	<p>The respondent was found guilty of unprofessional conduct as per the attached charge-sheet and was sentenced as follows: Six (6) months suspension from practice which is wholly suspended for a period of three (3) years on condition that the respondent is not found guilty of a similar offence during the period of suspension.</p>	<p>Johannesburg</p>

**AUGUST 2012**

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Mrs T Koning PS 0037826</b>	<b>THAT</b> you were acting outside of your scope of profession	The respondent elected to pay a fine of R2 500 for advertising and R5 000 for acting outside the scope of her profession.	Johannesburg
<b>Dr J Kryzstofiak MP 0349461/559404</b>	<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 2007, in respect of your patient, you breached doctor-patient confidentiality in that you disclosed confidential information to a third party without your patient's consent.	The respondent was found not guilty and discharged of unprofessional conduct as per the attached charge-sheet due to lack of evidence.	Durban
<b>Dr D Cloete MP 0179841/1609200+</b>	<b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during or about March 2011, you divulged information relating to your patient to a third party, without your patient's express consent and thereby contravened Rule 13(2)(a) of the ethical rules of conduct for practitioners registered under the Health Professions Act, 1974.	The respondent paid an admission of guilt fine in the amount of R10 000 in respect of the charge.	Pretoria
<b>Ms I Bishop PR 0025321/1584756</b>	<b>THAT</b> you are guilty of unprofessional conduct, or conduct which when regard is had to your profession is unprofessional in that during or about July 2010, or portions thereof, in respect of your patient, you and/or your practice having rendered professional services to your patient, failed and/or neglected and/or omitted, to timeously render a statement of account to your patient's medical aid scheme, thereby causing potential and/or financial prejudice to your patient.	The respondent was found guilty of unprofessional conduct in terms of Regulation 4(9) of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and a penalty fine of R5 000 was imposed. The respondent elected to pay the admission of guilt fine.	Johannesburg
<b>Mr F van Heerden</b>	<b>THAT</b> you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional in that during or about the year 2010, or portions thereof, you or your practice acted in a manner that is not in accordance with Rule 4(f) of Annexure 8 of the Ethical Rules of Conduct (a copy of which is annexed hereto, marked annexure "A"), in that you conducted a mobile practice whilst such practice was not registered with the Board.	The respondent was found guilty of unprofessional conduct in terms of Regulation 4(9) of the regulation relating to the conduct of inquiries under the HPCSA Act of 1974 and a penalty fine of R30 000 was imposed. The respondent elected to pay the admission of guilt fine.	Pretoria

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Mr F Dethioux</b> <b>ANA 0012955/164/2009</b>	<b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that in support of your application for registration of additional qualifications with this Council during or about Febraury 2008 you submitted two qualifications from a University, whilst you ought to have known that these qualifications were of no value and did not qualify for additional qualifications in your profession.	The respondent was found guilty of unprofessional conduct on the charges. The penalty is that the respondent be suspended from practising his profession for a period of twelve (12) months which period of suspension is wholly suspended for a period of five (5) years on condition that he is not convicted of unprofessional conduct, committed during the period of suspension, relating to any attempt to manipulate or improperly broaden his qualifications or registration or scope of practice.	Bloemfontein
<b>Mr TA Mahapa</b> <b>OD 0003832/322/2010</b>	<b>COUNT 1: 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 February 2010, in respect of your patients:  1.1 misrepresented yourself as an optometrist whilst you were a dispensing optician.  <b>Alternatively:</b> claimed for services rendered from a Medical Aid and failed to deliver the end product to the patients.  <b>COUNT 2: 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 from March 2010 to June 2011, you failed to respond to Council correspondence (contempt of Council).	The practitioner was found guilty of unprofessional conduct on alternative charge to the main count and not guilty on the second count due to lack of evidence and was sentenced as follows: Caution and Reprimand.	Johannesburg
<b>Dr WG Boshoff</b> <b>MP 016947/180/2010</b>	<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 from the years 2007 to 2010, in respect of your patient, you acted in a manner that is not in accordance with the norms and standards of the medical profession in that you:	The respondent elected to pay an admission of guilt fine in the amount of R10 000 without appearing at the inquiry.	Johannesburg

