

MATTERS 2017

January 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Dr MI Tshifularo	<p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession is unprofessional, in that upon or about March 2013, you acted in a manner that is not in accordance with the norms and standards of your professions in that you Contravened Ethical Rule 20 in that you failed to respond Council Correspondence.</p>	<p>The Respondent was found not guilty and the matter was discharged.</p>	Pretoria
<p>Dr JK Hoosen MP0373974/19883124</p>	<p><u>COUNT 1:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, an account/statement wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account/statement in respect of professional services rendered and medication dispensed allegedly by yourself and/or your practice on or about June 2015, whilst:</p> <p>1.1) 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>1.2) the said account/statement was drafted in a manner that was inaccurate and/or incorrect; and/or</p> <p>1.3) the said account was drafted in such a manner as to cause financial or potential prejudice to the Sick Benefit Fund.</p> <p><u>COUNT 2:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, an account/statement wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account/statement in respect of professional</p>	<p>The Respondent was found guilty and as a penalty, a fine of R70 000 in terms of Section 42(1)(d) of the Act. The Respondent made the payment of R70 000.</p>	Pretoria

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	<p>services rendered and medication dispensed allegedly by yourself and/or your practice on or about May 2015, whilst:</p> <p>2.1) 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>2.2) the said account/statement was drafted in a manner that was inaccurate and/or incorrect; and/or</p> <p>2.3) the said account was drafted in such a manner as to cause financial or potential prejudice to the Sick Benefit Fund.</p> <p><u>COUNT 3:</u></p> <p>THAT 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, 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 professional services rendered and medication dispensed allegedly by yourself and/or your practice on or about May 2015 and June 2015, whilst:</p> <p>3.1) in truth and in fact none of the professional services were rendered by you; and/or</p> <p>3.2) you were not entitled to payment of any of the amounts specified in the said accounts/statements; and/or</p> <p>3.3) the said accounts/statements was drafted in a manner that was inaccurate and/or incorrect; and/or</p> <p>3.4) the said accounts was drafted in such a manner as to cause financial or potential prejudice to the y Sick Benefit Fund.</p>		

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	<p><u>COUNT 4:</u></p> <p>THAT 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 patients and/or dependents, 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 medication dispensed allegedly by yourself and/or your practice on or about May 2016, whilst:</p> <p>4.1) in truth and in fact none of the professional services were rendered by you; and/or</p> <p>4.2) you were not entitled to payment of any of the amounts specified in the said account/statement; and/or</p> <p>4.3) the said account/statement was drafted in a manner that was inaccurate and/or incorrect; and/or</p> <p>4.4) the said account was drafted in such a manner as to cause financial or potential prejudice to the Sick Benefit Fund.</p> <p><u>COUNT 5:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that you and/or your practice rendered or caused or permitted to be rendered on your behalf and in respect of your patient, an account/statement wherein you charged and/or attempted to recover one or more or all of the amounts specified in the said account/statement in respect of professional services rendered and medication dispensed allegedly by yourself and/or your practice on or about June 2015 whilst:</p> <p>4.1) in truth and in fact none of the professional services were rendered by you; and/or</p> <p>4.2) you were not entitled to payment of any of the amounts specified in the said account/statement; and/or</p>		

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	<p>4.3) the said account/statement was drafted in a manner that was inaccurate and/or incorrect; and/or</p> <p>4.4) the said account was drafted in such a manner as to cause financial or potential prejudice to the Sick Benefit Fund.</p>		

