# NATIONAL ASSEMBLY

**FOR WRITTEN REPLY**

**QUESTION NO. 293**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 23 FEBRUARY 2024**

**(INTERNAL QUESTION PAPER NO. 04)**

**Mrs M O Clarke (DA) to ask the Minister of Health:**

(1) What total number of medico-legal claims (a) have been filed and (b) have been paid out as (i) settlements and (ii) court-ordered payments;

(2) what total (a) number of claims were awarded based on (i) lost patient files and (ii) duplicate claims that have been filed and (b) amount has been spent on (i) legal costs and (ii) claim costs from 1 January 2020 to 31 December 2023? **NW331E**

**REPLY:**

The following table reflects the details in this regard:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME OF THE PROVINCE** | **1 (a)**  **Total number of medico-legal claims filed** | **1 (b)**  **Total number of the claims paid out** | **1 (b) (i)**  **Total number of claims paid out as settlements** | **1 (b) (ii)**  **Total number of claims paid out as court ordered payments** | **2 (a) (i)**  **Total number of claims that were awarded based on lost patient files** | **2 (a) (ii)**  **Total number of duplicate claims that have been filed** | **2 (b) (i)**  **Total amount spent on legal cost** | **2 (b) (ii)**  **Total amount of claim cost** |
|  | | | | | | | | |
| Eastern Cape[[1]](#footnote-1) |  |  |  |  |  |  |  |  |
| Free State | 651 | 53 | 50 | 3 | 0 | 0 | R37 259 798.24 | R2 484 606 393.54 |
| Gauteng | 322 | 449 | 0 | 449 | 108 | 0 | R634 637 738.31 | R1 897 283 000.00 |
| KwaZulu- Natal | 779 | 94 | 0 | 94 | 0 | 1 | R328 252 675.68 | R8 677 266 708.80 |
| Limpopo | 903 | 30 | 2 | 28 | 0 | 1 | R63 145 941.00 | R266 804 823.43 |
| Mpumalanga | 569 | 62 | 32 | 30 | 15 | 0 | R224 990 555.00 | R245 485 320.00 |
| Northern Cape | 57 | 28 | 27 | 1 | 7 | 0 | R24 670 478.26 | R152 235 223.45 |
| North West | 241 | 22 | 15 | 7 | 0 | 0 | R59 270 605.65 | R99 136 357.41 |
| Western Cape[[2]](#footnote-2) |  |  |  |  |  |  |  |  |
| **Totals** | **3522** | **738** | **126** | **612** | **130** | **1** | **R1 372 227 792,14** | **R23 637 317 204,63** |

1. Eastern Cape still verify the figures. [↑](#footnote-ref-1)
2. Still waiting the information from WC. We have been advised that the responses have been forwarded to the HoD for approval. [↑](#footnote-ref-2)