

# MATTERS 2021

January 2021

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p><b>MR J M Ledwaba</b>  <b>BAA 0331864/174/2010 &amp;</b>  <b>MR SK Mapetla</b>  <b>ANA 0089133/174/2010</b></p>	<p><b>Mr JM Ledwaba: THAT</b> you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional in that during January 2010, you conducted yourself in a manner that brought your profession into disrepute in that you:</p> <ol style="list-style-type: none"> <li>1. transported stolen copper cables in an emergency care vehicle (ambulance); and or</li> <li>2. allowed and/or permitted for such cables to be transported in the vehicle.</li> </ol> <p><b>Mr SK Mapetla: THAT</b> you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional in that during January 2010, you conducted yourself in a manner that brought your profession into disrepute in that you:</p> <ol style="list-style-type: none"> <li>3. transported stolen copper cables in an emergency care vehicle (ambulance); and or</li> <li>4. allowed and/or permitted for such cables to be transported in the vehicle.</li> </ol>		
<p><b>Dr B Malumane</b>  <b>MP 0575771/23245098</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 2019 , you closed the main gate of Mapulaneng Hospital during an unprotected strike, thus prohibiting patients and members of the community to access the hospital and as a result, you withheld emergency services by preventing services to proceed at the hospital.</p>	<ol style="list-style-type: none"> <li>1. The Professional Conduct Committee considered this matter on 27 January 2021 and the Respondent pleaded guilty for withholding emergency services by preventing services to proceed and putting the profession into disrepute. The Committee found the</li> </ol>	

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	<p><b><u>COUNT 2</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about November 2019 , you put the profession into disrepute by preventing other practitioners to continue with the hospital duties by coercing them to participate in an unprotected strike.</p>	<p>Respondent guilty and sanctioned as follows:</p> <ul style="list-style-type: none"> <li>• A penalty of a fine of R 5000 payable on or before 28 February 2021;</li> <li>• To attend a CPD Certificate course on Ethics and submit proof of attendance to Council on or before 26 July 2021</li> <li>• To attend an advanced health management course offered by SAMA. The respondent to liaise with SAMA with regards to the details of such attendance.</li> </ul>	

**FEBRUARY 2021**

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<p><b>Dr PR Sithole</b> <b>MP 0628727/20072974</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 the year 2016, 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 failed and/or neglected to provide invoices to Discovery health for many of the disposable items which you claimed to have used.</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 year 2016, 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 you and/or your practice failed and/or neglected to provide Discovery health with sufficiently detailed documentation regarding the radiologist and/or radiographer assistance that you and/or your practice claimed to have received.</p>	<p>1.The Respondent appeared before the Professional Conduct Committee of Inquiry on the 02 February 2021.</p> <p>2. The Respondent was charged with two (2) counts of unprofessional conduct, the proceedings were conducted via virtual platform. He entered a plea of guilty in respect of both counts.</p> <p>3. The Respondent was found guilty by the Professional Conduct Committee and fined R10 000.00 per count and the amount of R 20 000.00 is due immediately.</p>	<p>Gauteng</p>
<p><b>Mr T N Tsoahe</b> <b>PS 0070289/1389/2009</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 February 2015 , you acted in a manner that is not in accordance with the norms and standards of your profession in that you:</p> <p>1. Failed to display your qualification on the outside of your practice.</p>	<p>The Respondent was found guilty as charged Sentence: 3 months suspension from practice which is wholly suspended for a period of two years on condition that he is not found guilty of a similar offence during the period of suspension.</p>	
<p><b>Dr VN Sithole</b> <b>MP 0628727/20072974</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 the year 2016, 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 failed and/or</p>	<p>1. The Respondent appeared before the Professional Conduct Committee of Inquiry on the 02 February 2021.</p>	<p>Gauteng</p>