February 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>Ms K Matabane TT0006076/1723684</p>	<p><u>COUNT 1:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that you advertised your services or permitted or sanctioned or acquiesced to such advertisement, in a manner that was unprofessional and/or untruthful and/or deceptive and/or misleading and thereby contravened Rule 3(1) of the ethical rules of conduct for practitioners registered under the Health Professions Act.</p> <p><u>COUNT 2:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on your stationary and/or business card, you are misleading the public by referring to yourself as being a Dental Practitioner whilst you are registered with the HPCSA as a Dental Therapist.</p>	<p>The Respondent paid an admission of guilt fine in the amount of R50 000.</p>	<p>Polokwane</p>
<p>Mrs A Fourie PT0062464/3842394</p>	<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 2011 till 2016 you offered on the social media franchise contracts for sale and thereby contravened Rule 8(4) of the ethical rules of conduct for practitioners registered under the Health Professions Act, 1974, read with paragraph 2.2.3 of the Council's Policy Document on Undesirable Business Practices.</p>	<p>The Respondent paid an admission of guilt fine in the amount of R10 000 on the charge sheet.</p>	<p>Pretoria</p>
<p>Dr A Dyabala MP0241393/14836382</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 January 2015, 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"> 1. Failed and/or neglected to properly capture clinical notes and/or 2. Provided substandard care to your patient who complained of severe lower back pain. 	<p>The Respondent accepted reprimand without appearing at the inquiry.</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Dr N Biko MP0241393/14836382	<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 January to March 2015 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>3. exposed your patient to harm by communicating incorrect results; and/or</p> <p>4. disclosed another patients results to the complainant.</p>	<p>The Respondent paid an amount of R40 000 without appearing at the inquiry.</p>	<p>Pretoria</p>
Dr S van Zyl MP0688363/11712544	<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 2014 at the Emergency Unit of a hospital in Bloemfontein and in respect of your patient who had been involved in a motor vehicle accident, you –</p> <p>i) failed and/or neglected to perform an adequate clinical examination of your patient; and/or</p> <p>ii) failed and/or neglected to recognise the risk of potential serious injury in your patient.</p>	<p>The Respondent paid an admission of guilt fine in the amount of R20 000.</p>	<p>Bloemfontein</p>

March 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Ms D Rose DR0087513/19853950	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 2016 you practiced outside the scope of your registration as a diagnostic radiographer by furnishing information to your patient about a sonogram performed.	The Respondent paid an admission of guilt fine in the amount of R5 000.	Pretoria
Dr S Theocharous MP0650498/4460330	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2013 at your practice in Bloemfontein and in respect of your patient, you sexually assaulted your patient.	The Respondent was found guilty of unprofessional conduct. As penalty, the Committee resolved that his name be removed from the register of medical practitioners.	Bloemfontein
Dr SK Ragoo MP0388491/19334702	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about December 2015 in the operating theatre at a hospital you used words and/or phrases of a derogative nature which prejudiced, or could have prejudiced, the dignity of a registered nurse.	The Professional Conduct Committee of the Medical and Dental Professions Board found Dr Ragoo guilty of unprofessional conduct. As penalty, the Committee resolved that he be cautioned and reprimanded.	Durban
Dr MA Jeeva MP01341981/17905824 Dr AS Davids MP0244783/17915024	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about April 2015 at a Hospital and in respect of your patient, you – (a) failed and/or neglected to provide sufficient care to your patient; and (b) failed and/or neglected to diagnose ectopic pregnancy in your patient.	Both Dr Jeeva and David have paid an admission of guilt fine in the amount of R15 000 each.	Cape Town
Dr TD Wilke PS0031003/19906198	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or April 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 shared confidential information about a client with a third party.	The Respondent accepted caution and reprimand without appearing at the inquiry.	Pretoria

