

APPEAL COMMITTEE OF THE COUNCIL FOR MEDICAL SCHEMES

In the matter between:

FEDHEALTH

Appellant

and

REGISTRAR OF MEDICAL SCHEMES

First Respondent

[REDACTED]

Second Respondent

RULING

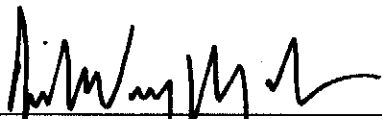
- 1 This is an appeal by the scheme against the ruling of the Registrar in which he directed the scheme to cover the costs of a refractive surgery in full. The rules of the scheme are quite clear. This benefit is paid only from an out of hospital expenses account and not from the risk benefits account of a member.
- 2 Mr V [REDACTED] is a broker and made what seems like a general enquiries call to the scheme's call centre. He found on the other end of the line a C [REDACTED]

He then proceeded to enquire whether the scheme covers (in general because no membership details were given) a certain procedure. Now he says the call centre agent (C██████████) authorised the procedure on behalf of the scheme.

- 3 Mr V██████████ equates this exploratory call and provision of a reference number by the agent to a formal request for approval of a procedure and issue of an authorisation number. This is clearly not so not least because the membership details of the member were not even provided by Mr V██████████ when he was requested to do so by C██████████. Pre-authorisation for a medical procedure cannot be granted amorphously. Membership details must be provided and the medical condition of that member clearly and adequately explained.
- 4 In any event, on a careful listening of the conversation between Mr V██████████ and the call centre agent, at no point did C██████████ convey to Mr V██████████ that the scheme would cover the procedure. She could not possibly have done so without the detail referred to above. There the matter rests.
- 5 In any event, the procedure is not paid for by the scheme from risk benefits (or in-hospital benefits).

Finding

- 6 In the circumstances, the appeal must ~~fail~~ **SUCCEED**



VUYANI NGALWANA for Appeal Committee

For the Appellant: Mr D [REDACTED]: P [REDACTED]

For the 2nd respondent: Mr V [REDACTED]

Date of hearing: 26 November 2009

Date of Ruling: 04 December 2009