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	<p>neglected to provide invoices to a Medical Aid for many of the disposable items which you claimed to have used.</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 year 2016, 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 and/or your practice failed and/or neglected to provide the Medical Aid with sufficiently detailed documentation regarding the radiologist and/or radiographer assistance that you and/or your practice claimed to have received.</p>	<p>2. The respondent was charged with two (2) counts of unprofessional conduct, the proceedings were conducted via virtual platform. He entered a plea of guilty in respect of both counts.</p> <p>3. The respondent was found guilty by the professional conduct committee and fined R10 000.00 per count. Therefore, he must pay R 20 000.00 immediately.</p>	
<p><b>Mr N Le Riche</b> <b>OS 0002968/23338698</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 February 2020, you and/or your practice acted in a manner that is not in accordance with the norms and standards of the profession in that, you exposed a patient to danger by allowing your secretary, who is not registered with Council, to consult and/or see a patient at a Clinic in Cape Town.</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 2020, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of the profession in that you provided insufficient care to a patient by allowing your secretary, to consult and/or see them at a Clinic in Cape Town.</p>	<p>1. The Professional Conduct Committee considered this matter on 16 February 2021.</p> <p>2. The Respondent was charged with two (2) counts of unprofessional conduct.</p> <p>3. The Respondent was found guilty on count 1 and a penalty of a fine of R5 000.00, payable immediately was imposed.</p> <p>The Respondent was found not guilty on count 2.</p>	<p>Gauteng</p>

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<p><b>Dr S Baloyi</b> <b>MP 0717002/23234256</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 September 2019, 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 mis - managed an acute medical emergency.</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 September 2019, 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 refer your patient accordingly for further medical assistance.</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 September 2019, 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 diagnose your patient properly.</p>	<p>The Professional Conduct Committee considered this matter on 04 February 2021.</p> <ol style="list-style-type: none"> <li>1. The Respondent was charged with two (2) counts of unprofessional conduct.</li> <li>2. The Respondent was found guilty on both counts of unprofessional conduct and a penalty of a fine of R5 000.00 payable immediately was imposed.</li> </ol>	<p>Gauteng</p>
<p><b>Dr O Akerele</b> <b>MP 0494526/22851534</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 January 2018, 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 the profession in that you fraudulently claimed for services not rendered.</p> <p><b><u>COUNT 2</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about January 2018, in respect of 'your patient, you and/or your practice acted</p>	<p>The Professional Conduct Committee considered this matter on 10 February 2021. The Respondent was charged with three (3) counts of unprofessional conduct.</p> <p>The respondent was found guilty on all three (3) counts of unprofessional conduct and was sanctioned as follows:</p>	<p>Gauteng</p>

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	<p>in a manner that is not in accordance with the norms and standards of the profession in that you fraudulently claimed for services not rendered.</p> <p><b><u>COUNT 3</u></b></p> <p><b>THAT</b> you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about December 2017, in respect of seventeen (17) of your patients, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of the profession in that you fraudulently claimed for services not rendered in that, dates of claims do not tally and/or correspond with the dates of consultations.</p>	<ul style="list-style-type: none"> <li>• Count 1 – A fine of 10 000 was imposed;</li> <li>• Count 2 – A fine of 10 000 was imposed;</li> <li>• Count 3 - A fine of 50 000 was imposed.</li> </ul>	
<p><b>Mrs D van Wyk</b> <b>OT 0024970/23260786</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 the year 2014 till 2019 or part thereof, you and/or your practice, acted in a manner that is not in accordance with the norms and standards of the profession in that:</p> <ol style="list-style-type: none"> <li>1. you paid money to claim handlers in exchange for patients' referrals to your practice</li> <li>2. you falsified and/ or forged your HPCSA certificate to secure a tender with RAF (Road Accident Fund)</li> <li>3. you used reports prepared by other practitioners to prepare final occupational therapists' reports and submitted same to RAF without interviewing and assessing patients</li> <li>4. you employed a physiotherapist in contravention of the HPCSA regulations and/or rules.</li> </ol>	<p>The Professional Conduct Committee considered this matter on 22 February 2021. The Respondent was charged with unprofessional conduct. The respondent was found guilty of unprofessional conduct and the following sanction was imposed:</p> <ul style="list-style-type: none"> <li>• R150 000.00 to be paid in a period of 24 months.</li> <li>• Respondent is suspended for 2 years and same is suspended for 5 years on condition she does not commit a similar offence during the period of suspension.</li> <li>• Respondent must attend a 5 points ethics course in 2021.</li> <li>• Respondent must attend a practice management course and proof of must be submitted to the HPCSA.</li> </ul>	<p>Gauteng</p>