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Ms N Madadi PRC0008958/9517760	THAT you are guilty of unprofessional conduct, or conduct which, when regard to your profession, is unprofessional in that during the period of 2014, you submitted an account in respect of the counselling which you provided to your patient containing a diagnostic ICD -10 code which diagnostic code as a registered counsellor, you are not permitted to use.	The Respondent was found guilty and a penalty fine of R10 000 in terms of Section 42(1)(d) of the Health Professions Act of 1974 for practising beyond the scope of practice was imposed.	Johannesburg
Dr T Tshivhula MP0502154/19290234	THAT you are guilty of unprofessional conduct, or conduct which, when regard to your profession, is unprofessional in that during or about November 2015 and in respect of your patient, you failed and/or neglected to offer chaperone services to your patient before an internal examination.	The Respondent was found guilty and a penalty fine of R10 000 in terms of Section 42(1) (a) & (d) of the Health Professions Act of 1974.	Pretoria
Ms M Maistry TT0007897/5947842	THAT you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional, in that on or about September 2012, 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: <ol style="list-style-type: none"> 1. failed and/or neglected to obtain sufficient medical history of the patient pre-procedure; and/or 2. failed and/or neglected to have x-ray taken before the tooth extraction. 	The Respondent paid an amount of R10 000 without appearing at the inquiry matter finalised.	Durban
Ms S Hutchings BK0021911/19277068	THAT you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional, in that during or about the period June 2015, you acted in a manner that is not in accordance with the ethical considerations of your profession in that you: <ol style="list-style-type: none"> 1.1. Contravened Ethical Rule 3(1) of the Ethical Rules of Conduct for practitioners registered under the Health Professions Act, 1974, in that you misrepresented yourself as physical therapist whilst you are a Biokinetics, which conduct is perceived as unprofessional, untrue, deceptive and misleading and can cause unwarranted anxiety. 1.2. 	The Respondent paid an amount of R2 500 without appearing at the inquiry.	Cape Town

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Dr C Loubser MP0297828/2547022	THAT 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 an account/statement for services rendered to your patient, on or about August 2012 at a Bloemfontein hospital without first informing your patient's father of the fees involved for services to be rendered and thereby contravened Rule 27(A)(d) of the ethical rules of conduct for practitioners registered under the Health Professions Act, 1974.	The Respondent accepted the penalty of a caution and reprimand on the charge sheet.	Bloemfontein
Dr H van den Bergh DP0100366/19915118	THAT you are guilty of unprofessional conduct or conduct which when regard is had to your profession is unprofessional, is unprofessional in that on April 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 over serviced the patient by replacing functionally sound restorations.	<p>The Respondent is guilty of unprofessional conduct in terms of regulations 4 (9) of the Regulations relating to the conduct inquiries under the Health Professions Act. To impose a fine of R10 000 in terms of Section 42(1) (d) for over servicing.</p> <p>The matter was referred to the Preliminary Committee. The Committee resolved to rescind the resolution of December 2016 and that the explanation of the Respondent be accepted as he acted appropriately and reasonably under the circumstances.</p>	Pretoria

April 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>Dr JP Swart MP0193119/11007956</p>	<p>THAT you guilty off unprofessional conduct or conduct which when regard is had to your profession is unprofessional in that in March 2013, in respect of your patient, you performed a gastroscopy on your patient under sedation and thereafter left your patient unattended on the examination table whilst the side bars were not lifted as a result of which your patient fell off the table.</p>	<p>The Respondent accepted reprimand without appearing at the inquiry.</p>	<p>Johannesburg</p>
<p>Mr K Simes SGAK 0000027B/ B11348958</p>	<p><u>COUNT 1</u></p> <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 the period August 2014, you acted in a manner that is not in accordance with the ethical considerations of your profession in that you:</p> <p>1.1 Contravened Ethical Rule 3 of the Ethical Rules of Conduct for practitioners registered under the Health Professions Act, 1974, in that you Solicited and/or attempted to solicit patients by placing an advertisement on Alberton Rekord during August 2014 which conduct amounts to canvassing and/or touting.</p> <p><u>COUNT 2</u></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 2014 and in respect of your patients, you acted in a manner that is not in accordance with the ethical considerations of your profession, in that you practised outside the scope of your registered profession in terms of the Regulations Defining the Scope of the Profession of Audiology as published under Government Notice R.803 in Government Gazette 34632 30 September 2011 by referring to ear wax.</p>	<p>The Respondent paid an amount of R25 000 without appearing at the inquiry.</p>	<p>Pretoria</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Dr G van Niekerk MP0329843/19360592	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that you failed and /or neglected to indicate your qualification as well as registration number on the certificate of illness dated November 2015 issued to your patient, and thereby contravened Rule 16(1)(a) and (j) 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.	Pretoria
Dr M Labuschagne MP0341762/19246460	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or during 2015 – 2016, or portions thereof, you acted in a manner that is not in accordance with the norms and standards of your profession in that you, shared your consulting rooms with a person or entity to wit; a Pharmacy, which entity is not registered in terms of the Health Professions Act 56 of 1974.	The Respondent paid the amount of R5 000 without appearing at the inquiry.	Pretoria
Ms M Oelofse PS0100528/19269456	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or during July 2015, or portions thereof in respect of your minor patient, you acted in a manner that is not in accordance with the norms and standards of your profession in that you; failed to provide a report in respect of your patient timeously.	The Committee of Preliminary Inquiry resolved that he Respondent is guilty of unprofessional conduct in terms of Regulations 4 (9) and to impose as penalty a caution in terms of Section 42 (1)(a).	Pretoria
Dr JF Harmse DP00035050/19947006	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or during September 2015 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 carry out the referring Doctor's instruction in respect of your patient.	The Respondent paid an amount of R3 000 without appearing at the inquiry.	Pretoria