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>1. failed and/or neglected to examine your patient adequately and/or take medical history leading to misdiagnosis.</p>		
<p><b>Dr P Molete</b> <b>MP 0388521/1634750</b></p>	<p><b>COUNT 1: 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 2011, in respect of your patient, you furnished or issued a medical certificate which was not completed in accordance with the ethical rules of the Health Professions Council of South Africa and/or which certificate was unacceptable and/or defective in that you:</p> <p>1. failed and/or neglected to specify the exact period on which patient will be ready to resume work.</p> <p><b>COUNT 2: 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 June 2011, in respect of your patient, you furnished or issued a medical certificate which was not completed in accordance with the ethical rules of the Health Professions Council of South Africa and/or which certificate was unacceptable and/or defective in that you:</p> <p>1. failed and/or neglected to specify the exact period on which patient will be ready to resume work.</p> <p><b>COUNT 3: 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 March 2011, in respect of your patient, you furnished or issued a medical certificate which was not completed in accordance with the ethical rules of the Health Professions Council of South Africa and/or which was unacceptable and/or defective in that you:</p> <p>1. failed and/or neglected to specify the exact period on which patient will be ready to resume work.</p>	<p>The respondent elected to pay a fine in the amount of R10 000 without appearing at the inquiry.</p>	<p>Pretoria</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Mr MP Noqamza</b> <b>PS 0076651/630/2007</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 October 2006 and October 2006, in respect of your patients being your family members, you engaged in a multiple relationship by providing them with psychological services thus contravening Rule 18 of the conduct pertaining specifically to Psychology published in the GOVERNMENT GAZETTE, 4 AUGUST 2006, No. 29079 which provides as follows that a psychologist:</p> <p>1.1 shall refrain from undertaking professional activities when there is a likelihood that their personal circumstances may prevent them from performing such professional activities in a competent manner; and/or</p> <p>1.2 shall refrain from taking on a professional role when personal interest could reasonably be expected to impair their objectivity, competence, or effectiveness in performing their functions as psychologist; and/or</p> <p>1.3 shall refrain from entering into a multiple relationship if the multiple relationships could reasonably be expected to impair the psychologist's objectivity, competence or effectiveness in performing their functions as psychologist or otherwise risk explosion or harm to the person(s) with whom the professional relationship exists.</p>	<p>The respondent was found guilty of unprofessional conduct as per the Amended Charge-Sheet and was sentenced as follows: Twelve (12) months suspension from practice which is wholly suspended for a period of two (2) years on condition that the practitioner is not found guilty of a similar offence during the period of suspension.</p>	<p>Durban</p>
<p><b>Drs J Malherbe, K Muller &amp; J Oosthuizen</b> <b>MP0526894/650246,</b> <b>MP0476811</b> <b>MP 0191744/1084116</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 between December 2009 until August 2010 in respect of your patient you treated and/or managed the patient inappropriately and/or not in accordance with acceptable norms and standards of medical practice in that you:</p> <p>1. failed and/or neglected to adequately institute management of the patient timeously; and/or</p> <p>2. failed and/or neglected to refer the patient to a specialist for chest pains and short breath; and/or</p>	<p>The respondent, Dr K Muller pleaded guilty on unprofessional conduct in respect of paragraphs 2,3 &amp; 5 of the attached charge-sheet and was acquitted on paragraphs 1 &amp; 4 and was separated from his two co-respondents, Drs Malherbe and Oosthuizen and was sentenced as follows: R20 000 fine. Both practitioners Drs Malherbe and Oosthuizen were found not guilty and discharged due to lack of</p>	<p>Port Elizabeth</p>



Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	3. failed and/or neglected to appreciate the seriousness of the nature of the complication caused by Yaz.	evidence.	
<b>Dr A Stavrides</b> <b>MP 43040/1716/2009</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 upon or about January 2009, 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: -</p> <ol style="list-style-type: none"> <li>1. failed or neglected to properly examine your patient; and/or</li> <li>2. Misdiagnosed your patient's condition when he presented with clear signs and symptoms of a perforated appendix.</li> </ol>	The respondent has paid an admission of guilt fine of R10 000.	Johannesburg
<b>Dr G Anyetei</b> <b>MP 0411825/963840</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 on or about June 2010, 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:</p> <ol style="list-style-type: none"> <li>1.1 overcharged your patient for the delivery of her baby, without personally attending to the delivery;</li> <li>1.2 failed and/or neglected to attend confinement;</li> <li>1.3 failed and/or neglected to arrange alternative cover;</li> <li>1.4 failed and/or neglected to perform a post delivery examination;</li> <li>1.5 failed and/or neglected to obtain an informed consent.</li> </ol>	The respondent was found not guilty and discharged.	Johannesburg

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr VE Nongogo</b>  <b>MP 0606189/1299/2008</b>  <b>MP 0606189/389/2009</b>  <b>MP 0606189/420/2010</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 November 2008, 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 contravened Ethical Rule 16 in that:</p> <p>1.1 issued your patient with a Medical Certificate which does not comply with the provisions of the stated Ethical Rule.</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 November 2008, 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:</p> <p>2.1 issued a Medical Certificate in respect of your patient without examining her and/or without valid medical reasons.</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 November 2008, 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 contravened Ethical Rule 16 in that you:</p> <p>3.1 issued your patient with a Medical Certificate which does not comply with the provisions of the stated Ethical Rule;</p> <p>3.2 issued a medical certificate in respect of your patient without examining her and/or without valid medical reasons.</p>	<p>There were three individual files, of which the matters were consolidated. As a result 11 counts of misconduct were preferred against the respondent. The respondent was found guilty on nine (9) counts and not guilty on two (2) counts and charged as follows:</p> <p>Counts 1 – 4: Caution and Reprimanded</p> <p>Counts 5 – 9 twelve (12) months wholly suspended for three (3) years on the following conditions:</p> <p>9.2.1 that the respondent pays a fine of Ten Thousand Rand (R10 000) within thirty (30) days from the date of sentence into Council's account; and</p> <p>9.2.2 that she must not be found guilty of similar offence during the period of suspension.</p>	<p>Cape Town</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<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 November 2008, in respect your patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you:</p> <p>4.1 contravened Ethical Rule 16 in that you issued in respect of your patient a Medical Certificate which does not comply with the provisions of the state Ethical Rule;</p> <p>4.2 issued a Medical Certificate in respect of your patient without examining her.</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 November 2008, January 2009, June 2009, August 2009, December 2011 and January 2012, you contravened Ethical Rule in that you:</p> <p>5.1 failed to respond to council's correspondences.</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 on or about December 2010 you acted in a manner that is not in accordance with the norms and standards of your profession in that you:</p> <p>6.1 failed and/or neglected to attend a consultation with the members of the Committee of Preliminary Inquiry.</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</p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>February 2009 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:</p> <p>7.1 contravened Ethical Rule 16 which does not comply with the provisions of the stated Ethical Rule;</p> <p>7.2 issued a medical certificate in respect of your patient without examining her and/or documenting the reasons for granting five (5) days off for a tension headache.</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 March 2009, in respect of your patient, you acted in a manner that:</p> <p>8.1 you were rude towards him.</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 on or about June 2011, August 2011, October 2011 and December 2011, you acted in a manner that is not in accordance with the norms and standards of your profession in that you:</p> <p>9.1 failed and/or neglected to attend a consultation with the members of the Committee of Preliminary Inquiry.</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 on or about April 2010, July 2010, October and November 2010, you contravened Ethical Rule 20 in that you:</p> <p>1.1 failed to respond to Council's correspondence.</p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr ARC Essay</b> <b>MP 0355534/469/2010</b>	<b>THAT</b> you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional in that during 2009, you or your practice acted in a manner that is not in accordance with the norms and standards of your profession in that you or your practice issued medical certificates in which a certain patient who was booked off sick for an illness that fell outside your scope of practice.	The respondent elected to pay a fine of R5 000 without appearing at the inquiry.	Durban
<b>Ms J Beunink</b> <b>PS 041688/1557124</b>	<b>THAT</b> you are guilty of unprofessional conduct, or conduct which, when regard is had to your profession, is unprofessional in that during or about August 2005 to August 2007, or portions thereof, you entered into an intimate relationship with your former client, and thereby contravened Rule 64 of the rules of conduct pertaining specifically to the profession of Psychology, as contained in Annexure 12 of the ethical rules of conduct for practitioners registered under the Health Professions Act 56 of 1974.	The Committee resolved that the respondent be suspended for a period of 12 months from practice, the operation thereof wholly suspended for 5 years, on condition that the respondent is not convicted of unprofessional conduct (committed during the period of suspension) relating to an intimate relationship or multiple relations contra to the relevant code/s of conduct.	Johannesburg
<b>Dr JF Benson</b> <b>MP 0372307/612418</b>	<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 February 2010, at a hospital, you acted in a manner that was unprofessional and/or not in accordance with generally accepted norms and standards of the medical profession in that you: <ol style="list-style-type: none"> <li>1. screamed and/or shouted at your patient, pointing a finger at him in a threatening and/or intimidating manner.</li> </ol>	The respondent elected to pay an admission of guilt fine in the amount of R8 000 without appearing at the inquiry.	Pretoria

