

APPEAL COMMITTEE OF THE COUNCIL FOR MEDICAL SCHEMES

In the matter between:

M

Appellant

and

DISCOVERY HEALTH MEDICAL SCHEME

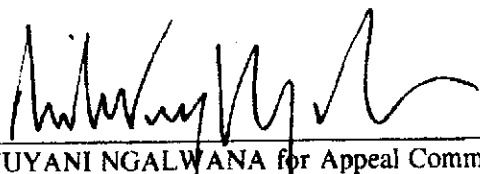
Respondent

RULING

- 1 This is an appeal by the member against a ruling of the scheme's disputes committee that the scheme was correct in refusing to fund the cost of surgically removing a hairy neavus from the member's daughter's face on her temple. The reason advanced for the refusal is that the procedure is "*a general scheme exclusion*" and that it is in any event not "*medically necessary*" within the meaning of the scheme rules.

- 2 In terms of the scheme rules, a procedure is "*medically necessary*" if it is "*appropriate and necessary to meet the health care needs of the patient, consistent with the diagnosis or condition*".

- 2 In terms of the scheme rules, a procedure is "*medically necessary*" if it is "*appropriate and necessary to meet the health care needs of the patient, consistent with the diagnosis or condition*".
- 3 The appellant says she was advised by two medical general practitioners to remove the neavus. At least one of them cautioned that there was a 20% probability of malignancy of the neavus if it was not removed.
- 4 The scheme says the neavus was 2cm by 0.9cm in size, and that this was considered a medium-sized neavus by accepted medical standard. For a neavus of that size, says the scheme, the probability of malignancy is between 0.8% and 4.9%, not 20%. In these circumstances, the accepted medical practice is to monitor the neavus although some specialists would opt to remove it. It says the motivation advanced for its removal in this case does not accord with scientifically based guidelines of medical practice. The motivating doctor did not indicate that the neavus was growing, bleeding, changing colour and border regularity, cancerous or causing eyesight impairment.
- 5 In the result, the appeal cannot succeed.



VUYANI NGALWANA for Appeal Committee

For the Appellant: M

For the scheme: *Wagner, Saroop, D Koch*

Date of hearing: *30 April 2010*

Date of Ruling: *11 May 2010*