May 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Mr JFW Kock STA 0007234/19772314	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that you failed and/or neglected to furnish the patient, with a hearing aid for a period of six months form date of claiming for the costs from your client's medical aid in January 2015 until July 2015 whom the costs for the consultation and for the hearing aid had been reversed.	The Respondent has paid the admission of guilt fine in the amount of R25 000.	Pretoria
Dr K Maloba MP0415693	THAT 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 late 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 medication dispensed allegedly by yourself and/or your practice during or about June 2013, or portions thereof, whilst: 1.1) one or more or all of the aforesaid professional services was/were not rendered by you; and/or 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 1.3) the said account/statement was drafted in a manner that was inaccurate and/or incorrect; and/or 1.4) the said account was drafted in such a manner as to cause financial or potential prejudice to Medical Aid Scheme concerned.	The Respondent paid the amount of R10 000 without appearing at the inquiry.	Pretoria
Dr SS Golele MP0398020/740288	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during March 2008, in respect of your patient, you performed a spinal surgery on your patient and in the post-operative phase, failed and/or neglected to provide proper care and management.	The Respondent paid a fine of R25 000 without appearing at the inquiry.	Pretoria

June 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>Ms N Madadi PRC 0008958/19900392</p>	<p><u>COUNT 1</u></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 May 2016 you acted in a manner that is not in accordance with the ethical considerations of your profession, in that you practised outside the scope of your registered profession in terms of the Regulations defining the Scope of the Profession of Registered counsellors as published under Government Gazette 34581 of 2 September 2011 by the General Practitioners Health Services.</p> <p><u>COUNT 2</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that upon or about May 2016 and in LinkedIn website you caused or permitted to be published, and advertisement in which you misrepresented your qualifications by implying that you are Psychologist whereas your registered counsellor.</p>	<p>The Respondent paid an amount of R5 000 for admission of guilt without appearing at the inquiry.</p>	<p>Pretoria</p>
<p>Dr T Khunou DP 0072648/4134508</p>	<p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during July 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 started a root canal treatment on your patient whilst you did not have the material to complete it.</p>	<p>The Respondent was guilty as charged. The Respondent was suspended from practice for 6 months of which the period of suspension is wholly suspended for a period of 2 years on condition that the Respondent is not again found guilty of a similar offence.</p>	<p>Pretoria</p>
<p>Dr A Bulbulia MP 0569593/9630564</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 2014 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 were rude towards your patient</p>	<p>The Respondent paid an amount of R10 000 for admission of guilt without appearing at the inquiry.</p>	<p>Pretoria</p>

