



PRESS RELEASE

Reference: CMS Appeal Board appointees
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Press Release 18 of 2014: Former Judge President Ngoepe re-appointed to Chair CMS Appeal Board

The Minister of Health Dr Aaron Motsoaledi has re-appointed the retired North Gauteng and South Gauteng High Court Judge President Bernard Ngoepe as the Chairperson of the Appeal Board of the Council for Medical Schemes (CMS), regulator of the medical schemes industry.

Judge Ngoepe, along with Dr Neville Bantu Jada and Dr Clemintina Ntombizodwa Ngobese have all been appointed to the Appeal Board by Minister Motsoaledi with effect from 17 October 2014.

The Appeal Board, consisting of the three members, is responsible for adjudicating on appeals against decisions of the CMS as well as the Appeals Committee.

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.

Mr Daniel Lehutjo, Acting Chief Executive Officer and Registrar of the CMS, said “the appointment of Judge Ngoepe and Doctors Jada and Ngobese to what is effectively the highest review body in the medical schemes industry, reaffirms the Minister of Health’s commitment to the crucial role of CMS to protect beneficiaries.”

“We take this opportunity to congratulate those appointed and wish them well in their tenure,” said Lehutjo.

Dr Ngobese has extensive experience in planning, delivery, management and monitoring of occupational health and public health programmes. Her role as Head of Patient Care at Sovereign Health (now Momentum Medical Aid Administrators) afforded her experience in management of medical aid schemes.

Dr Jada is a Medical Doctor with 16 years' experience in both the Public and Private Health Sectors, with 10 years in health management. He also holds academic qualifications (including post graduate qualifications) in Business Management, Finance and Health.

Earlier this year a new hearing room was opened by CMS at its offices in Centurion, Pretoria where sittings of the Appeals Committee and Appeal Board take place.

How the complaints process works

CMS encourages beneficiaries of medical schemes to speak out whenever they feel uncertain or aggrieved by a decision of their medical scheme.

The Medical Schemes Act 131 of 1998 requires all medical schemes to establish dispute resolution committees where beneficiaries can go to lodge complaints. Where no resolution is reached, beneficiaries should approach the CMS. The CMS regulates the medical schemes industry, and is responsible for enforcing compliance with the Medical Schemes Act to ensure that the interests of beneficiaries are prioritised at all times. It therefore serves as the ombudsman for the medical schemes industry.

The prescribed process beneficiaries should follow when lodging a complaint with the CMS:

There are a number of different ways in which to lodge a complaint. The CMS can be called (hotline number 0861123 267), faxed (012 431 0608), e-mailed (complaints@medicalschemes.com), or sent a letter.

The Registrar of Medical Schemes receives the complaint and sends it to the medical scheme within a reasonable time frame to respond within 30 days. The Registrar then makes a determination. An aggrieved party has 30 days to appeal the decision to the Appeals Committee, which is a sub-committee of Council.

The Appeals Committee, consisting of medical and legal professionals sits every second month. The appeals Committee can endorse or overrule the decision of the Registrar. If a party feels aggrieved by a ruling of the Appeals Committee they have 60 days to lodge an appeal with the Appeal Board.

The Appeal Board makes a final ruling on a matter whereby the CMS internal process are deemed to be exhausted. An aggrieved party may still approach the High Court for an appeal or a review application if still not satisfied.

All judgements of relevance to the CMS – i.e. of the Appeals Committee, the Appeal Board, the High Court, the SCA, and the Constitutional Court – are available on the [CMS website](#)

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