SEPTEMBER 2012

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr MA Baloyi</b> <b>DP 0065811/572732</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 May 2009, in respect of your patient, you and/or your practice rendered or caused or permitted to be rendered on your behalf, a statement of account, wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account in respect of alleged professional services rendered, whilst:--</p> <ol style="list-style-type: none"> <li>1. a statement of account was false or incorrect or inaccurate in that you did not render one or more or all of the aforesaid professional services; and/or</li> <li>2. you were not entitled to payment of one or more or all the amounts specified in the said account/statement; and/or</li> <li>3. the said account/statement was drafted in such a manner as to cause financial or potential prejudice to the Medical Aid Scheme concerned.</li> </ol>	<p>The respondent elected to pay a fine of R20 000,00 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p><b>Dr O Covenden</b> <b>MP 0400076/1557938</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 or your practice rendered or caused or permitted to be rendered a statement of account to a Medical Aid, your patient for professional services and prescription of medicine allegedly rendered during March 2011 whilst:</p> <ol style="list-style-type: none"> <li>1.1 the statement contained claims for the following medication that were not dispensed,</li> <li>1.2 you and/or your practice were not entitled to the abovementioned fees charged in the statement; and</li> </ol>	<p>The respondent elected to pay a fine of R20 000 without appearing at the inquiry.</p>	<p>Durban</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>1.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to the Medical Aid.</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 you or your practice rendered or caused or permitted to be rendered a statement of account to a Medical Aid, your patient for professional services and prescription of medication allegedly rendered during March 2011 whilst:</p> <p>2.1 the statement contained claim for the following medication that was not dispensed, to wit,</p> <p>2.2 you and/or your practice were not entitled to the abovementioned fees charged in the statement; and</p> <p>2.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential financial prejudice to Discovery Medical Aid.</p>		
<p><b>Mr Martin Grimbley</b> <b>OP 0007455/737912</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 December 2009, in respect of your patient, you and/or your practice was involved in split billing in that you:</p> <p>1. furnished the medical aid and the patient with two different invoices.</p>	<p>The respondent elected to pay a fine of R5 000 without appearing at the inquiry.</p>	<p>Pretoria</p>
<p><b>Dr E Muthray</b> <b>DP 0065196/599676</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 November 2009 and in respect of your patient, you and/or your practice:</p>	<p>The respondent was found guilty of unprofessional conduct and was sentenced as follows: Postponement of imposition of penalty and suspension of operation thereof in terms of Section 43(1)(b)</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<ol style="list-style-type: none"> <li>1. charged rates which were above the agreed arrangements with a Medical Scheme and failed to discuss your fee structure and obtain written informed consent from your patient; and/or</li> <li>2. failed and/or neglected to advise your patient that he was liable for the shortfall in the amount not covered by his medical aid scheme.</li> </ol>	of the Health Professions Act 56 of 1974 for a period of one year on condition that the respondent is not found guilty of a similar offence during the period of postponement.	
<b>Dr N Tseisi</b> <b>MP 0605433/654210</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 during the period from the year 2007 until 2010, in respect of your patient, you had a love relationship and/or had sexual intercourse with your patient at your consulting rooms during the tenure of the doctor-patient relationship.</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 11 March 2010, in respect of your patient, you furnished and/or issued her with a medical certificate of which, the said certificate was false and/or misleading.</p>	<p>The Respondent was found guilty of unprofessional conduct n two counts as per the attached charge-sheet and was sentenced as follows:</p> <p>Three (3) years suspension from practice which is wholly suspended for a period of five (5) years on condition that the Respondent is not found guilty of a similar offence during the period of suspension.</p>	Pretoria
<b>Dr RD van Jaarsveldt</b> <b>MP 0430250/725/2009</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 on or about 23 April 2009, in respect of your patient, you acted in a manner that is contrary to the norms and standards of medical practice in that:</p> <p>1.1 you failed or neglected to conduct an examination of your patient and/or to diagnose a fractured vertebrae and/or ribs, and further complications on your patient.</p>	The Respondent was found guilty of unprofessional conduct in terms of Regulation 4(9) of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and was imposed a penalty fine of R10 000.The Respondent elected to pay the admission of guilt fine.	Johannesburg



Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr S Naidoo</b> <b>MP 0392545/117/2010</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 November 2009, 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 or your practice rendered or caused or permitted to be rendered on your behalf accounts/statements wherein you charged and or attempted to recover one or more or all of the amounts specified in the said accounts/statements in respect of medication allegedly dispensed by you or your practice, whilst:</p> <ul style="list-style-type: none"> <li>a) one or more or all of the aforesaid medication was/were not dispensed 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 accounts/statements' and/or</li> <li>c) the said accounts/statements were drafted in such a manner that was inaccurate or incorrect; and/or</li> <li><b>d)</b> the said accounts/statements were drafted in such a manner as to cause financial prejudice or potential financial prejudice to your patient or the medical aid scheme concerned.</li> </ul>	<p>The Respondent elected to pay a fine of R20 000 without appearing at the inquiry.</p>	<p>Durban</p>

OCTOBER 2012

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr RV Naidoo</b> <b>MP 0604968/1519/2009</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 or about July 2009 to August 2009, or portions thereof, you practiced beyond the scope of your practice in that:</p> <p>1.1 you practised in independent practice, whilst in truth and fact, you were registered with Council to practice in the category, Public Service – Medical Practitioner.</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 in July 2009, 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 administered medication to your patient which was not indicated and/or correct.</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 in July 2009, 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 administered medication, which endangered and/or potentially endangered your patient’s life.</p>	<p>The Respondent was found guilty of unprofessional conduct in terms of Regulation 4(9) of the regulation relating to the conduct of inquiries under the Health Professions Act, 1974 and to imposed a penalty of R20 000. The Respondent elected to pay the fine.</p>	<p>Durban</p>
<p><b>Dr ZAA Peer</b> <b>MP 0359084/1304/2009</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 December 2008, in respect of your patient, you treated and/or managed the patient inappropriately and/or not in accordance with acceptable norms and standards of medical care in that you:</p>	<p>The respondent elected to pay the fine of R15 000 without appearing at the inquiry.</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>1.1 failed to inform the patient of the exact nature of the procedure you were to perform;</p> <p>1.2 hastily operated on your patient without adequate pre-operative assessment and preparation;</p> <p>1.3 your post-operative care of the patient was neither specific nor aggressive despite presenting severe pain; and</p> <p>1.4 your post-operative care of the patient was insufficient.</p>		
<p><b>Dr B Levin</b> <b>OP 0003450/1642050</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 August 2008 and January 2009, 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:</p> <p>1.1 you failed and/or neglected to inform your patient that the medical aid scheme did not pay for the professional services rendered.</p>	<p>The Respondent was charged with negligence and found guilty. The Respondent was sanctioned as follows:</p> <p>1. Caution and Reprimanded</p>	<p>Johannesburg</p>
<p><b>Dr M Ismail</b> <b>DP 0070467/560698</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 June 2009, in respect of your patient, you and/or your practice claimed and/or attempted to recover one or more or all amount in respect of professional services allegedly rendered by you and/or your practice whilst:</p> <p>1.1 one or more or all of the said statement(s) of account was incorrect or false in one or more or all of the following respect in that:</p> <p>1.1.1 you did not in truth and in fact render any professional services as stated in your statement</p>	<p>The Respondent was found guilty of unprofessional conduct as per amended charge-sheet on count 1 – 3 and count 4 was withdrawn by the Pro Forma Complainant and was sentenced as follows:</p> <p>Twenty thousand rand on each count of which forty five (R45 000) is suspended for a period of three (3) years on condition that the Respondent is not found guilty of a similar offence during the period of suspension. The amount of R15 000 is payable within the period of six (6) months.</p>	<p>Pretoria</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>of account in respect of your patient but rendered a gold teeth which is not covered by the medical aid and claimed for professional services that is covered by medical aid; and/or</p> <p>1.1.2 you and/or your practice claimed or attempted to recover fees to which you were not entitled to; and/or</p> <p>1.2.3 the said statement of account was drafted in such a manner as to cause financial prejudice or potential prejudice to the main member and/or the Medical Aid.</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 February 2010, in respect of your patient, you and/or your practice claimed and/or attempted to recover one or more or all amount(s) in respect of professional services allegedly rendered by you and/or your practice whilst:</p> <p>2.1 one or more or all of the said statement(s) of account was incorrect or false in one or more or all of the following respect in that:</p> <p>2.1.1 you did not in truth and in fact render any professional services as stated in your statement of account in respect of your patient but rendered a gold teeth which is not covered by the medical aid and claimed for professional services that is covered by medical aid; and/or</p> <p>2.1.2 you and/or your practice claimed or attempted to recover fees to which you were not entitled to; and/or</p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p data-bbox="546 252 1245 371">2.1.3 the said statement of account was drafted in such a manner as to cause financial prejudice or potential prejudice to the main member and/or the Medical Aid.</p> <p data-bbox="450 437 568 464"><b><u>COUNT 3</u></b></p> <p data-bbox="450 499 1245 683"><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 14 December 2009, in respect of your patient, you and/or your practice claimed and/or attempted to recover one or more or all amount(s) in respect of professional services allegedly rendered by you and/or your practice whilst:</p> <p data-bbox="450 715 1245 802">3.1 one or more or all of the said statement(s) of account was incorrect or false in one or more or all of the following respect in that:</p> <p data-bbox="546 837 1245 957">3.1.1 you did not in truth and in fact render any professional services as stated in your statement of account in respect of your patient but rendered a gold</p> <p data-bbox="640 992 1245 1080">teeth which is not covered by the medical aid and claimed for professional services that is covered by medical aid; and/or</p> <p data-bbox="546 1115 1245 1203">3.1.2 you and/or your practice claimed or attempted to recover fees to which you were not entitled to; and/or</p> <p data-bbox="546 1238 1245 1358">3.1.3 the said statement of account was drafted in such a manner as to cause financial prejudice or potential prejudice to the main member and/or Medical Aid.</p> <p data-bbox="450 1361 568 1388"><b><u>COUNT 4</u></b></p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<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 30 January 2010, in respect of your patient, you and/or your practice claimed and/or attempted to recover one or more or all amount(s) in respect of professional services allegedly rendered by you and/or your practice whilst:</p> <p>4.1 one or more or all of the said statement(s) of account was incorrect or false in one or more or all of the following respect in that:</p> <p>4.1.1 you did not in truth and in fact render any professional services as stated in your statement of account in respect of your patient but rendered a gold teeth which is not covered by the medical aid and claimed for professional services that is covered by medical aid; and/or</p> <p>4.1.2 you and/or your practice claimed or attempted to recover fees to which you were not entitled to; and/or</p> <p>4.2.3 the said statement of account was drafted in such a manner as to cause financial prejudice or potential prejudice to the main member and/or Medical Aid.</p>		
<p><b>Dr PH Heystek</b> <b>MP 0338885/1318040</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 January 2011, in respect of your patient, you and/or your practice acted in a manner that is not in accordance with the norms and standards of your profession in that you:</p> <ol style="list-style-type: none"> <li>1. failed and/or neglected to advise your patient of the fees you intended to charge, before rendering any professional services.</li> <li>2.</li> </ol>	<p>The Respondent elected to pay a fine of R5 000 without appearing at the inquiry.</p>	<p>Pretoria</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr CN Tshivhase</b> <b>MP 0494763/166074</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 or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid in respect of your patient for professional services allegedly rendered in July 2011 whilst;</p> <p>1.1 The statement contained a claim for consultation which never took place;</p> <p>1.2 You and/or your practice were not entitled to the above-mentioned fees charged in the statement.</p> <p><b><u>COUNT 2</u></b></p> <p>That you are guilty of unprofessional conduct or conduct when regard is had to your profession is unprofessional in that you or your practice rendered or caused to be rendered a statement of account to the Medical Aid, in respect your patient for professional services allegedly rendered in July 2011 whilst;</p> <p>2.1 The statement contained a claim for consultation which never took place.</p> <p>2.2 You and/ or your practice were not entitled to the abovementioned fees charged in the statement.</p>	<p>The Respondent elected to pay the fine of R5 000 without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p><b>Dr RP Soeters</b> <b>MP 0274216/552/2010</b></p>	<p><b><u>CHARGE 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 April 2009, 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 recognise, investigate and adequately manage the large volume lymphatic fluid from the abdominal wound.</p> <p><b><u>CHARGE 2</u></b></p>	<p>The Respondent elected to pay the fine of R20 000 without appearing at the inquiry.</p>	<p>Durban</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<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 April 2009, 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 an opinion and assistance of a physician to manage the patient post operatively.</p> <p><b><u>CHARGE 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 April 2009, 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 recognise and manage ongoing paralytic ileus.</p> <p><b><u>CHARGE 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 April 2009, 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 conduct a sufficient laboratory investigation and act on abnormal results.</p>		
<p><b>Dr AJ Viljoen</b> <b>MP 0203378/462/2008</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 October 2008, 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 remove or make arrangements for the removal of the temporary external stimulator of your patient.</p>	<p>The Respondent elected to pay the fine of R10 000 without appearing at the inquiry.</p>	<p>Pretoria</p>
<p><b>Ms G Francis</b> <b>PT 0057967/2126074</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 January 2012, you acted in a manner that is contrary to the norms and standards of your profession by treating a dog at your practice and thereby exposed other patients to danger.</p>	<p>The Respondent elected to pay the fine of R5 000 without appearing at the inquiry.</p>	<p>Cape Town</p>



Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr D Naidoo</b> <b>OP 0030813/1636192</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 or practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, in respect of your patient for professional services allegedly rendered during November 2010 whilst:</p> <p>1.1 such services were in fact not rendered; 1.2 you and/or your practice were not entitled to the abovementioned fees charged in the statement; and/or 1.3 the statement was drafted in such a manner as to mislead, 1.4 cause financial prejudice or potential prejudice to the Medical Aid.</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 you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, your patient for professional services allegedly rendered during October 2011 whilst:</p> <p>2.1 whilst these (such) services were in fact not rendered; 2.2 you and/or your practice were not entitled to the abovementioned fees charged in the statement; and/or 2.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the Medical Aid.</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 or your practice rendered or caused or permitted to be rendered a</p>	<p>Two (2) years suspension from the register, wholly suspended for a period of three (3) years on condition that he is not found guilty of a similar offence during the period of suspension.</p>	<p>Durban</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>statement of account to the Medical Aid, your patient for professional services allegedly rendered during November 2010 whilst:</p> <p>3.1 whilst these (such) services were in fact not rendered;</p> <p>3.2 you and/or your practice were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>3.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the Medical Aid.</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 you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, your patient for professional services allegedly rendered during December 2010 whilst:</p> <p>4.1 whilst these (such) services were in fact not rendered;</p> <p>4.2 you and/or your practice were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>4.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the Medical Aid.</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 you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, your patient for professional services allegedly rendered during November 2010 whilst:</p> <p>5.1 whilst these (such) services were in fact not rendered;</p> <p>5.2 you and/or your practice were not entitled to the above-</p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>5.3 mentioned fees charged in the statement; and/or the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the Medical Aid.</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 you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, your patient for professional services allegedly rendered during November 2010 whilst:</p> <p>6.1 whilst these (such) services were in fact not rendered;</p> <p>6.2 your and/or your practice were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>6.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the Medical Aid.</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 you or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, your patient for professional services allegedly rendered during November 2010 whilst:</p> <p>7.1 whilst these (such) services were in fact not rendered;</p> <p>7.2 you and/or your practice were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>7.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to Gems Medical Aid.</p> <p><b><u>COUNT 8</u></b></p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<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 or your practice rendered or caused or permitted to be rendered a statement of account to the Medical Aid, your patient for professional services allegedly rendered during December 2010 whilst:</p> <p>8.1 whilst these (such) services were in fact not rendered;</p> <p>8.2 you and/or your practice were not entitled to the above-mentioned fees charged in the statement; and/or</p> <p>8.3 the statement was drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the Medical Aid.</p>		
<p><b>Mr G Vos</b> <b>OS 0006602/1658934</b></p>	<p><b><u>CHARGE 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 11 January 2011, in respect of Mrs L Maluleka ("your patient"), you acted in a manner that is not in accordance with the norms and standards of your profession in that you administered a Universal Traction Frame that was unnecessary.</p> <p><b><u>CHARGE 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 3 February 2011, in respect of Mrs L Maluleka ("your patient"), you acted in a manner that is not in accordance to the norms and standards of your profession in that you failed and/or neglected to submit her account to her Medical Aid which resulted in non-payment of the claim for a Traction frame.</p>	<p>The Respondent elected to pay the fine of R5 000 without appearing at the inquiry.</p>	<p>Pretoria</p>
<p><b>Ms T Kheswa</b> <b>PS 0106461/131/2010</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</p>	<p>The Respondent elected to pay a fine of R15 000 without appearing at the inquiry.</p>	<p>Durban</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>or about February 2009 to February 2010, you acted in a manner that is contrary to the norms and standards of your profession in that you failed to avoid harm to your patients by writing reports S17 (6) monthly after assessments were conducted, and thereby contravened Rule 15 of the Rules of Conduct pertaining specifically to psychology.</p> <p><b><u>COUNT 2</u></b></p> <p>That you are guilty of unprofessional conduct or conduct which the regard is had to your profession in that during the period February 2009 to February 2010 or portions thereof, you acted in a manner that not in accordance with the norms and standards of the profession in that you failed to co-operate with your colleagues and contravened Rule 20 of the Rules of Conduct pertaining specifically to Psychology.</p>		
<p><b>Dr TE Mazibuko</b> <b>MP 028915/151/2007</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 June 2006, 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 or your practice submitted a claim in respect of alleged professional services rendered to your patient during June 2006 whilst you did not consult with your patient on these days.</p>	<p>One (1) year suspension from the register. The penalty was suspended for three (3) years on condition that the Respondent is not convicted of unprofessional conduct committed during the period of suspension.</p>	<p>Durban</p>
<p><b>Dr M Mabi</b> <b>MP 0451118/1373760</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 February 2011, in respect of your patient, you acted in a manner that is not in accordance with the norms and standards of your profession:</p> <ol style="list-style-type: none"> <li>1. you caused damage to the patient's urethra at the time of surgery; and/or</li> <li>2. you failed to take the necessary precautions to safeguard the urethra; and/or</li> <li>3. you failed to catheterise the patient to establish the position of</li> </ol>	<p>The Respondent elected to pay the fine of R10 000 without appearing at the inquiry.</p>	<p>Pretoria</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>the urethra before attempting suture of the adjoining tissues; and/or</p> <p>4. you failed to respond timeously to the patient's inability to pass urine.</p>		
<p><b>Dr M Botes</b> <b>MP 0498815/60/2007</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 upon or about October 2004, 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 and/or neglected to conduct a thorough examination and/or assessment on your patient as a result of which you failed to note the presence of a fracture on an x-ray report or to appreciate that a fracture was present.</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 October 2011, you contravened the provisions of Rule 20 of the Ethical Rules of Conduct of your profession in that you failed to attend a consultation with the Board's Committee of Preliminary Inquiry, when called upon to do so.</p>	<p>The Respondent elected to pay the fine of R10 000 without appearing at the inquiry.</p>	<p>Pretoria</p>
<p><b>Mr D Rabuli</b> <b>OP0029793/1652994</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 or about December 2010 to September 2011, or portions thereof, you and/or your practice acted in a manner that is not in accordance with Rule 4(f) of Annexure 8 of the Ethical Rules of Conduct, in that you conducted a mobile practice whilst such practice was not registered with the Board.</p>	<p>The Respondent was suspended for a period of 6 months from practice, the operation thereof wholly suspended for 3 years, on condition that he is not found guilty of unprofessional conduct during the period of suspension.</p>	<p>Pretoria</p>
<p><b>Dr T Hovelmeier</b> <b>MP 0488178/1622784</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 April 2011 at a Medicross Centre, you failed and/or</p>	<p>The Respondent elected to pay an admission of guilt fine in the amount of R5 000.</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	neglected to take cognisance of the contents of a report dated April 2011 from a Specialist Diagnostic Radiologists to the effect that your patient had sustained a fracture of the proximal radial neck and head of her left elbow.		
<b>Dr Tshigabe MP 0398632/1493/2009</b>	<b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during or about August / September 2009 you failed and/or neglected to refer your patient, who had developed a rash on or about August 2009 whilst admitted to a Life Clinic, timeously to a specialist dermatologist for treatment.	The Respondent elected to pay an admission of guilt fine in the amount of R10 000.	Johannesburg
<b>Mr T Padavattan ANT 0002682/1924/2009</b>	<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 August 2009 you instructed a registered ANA to do an inter hospital transfer for a patient on a CVP line whilst you knew or ought to have known that this falls outside the protocol of Ambulance Emergency Assistants.	The Respondent was found guilty and suspended from practising for a six (6) months but that the operation thereof be suspended for a period of three (3) years on condition that he not be found guilty of a similar offence committed during this period.	Durban
<b>D M Kmietsch DP 0053139/1725804</b>	<b>THAT</b> you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional in that during or about October 2011 you failed and/or neglected to make adequate provision for your patient, to be seen following a restoration performed on a tooth during October 2011.	The Respondent paid an admission of guilt fine in the amount of R10 000.	Johannesburg
<b>Dr JM Sittmann MP 0627214/1701118</b>	<b><u>COUNT 1</u></b> <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 2004 – 2007 and in respect of patients attached hereto, you and/or your practice conducted yourself in a manner that was not in accordance with the norms and standards of your profession in that you:  1. Performed or ordered investigations on your patients which were not indicated or necessary; and/or 2. Performed procedures on your patients which were not indicated or necessary or not in their best interests;	The Respondent pleaded guilty to the charges and was cautioned and reprimanded. He was further ordered to send a formal written apology to the patient.	Durban