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<p>Ms J Shirindza PT0060348/10875760</p>	<p>THAT 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 one or more or all of the amounts specified in the said account/statement in respect of professional services allegedly rendered by you during or about June 2014 whilst: -</p> <p>(a) one or more or all of the aforesaid professional services was/were not rendered by you; and/or</p> <p>(b) you were not entitled to payment of one or more or all of the amounts specified in the said account/statement; and/or</p> <p>(c) the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</p> <p>(d) the said account/statement was drafted in such a manner as to cause financial prejudice or potential prejudice to the medical aid scheme concerned.</p>	<p>The Respondent pleaded guilty and was found guilty as charged.</p> <p>The Respondent was to be on suspension for twelve (12) months, which suspension is wholly suspended for a period of one year on condition that the Respondent is found not guilty of an offence with like elements during the period of suspension. Was sentenced to pay a fine of R5 000 within sixty (60) days of the conviction.</p>	<p>Pretoria</p>
<p>Dr H Van Straten DP 0028118/3967736</p>	<p><u>COUNT 1</u></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 January 2013 to May 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:</p> <p>1.1 you provided treatment to your patient without his informed consent.</p>	<p>The Respondent paid the amount of R2 000 without appearing at the inquiry.</p>	<p>Pretoria</p>

July 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Dr B Brook DP0017140/11254746	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that in 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 or neglected to obtain full informed consent in respect of fees charged by you.	The Respondent pleaded guilty as charged. A fine of R5 000 wholly suspended for three (3) years on condition he is not convicted of a similar offence during the period of suspension	Johannesburg
Dr L de Kock MP 0258008/9542182	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that in September 2014, 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 acted in a manner constituting unprofessional misconduct of a sexual nature by sitting next to your patient and tried to kiss the patient.	The Respondent was found guilty of unprofessional conduct as per the charge-sheet and was sentenced as follows: Caution and Reprimand.	Pretoria
Dr FBH Mansoor MP 020056/3646126	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during or about the period, January 2011 until April 2012 you claimed excessive hours for consultations with the medical aid members as was indicated on the charge sheet.	The Professional Conduct Committee resolved that: (a) Dr Mansoor be fined with an amount of R25 000 of which R20 000 thereof is suspended for a period of 3 years on condition that she not be found guilty of a similar offence committed during the period of suspension; and (b) She be required to do community service four hours per week for a period of 6 months at Wentworth Hospital, Department of Family Medicine relating to the training of students in psychiatry.	Pretoria

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>Mr L Dube OP 0026557/19861808</p>	<p><u>COUNT 1</u></p> <p>THAT you are guilty of unprofessional conduct or conduct, which when regard is had to your professional, is unprofessional in that you and/or your practice rendered or caused or permitted to be rendered on your behalf 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 statement in respect of professional services rendered and glasses allegedly dispensed by yourself and/or your practice during or about March 2013 whilst:</p> <ul style="list-style-type: none"> a) One or more or all of the aforesaid services was/were not rendered by you and/or your practice and or b) You were not entitled to payment of one or more or all of the amounts specified in the said account/statement was drafted in a manner that was inaccurate or incorrect; and or 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><u>COUNT 2</u></p> <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 March 2013, 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:</p> <ul style="list-style-type: none"> a) Record the examination that was done on your patient. <p><u>COUNT 3</u></p> <p>THAT you are guilty of unprofessional conduct of conduct which, when regard is had to your profession is unprofessional in that during or about March 2013, 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 pleaded guilty and was found guilty as charged. A fine of R45 000, R25 000 is suspended further suspended for two years wholly suspended for five years, on condition that he does not commit an offence with like elements, during the period of suspension.</p>	<p>Johannesburg</p>

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	<p><u>COUNT 4</u></p> <p>THAT you are guilty of unprofessional conduct, or conduct which, when in regard is had to your profession, is unprofessional in that during or about March 2013 at your practice, you employed a locum whilst you knew or ought to have known that the said locum is not a registered medical practitioner with Council and thereby Contravened Rule 9(1) of the Ethical Rules of Conduct for practitioners registered under the Health Professions Act no 56 of 1974 (as amended).</p>		
<p>Dr B Brook DP0017140/11254746</p>		<p>Fine of R5 000 wholly suspended for three (3) years on condition he is not convicted of a similar offence during the period of suspension.</p>	

