



STEP-BY-STEP GUIDE ON OPENING A PRIVATE PRACTICE WITH RESPECT TO PATIENT RIGHTS, AND HOW TO ENSURE ONLY LEGITIMATE CLAIMS ARE SUBMITTED TO MEDICAL AIDS

The right to earn a living and to practice a profession freely is enshrined in the Constitution of the Republic of South Africa, Act 108 of 1996, and in the Competitions Act 89 of 1998. The latter legislation provides for restraining particular trade practices that undermine a competitive economy. Any attempt to prevent other independent practitioners setting up a private practice in close proximity to you would be unethical and in contravention of the legislation.

The below steps provide guidance on setting up a private practice, which is underpinned by ethical professional practice at all times. Note that these steps are not exhaustive as each medical scheme may have additional requirements, terms and conditions.

• STEPS TO SET UP A PRIVATE PRACTICE

- Need to present a business plan to bank manager if funds will be required to cover initial costs of setting up a private practice.
- Must have a separate bank account for private practice.
- Must be registered for independent practice as a radiographer with the HPCSA. Important at the end of community service to apply to the HPCSA for registration independent practice: https://www.hpcsa.co.za/Uploads/Registration_Forms/2022/RCT/Form_27_Independent_Practice.pdf
- You have to apply to the Board of Healthcare Funders (BHF) for a practice number.
- A practice number is required when claiming from medical aids.
- Application <https://www.pcns.co.za/ApplicationForms/HspApplicationDentalTechnologistRadiographers?class=elements> link is
- When a PCNS has been registered all medical schemes on the PCNS database are notified electronically.
- Not all medical aids are members of BHF. It is your responsibility to check the BHF's list of medical aids. You have to personally register with those not on the list.

- Malpractice insurance is essential.

- **COMPLY WITH RELEVANT LEGISLATION**

- Must know all relevant legislation. For example, Health Professions Act with respect to regulations defining scope of profession; HPCSA ethics booklets; National Health Act 61 of 2003; Occupational Health and Safety Act 85 of 1993, Medical Schemes Act 131 of 1998. It is important to adhere to the HPCSA guidelines of keeping of patient records.
- Application for membership of most medical schemes is dependent on an applicant signing consent with respect to the scheme and its administrator obtaining all relevant information (records, patient data, etc.) from other relevant sources (e.g., medical practitioner, other contracted service providers) to consider a claim for medical expenses, for example. Medical schemes have terms and conditions which are listed on the application form. For example, an applicant authorises in writing on the application form for any medical practitioner, or other healthcare providers, who attended to the applicant and, if applicable their dependents, in the past, or to attend to them in the future to provide the scheme, or its agents/administrator, with such information they may require for, inter alia, assessment of fraud, waste, and abuse, and any other lawful purpose.

- **PATIENT RIGHTS**

- Rights of patients must be adhered to at all times in accordance with the National Health Act 61 of 2003 and the HPCSA ethics booklet. Informed consent must be provided for each examination. Should a patient not be able to provide informed consent (e.g., unconscious) then relevant legislation must be adhered to.
- Patients must be told before an imaging examination of cost implications in order for an informed decision to be made.
- Patients must be informed it is their right to obtain a second opinion to ensure they obtain the most cost-effective service from registered independent practitioners.
- Patients must be informed that quality diagnostic images will be produced.
- Patients must be informed of their right to report a practitioner to the HPCSA for unethical practice, production of undiagnostic images, etc.

- **KEEP ACCURATE RECORDS**

See HPCSA booklets, National Health Act, and code of practice for users of x-ray equipment.

- <http://radiationsafe.co.za/wp-content/uploads/2017/08/1.3-Code-of-practice-for-users-of-medical-x-ray-equipment-2015.pdf>
- https://www.hpcsa.co.za/Uploads/Professional_Practice/Conduct%20%26%20Ethics/Booklet%209%20Keeping%20of%20Patient%20Records%20September%20%202016.pdf

- **TARIFF CODES AND CLAIMS**

- Be fully conversant with what codes to use when submitting claims to medical schemes for reimbursement. If not sure seek clarification from each medical scheme.
- Only claim for actual examinations done. Medical aids can legally investigate excessive/'suspicious' claims.
- To prevent being charged for fraud it is your responsibility to only submit claims of examinations done as detailed in Annexure 10 Government gazette 29079, 4 August 2006; Government Gazette 5349 Notice R2326 December 1976 as amended; and <https://www.hpcsa.co.za> Professional Board for Radiography and Clinical Technology: scope of practice. It is recommended that the latter website should be accessed on a regular basis to check for current documents, etc pertaining to the profession of radiography.



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