



Section 59 Investigation

Established in terms of Section 7(a)(b)(c)(d), 8(a) and (k) and 9(2) of the Medical Schemes Act, 131 of 1998.

Reference: Section 59 Investigation Report
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Release of the Section 59 Investigation Interim Report

Following the successful opposition of the interdict application from GEMS and BHF, the Section 59 Investigation Panel would like to announce that the Section 59 Investigation Interim Report will be released at a Virtual Press Conference that will take place as follows:

Date: Tuesday, 19 January 2021

Time: 11:15

Platform: Microsoft Teams accessible [here](#)

The Chairperson of the panel, Adv Tembeka Ngcukaitobi SC will present the report to the media. The interim report will be made available on the Section 59 Investigation's website, accessible [here](#), shortly after the Press Conference.

About the Section 59 Investigation

In May 2019, members of the National Health Care Professionals Association (NHCPA) and Solutionist Thinkers, made public allegations that they were being discriminated against by medical schemes and administrators and their claims were being withheld based on their race and ethnicity.

Medical schemes and administrators were making use of [section 59](#) of the Medical Schemes Act (131 of 1998), to withhold payments to these medical practitioners once they had rendered healthcare services.

The CMS then constituted a multi-disciplinary Steering Committee – consisting of the complainants, industry associations and co-regulators – that supported the [establishment](#) of an independent investigation to conduct an inquiry into the above allegations.

The CMS launched the [Section 59 Investigation](#) into allegations of racial discrimination by medical schemes and administrators in terms of its regulatory mandate, under section 7(a)(b)(c)(d), 8(a) and (k) and 9(2) of the Medical Schemes Act, (131 of 1998) in July 2019.

Panel: Adv Tembeka Ngcukaitobi SC | Adv Kerry Williams | Adv Adila Hassim

Secretariat: Lawtons Africa Inc

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An [independent panel](#) consisting of Advocates Tembeka Ngcukaitobi SC, Adilla Hassim and Kerry Williams led the Section 59 Investigation, [tasked](#) to investigate the complaints, identify trends and make recommendations that may require legal or policy interventions, amendments to legislation and regulations.

The panel issued a call for written submissions and thereafter held public hearings from July 2019 – January 2020, with the intention of releasing a preliminary and final report on the findings.

All queries related to the release of the report should be directed to the Secretariat/briefing attorneys of the Panel, Lawtons Africa as follows:

Contact person: Mr SJ Thema / Ushir Ahir

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/Ends/

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