August 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>Dr S Levy MP0436445/2600222</p>	<p><u>COUNT 1</u></p> <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 2012 you performed acts of a sexual nature on your patient.</p> <p><u>COUNT 2</u></p> <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 2011 and 2012 you performed acts of a sexual nature on your patient.</p> <p><u>COUNT 4</u></p> <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 June/July 2014 you performed acts of a sexual nature on your patient.</p>	<p>On 31 July 2017, the Professional Conduct Committee of the Medical and Dental Professions Board found the practitioner guilty of unprofessional conduct on Counts 1, 2 and 4.</p> <p>In terms of Regulation 9(9) of the regulations relating to the conduct of inquiries into alleged unprofessional conduct under the Health Professions Act, 1974 on the application of the practitioner's legal representatives, the Committee granted a discharge on Count 3.</p> <p>The Professional Conduct Committee of the Medical and Dental Professions Board as penalty, resolved that the practitioner be suspended from practising his profession for a period of 36 months of which 24 months be suspended on condition that he was not found guilty of a similar offence committed during the period of suspension.</p>	<p>Johannesburg</p>
<p>Prof E Song MP0184195/19276982</p>	<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 October 2015 at a hospital and in respect of your patient, you:</p>	<p>The Respondent accepted the penalty of caution and reprimand.</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>a) Failed and/or neglected to ensure that oncology treatment be rendered to your patient; and</p> <p>b) You poorly communicated to your patient's family.</p>		
<p>Dr AL Nosworthy MP0473928/19277000</p>	<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 October 2015 at a hospital you failed and/or neglected to render treatment to your patient.</p>	<p>The Respondent accepted the penalty of caution and reprimand.</p>	<p>Johannesburg</p>
<p>Dr D Mitchel MP 0506052/19335656</p>	<p><u>COUNT 1</u></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 November 2015 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 and/or your practice, contravention of Rule 16 of the Ethical Rules of Conduct for practitioners registered in terms of the Health Professions Act, 1974 in that you:</p> <p>a) issued a false and incorrect medical certificate booking her off from work for one month, while she was on leave which was ending on the 6th December 2015, a week before her leave ends, after consulting with her over the phone.</p>	<p>The Respondent paid an amount of R10 000 for admission of guilt without appearing at the inquiry.</p>	<p>Durban</p>
<p>Dr E Bierman DP 0099210/16059420</p>	<p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that January 2015, in respect of your patient, you acted in a manner that is not in accordance with the standards of your profession in that you left behind a root, post extraction.</p>	<p>The Respondent paid an amount of R10 000 without appearing at the inquiry.</p>	<p>Pretoria</p>

September 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Dr J Hajat MP 0549967/19911706	THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that on or about May 2016 and in respect of your patient, you exposed your patient to danger in causing harm in administering an intramuscular injection of Diclofenac 75 mg that is not more beneficial than the medication prescribed to your patient.	The Respondent paid the admission of guilt fine in the amount of R7 500 on the charge-sheet.	Durban
Dr B Barnes MP0161403/8019938		Caution and Reprimand	
Dr P Mabona MP0503614/13435788		Fined R20 000 payable within 60 days	

