



## PRESS RELEASE

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### **Press Release 13 of 2014: CMS to offer pro bono services to members in medical scheme disputes**

The Council for Medical Schemes (CMS), the regulator of the medical schemes industry, together with ProBono.Org have set-up a Pro Bono Panel for medical scheme members. Legal representatives will render free services to members of medical schemes who are in dispute with their funds and have suffered hardship or cannot afford their own legal representation in cases serving before the CMS Appeals Committee or Appeal Board.

Mr Daniel Lehutjo, Acting Chief Executive & Registrar, says, "here at CMS we identified the need for pro bono legal representation as many members attend hearings without legal representation, and as most medical schemes are very well represented, this can potentially leave members vulnerable, not well informed and jeopardise the outcome of the case."

This is why CMS approached ProBono.Org to assist beneficiaries of medical schemes in selected cases. CMS selects and refers certain cases to ProBono.Org who in turn facilitate the provision of free legal services through the volunteerism of a panel of private attorneys.

ProBono.Org promotes, protects and realises the rights established in the Constitution by improving access to justice to poor, vulnerable and marginalised South Africans.

The partnership between ProBono.Org and CMS will realise vulnerable members' rights to proper legal representation, access to quality health care, access to information and equality.

While medical scheme members are served through these pro bono services it also presents the opportunity for members of the legal profession to gain practical experience in what is considered to

be a specialised field of law, which is unique in nature. Some of the leading South African law firms are already showing interest in joining the Pro Bono Panel.

Not all cases will be referred to the Pro Bono Panel. The CMS Legal Services Unit together with ProBono.Org will use their discretion to refer matters where members have clearly suffered hardship. Some of the considerations will include the monetary value involved as well as the condition the member suffers from.

The CMS Appeal Board has the powers of the High Court to summon witnesses, to cause an oath or affirmation to be administered by them, to examine them, and to call for the production of books, documents and objects. A new hearing room was recently opened by CMS at its offices in Centurion, Pretoria where sittings of the Appeals Committee and Appeal Board take place.

According to ProBono.Org providing members of medical schemes with pro bono assistance at these hearings, will result in equal representation of all parties. This will enable members to have access to legal representation which makes the right that all people have to a fair hearing to resolve disputes, set out in Section 34 of our Constitution, a reality.

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