**NATIONAL ASSEMBLY**

**QUESTION: 1380**

**FOR WRITTEN REPLY**

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**(INTERNAL QUESTION PAPER NO. 16)**

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

(1) With reference to the amount of R72 million that was provided by the National Treasury in 2019 to deal with medico-legal claims for which tenders were awarded to certain companies (names furnished), what (a) total number of claims against his department where each of the firms were involved in was identified as fraudulent and (b) number was successfully defended based on fraudulence;

(2) whether any of the cases that were identified as being fraudulent were referred to the (a) SA Police Service and (b) National Prosecuting Authority; if not, why not in each case; if so, what are the relevant details in each case;

(3) (a) what (i) was the cost of the case management system that Abacus FCA Pty Ltd had to develop and (ii) were the outcomes in terms of the successes of the system and (b) how widely is the system currently implemented? **NW1708E**

**REPLY:**

1. (a) A total of 58 claims have been identified as potential fraudulent claims. The breakdown per each Service Provider is as follows:
* Norton Rose - 51 claims;
* CAJV (Pty) Ltd - 4 claims; and
* Integrated Forensic Accounting Services - 3 claims.

(b) The matters have not yet been finalized by the Courts.

1. (a) and (b) None of the claims that have been identified as fraudulent have been referred to the South African Police Service SAPS and (b) National Prosecuting Authority (NPA).

Since the signing of the National Proclamation by the President, the Forensic Reports from the Service Providers appointed by the Department have been provided to the Special Investigating Unit (SIU) to form the basis of their investigations. The SIU has already visited NDoH and some of the Provinces. The SIU will take investigations further and make their findings and recommendations. [[1]](#footnote-1)

1. (a) (i) ABACUS was paid an amount of R 1 826 455,25 for the Development and maintenance of Case Management System.

(ii) The System greatly assist the Provinces in the following areas among others:

* Demand Amount by Claim fields - The System assist in the indication of which areas (fields) are targeted both in the numbers of claims and the amounts claimed, e.g. Obstetrics and Gynaecology, and Surgical. This will enable the Provinces to investigate the causes thereof and deal with such causes.
* Number of Cases per Hospital - This assist in providing indication of which Hospitals are most affected within the Province and this will assist the Provinces to have targeted interventions on the most affected Hospitals.
* Top Plaintiff's Attorneys by Summons Amount - This will assist in the investigations on the unethical conduct by Attorneys such as touting.
* Possible duplication / fraudulent of Medico-Legal cases - Through the use of ID or Passport numbers and date of birth, the System can pick the possible duplication of cases and trigger the possibility of fraudulent claims.
* Cases coming to trial this month - This assist the Provinces to prepare for the cases well before they are in Court as the System will indicate the cases that are going to Court for trial for the month.

(b) The National Department of Health has as part of the Transversal Tender appointed ABACUS to develop and maintain a Case Management System (System) to manage medico-legal claims in the Provinces. Of the nine (9) Provinces in the Country, only eight (8) Provinces participated in the Transversal Tender with the exception of Western Cape. To date, the System has been rolled out in five Provinces i.e. KZN, Free State, Northern Cape, North West and Gauteng. However, the System is not actively used in those Provinces where it has been rolled out save for KZN and Free State.

END.

1. This is the response that was provided to the Briefing to the Portfolio Committee on Health on the NDOH Annual Report 2022-23 - Questions to be responded to in writing. [↑](#footnote-ref-1)