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<p><b>Dr A Bakundukize</b> <b>MP 0603775/10070944</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 the period September 2013, you acted in a manner that is not in accordance with the norms and standards of your profession in that you practised your profession Independent Practice whereas you were registered for Public Service only.</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 the period September 2013, 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 exercise due care when the patient was given an intramuscular injection in or near the Sciatic nerve.</p>	<p>This matter which was set down for disciplinary inquiry on 23 February 2021. The Respondent was found guilty of unprofessional conduct on Count 1 and was sentenced as follows:</p> <p>Removed from the register of health practitioners.</p>	<p>Durban</p>
<p><b>Dr JZ Mhlongo</b> <b>MP 0623938/2446770</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 the period from January 2010 to June 2011 you acted in a manner that is not in accordance with the norms and standards of your profession in that you over serviced patients and submitted fraudulent claims to a Medial 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 from July 2012 to April 2016, 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 respond to Council correspondence within the stipulated times (Contempt of Council).</p>	<p>The Professional Conduct Committee found the Respondent guilty of fraud and Contempt of Council and imposed the following sentence:</p> <p>A sanction of Erasure from the register of practitioners has been imposed with immediate effect as from 2 February 2021.</p>	<p>Durban</p>

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<b>Dr F GREEFF</b> <b>MP 01896501/19998288</b>	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession is unprofessional, in that on or about January 2016 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 provided insufficient care to your patient.	The Respondent was found not guilty and discharged, the reason being that there was no sufficient evidence to convict and there was no testimony from the complainant.	Gauteng
<b>Dr M K K MDINGI</b> <b>MP 0764906/19268700/15</b>	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 2015 in respect of your patient, you: <ol style="list-style-type: none"> <li>1. fraudulently altered your patient's clinical records; and/or</li> <li>2. performed an inappropriate vaginal examination on your patient; and/or</li> <li>3. performed a vaginal examination on your patients without a chaperone being present, and/or</li> <li>4. performed a vaginal examination on your patient without obtaining consent from your patient; and or</li> <li>5. performed a vaginal examination on your patient which was not indicated.</li> </ol>	The Respondent was found not guilty of all the charges against him and was discharged, the reason being that there was insufficient evidence to back up the charges against him.	Durban
<b>Dr E van Vuuren</b> <b>MP 0138720/20630122</b>	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession is unprofessional, in that on or about January 2016 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 provided insufficient care to your patient.	The Respondent was found not guilty and discharged, the reason being that there was no sufficient evidence to convict and there was no testimony from the complainant.	Pretoria
<b>MR T LEBETHE</b> <b>TT 0004138/4639732</b>	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession is unprofessional in that between November 2012 and January 2013 or parts thereof, you acted in a manner that is not in line with the ethics of your profession in that you:	The Respondent was found guilty as charged. The Respondent practiced whilst not registered with Council contravening Rule 20(1) of the Ethical Rules The sentence was	Virtual



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	<ol style="list-style-type: none"> <li>1. Practiced your profession whilst your name had been suspended from the register; and or</li> <li>2. Brought your profession into disrepute by communicating with your colleagues and patients in a manner that was rude, insulting and disrespectful; and/or</li> <li>3. Failed and/or refused to treat patients that were referred to you by the Dental Practitioners.</li> </ol>	<p>twelve (12) months suspension from practice which is wholly suspension for 3 years on condition that he is not again found guilty of a similar offense plus to attend a course on ethics and accumulate 5 CPD points.</p>	
<p><b>MR T N TSOAHAE</b> <b>PS 0070289/1389/2009</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 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 establish a sufficient record keeping system, and or</li> <li>2. failed and/or neglected to provide proof of your qualifications and or you failed to display same at your practice.</li> </ol>	<p>The Respondent was found guilty as charged. The Sentence: 3 months suspension from practice which is wholly suspended for a period of two years on condition that he is not found guilty of a similar offence during the period of suspension.</p>	<p>Pretoria</p>
<p><b>DR A MORAKENG</b> <b>CA 0005118/19955320</b></p>	<p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession is unprofessional in that in July 2016, in respect of the deceased you acted in a manner that was negligent and/or incompetent in that you failed or neglected to:</p> <ol style="list-style-type: none"> <li>1. Provide proper treatment and care to the deceased who had been involved in a motor vehicle accident; and/or</li> <li>2. Ensure that the patient was stabilized prior to being referred to another hospital.</li> </ol>	<p>The Respondent was found not guilty due to insufficient evidence.</p>	<p>Pretoria</p>