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>and/or</p> <ol style="list-style-type: none"> <li>3. Managed your patients condition in a manner that was negligent and/or incompetent; and/or</li> <li>4. Submitted claims to your patients Medical Aid Schemes which were false and/or incorrect in that you did not render one or more of the professional services claimed for; and/or</li> <li>5. Performed procedures which were outside your scope of practice.</li> </ol>		
<p><b>Dr A Adams</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 December 2011, 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 and/or neglected to:</p> <ol style="list-style-type: none"> <li>1.1 examine your patient, and</li> <li>1.2 record the examination that was done on your patient.</li> </ol>	<p>The Respondent was found guilty and a penalty of R5 000 was imposed and paid.</p>	<p>Johannesburg</p>
<p><b>Dr LJA Dumas</b> <b>MP 0353159/611728</b></p>	<p><b>THAT</b> you are guilty of unprofessional conduct in terms of Regulation 4(9) to the Applicable Regulation.</p>	<p>Caution and Reprimanded.</p>	<p>Pretoria</p>
<p><b>Dr R Nyar</b> <b>DP 0054844/651510</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 respect of your patient, you provided and/or fitted dentures of poor quality and/or workmanship.</p>	<p>The Respondent accepted the penalty of caution without appearing at a formal inquiry.</p>	<p>Durban</p>
<p><b>Dr SH Pitamber</b> <b>OP 0028029/208/2010</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 September 2009, in respect of your patient you and/or</p>	<p>The Respondent was found guilty of unprofessional conduct and was sentenced as follows: Six (6) months</p>	<p>Johannesburg</p>



Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	your practice processed a claim for spectacles from a Medical Aid without informed consent from the main member..	suspension from practice which is wholly suspended for a period of three (3) years on condition that the Respondent is not found guilty of a similar offence during the period of suspension.	
<b>Dr H Schoeman</b> <b>MP 0542296/650274</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 November 2009, 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:</p> <p><b>1.6</b> you administered medication during an anaesthetic procedure, whilst you knew that your patient was allergic to it.</p>	<p>The Respondent pleaded guilty and sanctioned as follows: to pay Ten Thousand Rands (R10 000) fine.</p>	<p>Pretoria</p>
<b>Dr KS Nair</b> <b>DP 0049921/1633500</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 July 2011 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:</p> <p><b>1.3</b> you dealt with the patient in an unprofessional and rude manner.</p>	<p>The Respondent was found guilty and imposed the following sanction: Caution and Reprimand.</p>	<p>Durban</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
MP0345270/703344	<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 August 2010 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 wiped your wet hands on the shirt of your colleague after you had scrubbed for a procedure.</p>	The Respondent was found guilty and imposed the following sanction: Caution and Reprimand.	Durban
NOVEMBER 2012			
Dr RP Treunicht MP 0146692/1737/2009	<b>That</b> you are guilty of unprofessional conduct in terms of Regulation 4 (9) of Government Gazette No R102 of February 2009.	The Respondent elected to pay a fine of R7 500 which was imposed in terms of Section 42(1) (d) of the Act.	Johannesburg
Dr C Motala MP 0133337/590338	<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 February 2010, in respect of your patient, you managed your patient in a manner that was incompetent and/or negligence and/or which does not confirm to generally acceptable norms and standards of your profession in that you:</p> <p>1.1 prescribed expired tablets to patient; and</p> <p>1.2 failed to have regard to patient safety when prescribing expired drugs.</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 February 2010, 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 were rude towards your patient.</p>	The Respondent was found guilty and elected to pay the fine of R5 000 without appearing at the inquiry.	No hearing