November 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>Mr M Ngomani OP0029033/5957360</p>	<p><u>Count 1:</u></p> <p>THAT 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 amounts specified in the said account/statement in respect of professional services allegedly rendered by you on or about August 2013, whilst –</p> <p>1.1 none of the aforesaid services was rendered by you; and/or</p> <p>1.2 you were not entitled to payment of any 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 or incorrect; and/or</p> <p>1.4 the said account/statement was drafted in such a manner as to cause financial prejudice or potential financial prejudice to the medical aid scheme concerned.</p> <p><u>Count 2:</u></p> <p>THAT 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 amounts specified in the said account/statement in respect of professional services allegedly rendered by you on or about August 2013, whilst –</p> <p>2.1 none of the aforesaid services was rendered by you; and/or</p>	<p>The Professional Conduct Committee of the Professional Board for Optometry and Dispensing Opticians found the Respondent guilty of unprofessional conduct on Counts 1 – 4 of the charge-sheet. Count 5 was withdrawn. It was resolved that he be suspended from practising his profession for a period of 12 months and also imposed a fine of R20 000 but that the operation of the suspension as well as the fine be suspended for a period of 5 years on condition that he was not found guilty of a similar offence committed during the period of suspension.</p>	<p>Johannesburg</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p>2.2 you were not entitled to payment of any of the amounts specified in the said account/statement; and/or</p> <p>2.3 the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</p> <p>2.4 the said account/statement was drafted in such a manner as to cause financial prejudice or potential financial prejudice to the medical aid scheme concerned.</p> <p><u>Count 3:</u></p> <p>THAT 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 one or more or all of the amounts specified in the said account/statement in respect of professional services allegedly rendered by you on or about April 2013, whilst –</p> <p>3.1 one or more or all the aforesaid professional services was/were not rendered by you; and/or</p> <p>3.2 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>3.3 the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</p> <p>3.4 the said account/statement was drafted in such a manner as to cause financial prejudice or potential financial prejudice to the medical aid scheme concerned.</p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
	<p><u>Count 4:</u></p> <p>THAT 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 one or more or all of the amounts specified in the said account/statement in respect of professional services allegedly rendered by you on or about February 2013, whilst –</p> <p>4.1 one or more or all the aforesaid professional services was/were not rendered by you; and/or</p> <p>4.2 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>4.3 the said account/statement was drafted in a manner that was inaccurate or incorrect; and/or</p> <p>4.4 the said account/statement was drafted in such a manner as to cause financial prejudice or potential financial prejudice to the medical aid scheme concerned.</p> <p><u>Count 5:</u></p> <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 2013 you conducted a mobile practice without prior written approval obtained from the Professional Board and thereby contravened Rule 1(4)(f) of the rules of conduct pertaining specifically to the profession of optometry and dispensing opticians as contained in Annexure 8 of the ethical rules of conduct for practitioners registered under the Health Professions Act.</p>		

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
<p>Ms MS Madurai MT0043796/19500152</p>	<p><u>COUNT 1:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during the period from 2014 to 2015, you acted in a manner that is not in accordance with the norms and standards of your profession in that you exposed patients to danger/harm by failing to report high potassium results to treating doctors in terms of ISO 15189:5.91.</p> <p><u>COUNT 2:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during the period from 2014 to 2015, you acted in a manner that is not in accordance with the norms and standards of your profession in that you exposed patients to danger by allowing medical technicians to review results as per the guidelines released in The Bulletin issue 9, 2014.</p> <p><u>COUNT 3:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during the period from 2014 to 2015, you acted in a manner that is not in accordance with the norms and standards of your profession in that you negligently kept poor record keeping by failing to keep data of high potassium results to allow retrospective analysis _ ISO 15189:4.13.</p> <p><u>COUNT 4:</u></p> <p>THAT you are guilty of unprofessional conduct or conduct which, when regard is had to your profession, is unprofessional in that during the period from 2014 to 2015, you acted in a manner that is not in accordance with the norms and standards of your profession in that you employed unregistered people.</p>	<p>The matter was held on 2 November 2017. The Respondent was found guilty of unprofessional conduct on Count 1, 2 and 3. No evidence was led on Count 4 and the Respondent was found not guilty and discharged. On Count 1,2 and 3 the Respondent was sentenced as follows:</p> <p>Hundred Thousand Rand on each count, half of which was suspended for five years plus a further two years which is wholly suspended for two years on condition that she is not found guilty of a similar transgression during the period of suspension.</p>	<p>Durban</p>

Registration number & Name of practitioner	Nature of complaint	Penalty	Town

December 2017

Registration number & Name of practitioner	Nature of complaint	Penalty	Town
Mr J Mgwenya PT0089168/748846		Years suspension from the register, penalty wholly suspended for 5 years on condition: i. he is not convicted on similar offences committed during the period of suspension ii. he completes a course in Ethics and submits proof thereof within 6 (six) months iii. pays an amount of R70 000 for costs of the proceedings in terms of Section 42(1)(f).	