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>Dr R van der Plank</b> <b>MP 0274143/32/2010</b></p>	<p><b><u>CHARGE 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 September 2009, in respect of your patient, you acted in a manner that is not in accordance to the norms and standards of your profession in that you;</p> <p>1.1 performed a hip replacement procedure on your patient without his consent;</p> <p>1.2 failed to obtain a written informed consent regarding the risks and benefits of the procedure;</p> <p>1.3 failed to discuss the cost implications for the procedure with your patient.</p> <p><b><u>CHARGE 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 upon or about February 2010, July 2010, October 2010, 8 December 2010, you acted in a manner that was not in accordance to the norms and standards of your profession in that you contravened Ethical Rule 20 in that you failed and/or refused to respond to Council's correspondence relating to a complaint lodged against you.</p>	<p>The Respondent elected to pay the fine of R20 000 without appearing at the inquiry.</p>	<p>No hearing</p>
<p><b>Dr G Gieryn</b> <b>MP 0365769/1381468</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 or about March 2011 you placed a misleading advertisement of your services in A Magazine and thereby contravened Rule 3(1) of the ethical rules of conduct for practitioners registered under the Health Professions Act, 1974.</p>	<p>The Respondent paid an admission of guilt fine in the amount of R10 000 on the charge.</p>	<p>Johannesburg</p>
<p><b>Dr PC van Wyk</b> <b>DP 0090212/381/2008</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 rendered or caused or permitted to be rendered on your behalf and</p>	<p>The Respondent paid an admission of guilt fine in the amount of R5 000 on the charge.</p>	<p>Pretoria</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>in respect of your patient, an account/statement wherein you charged and/or attempted to recover the amounts specified in the said account/statement in respect of professional services allegedly rendered by you on or about January 2008, whilst –</p> <ul style="list-style-type: none"> <li>(i) none of the aforesaid services were rendered by you; and/or</li> <li>(ii) you were not entitled to payment of the amounts specified in the said account/statement; and/or</li> <li>(iii) the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</li> <li>(iv) the said account/statement was drafted in such a manner as to cause financial prejudice or potential financial prejudice to your patient and/or the Medical Aid Scheme concerned.</li> </ul>		
<p><b>Mr C Mokobane</b> <b>OP 0025402/1621754</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 February 2011, in respect of your patient, you acted in a manner which was unprofessional and/or not in accordance with generally accepted norms and standards of optometry profession, in that you:</p> <ul style="list-style-type: none"> <li>1. misled him to believe that he has eyes problems whilst this was in fact not the case; and/or</li> <li>2. claimed from the patient's medical aid without his consent.</li> </ul>	<p>The Respondent was found guilty and sentenced as: Fifteen R15 000 which is wholly suspended for a period of three (3) years on condition that the Respondent is not found guilty of a similar offence during the period of suspension, further condition is that the pair of spectacles be returned to the practice and the complainant be refunded the amount of R1 403.</p>	<p>Johannesburg</p>
<p><b>DECEMBER</b></p>			
<p><b>DR MS Pillay</b> <b>DP 0059382/605734</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 2007, in respect of your patient, you instructed a 4-</p>	<p>The Respondent paid admission of guilt fine of R20 000 without appearing at the inquiry.</p>	<p>Durban</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>unit and a 3-unit on the first and second quadrant whilst you;</p> <p>1.1 ought to have known/ diagnosed that the patient does not have posterior teeth;</p> <p>1.2 Inappropriately grinded down her teeth which resulted in a collapsed bite.</p>		
<p><b>Dr Y Ibrahim</b> <b>MP 0555134/1591422</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 March 2011, in respect of your patient, you acted in a manner that is contrary to the norms and standards of your profession in that;</p> <p>1. You failed and/or neglected to obtain consent form your patient for charging above medical aid rates.</p> <p>2.</p>	<p>The Respondent elected to pay the fine of R5 000 without appearing at the inquiry.</p>	<p>No hearing</p>
<p><b>Dr LS Rheeder</b> <b>MP 0330159/485/2010</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 about February 2010, in respect your patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you administered anesthesia to your patient who was to undergo a cataract extraction and thereafter:</p> <p>1.4 failed and/or neglected to ensure that the patient was monitored for a part of the procedure.</p>	<p>The Respondent paid an admission of guilt fine of R50 000 imposed by the Professional Conduct Committee.</p>	<p>Durban</p>
<p><b>Mr MJ Ngobeni</b> <b>TT 0000205/1614970</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 fraudulently rendered or caused or permitted to be rendered on your behalf and in respect of your patient, a statement of account, wherein you charged for services allegedly</p>	<p>The Respondent paid an admission of guilt fine of R20 000 without appearing at the inquiry.</p>	<p>No hearing</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>rendered for X-rays whilst;</p> <p>1.1 you and/or your practice were not entitled to payment for the services as they were not rendered.</p> <p>1.2 the said account/statement was drafted in such a manner that it was inaccurate or incorrect.</p> <p>1.3 The said account/statement was drafted in such a manner as to cause financial or potential prejudice to the Medical Aid.</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 upon or about or during the period 2008-2010, you acted in a manner that is not in accordance with the norms and standards of your profession in that you operated an X-ray machine in your practice without a license from the Radiation Control Board as required in terms of the Hazardous Substances Act, 1973.</p>		
<p><b>Ms A Branders</b> <b>PS 0033960/267/2010</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 or your practice and in contravention of the ethical rules –</p> <p>1.1 submitted claims for self-counseling on your own membership and practice number; and/or</p> <p>1.2 submitted claims in your own name for a family member who is not a dependant on the membership and/or;</p> <p>1.3 you were not entitled to one or more of the fees charged in the claims; and/or</p> <p>1.4 the claims were drafted in such a manner as to mislead, cause financial prejudice or potential prejudice to the medical aid scheme concerned.</p>	<p>The Respondent was found guilty and ERASED from the Register with immediate effect.</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr R Bodasing</b> <b>MP 0456969/1285/2009</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 you or your profession is unprofessional, in that upon or about May 2009, 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 submitted a claim in respect of alleged professional services rendered by you to the patient's Medical Aid Scheme whilst you did not render some of the services you claimed for.</p>	<p>The Respondent elected to pay the fine of R10 000 without appearing at the inquiry.</p>	<p>Durban</p>
<b>Dr J Botha</b> <b>MP 0228605/2602218</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 you or your profession is unprofessional, in that upon or about December 2010 – January 2011, 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 delayed in attending to your patient whilst you were on call at the hospital.</p>	<p>The Respondent elected to pay the fine of R7 500 without appearing at the inquiry.</p>	<p>No hearing</p>
<b>Dr I Schabort</b> <b>DP 0096334/1718308</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 you were engaged in an undesirable business practice and / or model by running an advertisement in contravention of the HPCSA Rules of conduct relating to advertising regulations that govern Medical practitioners registered under the Health professions Act, 1974 (Act No.56 of 1974).</p>	<p>The Respondent elected to pay a fine of R10 000 without appearing at the inquiry.</p>	<p>No hearing</p>
<b>Mr MM Ngcobo</b> <b>PT 0017191/1380986</b>	<p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession is unprofessional, in respect of your patient, you acted in a manner that is not in accordance with norms and standards of your profession in that you:</p> <p>Had a love relationship with your patient during her tenure of doctor patient relationship, alternatively flirted with your patient who is married.</p>	<p>The Respondent elected to pay a fine of R5 000 without appearing at the inquiry.</p>	<p>No hearing</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<b>Dr BJF Altona MP 0174823/766224</b>	<b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession is unprofessional in that during or about September 2010 to November 2010, or portions thereof, in respect of your patient, you acted in a manner that was incompetent and/or negligent and/or not in accordance with the norms and standards of your professions in that you failed and/or neglected to timeously refer your patient to the cardiologist for further treatment.	An Admission of guilt fine of R15 000 be allowed in terms of Section 42(8) and (9) of the Act. The Respondent elected to pay the admission of guilt fine in the amount of R15 000.	Pretoria