

Association for Dietetics in South Africa
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26 November 2020

The Director-General
Department of Employment and Labour
Private Bag X117
PRETORIA
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Att: Mr Thobile Lamati

REGISTRATION OF DIETITIANS AS SERVICE PROVIDERS TO MEMBERS OF THE COMPENSATION FUND

The Association for Dietetics in South Africa (ADSA) is a professional organisation representing dietitians. Our vision is to represent and develop the dietetic profession to contribute towards achieving optimal nutrition for all South Africans. Dietitians are health professionals registered with the Health Professions Council of South Africa (HPCSA). As experts on diet and nutrition, the scope of practice of dietitians include the compilation and application of scientifically-justifiable dietary measures as part of the treatment of a patient or client, relative to a specific disease and following a referral by, or consultation with, a medical doctor.

Background

Nutrition services, as guided by the Scope of Practice for Dietitians is an imperative tool that supports the success of other intensive care unit (ICU) therapies and should be assigned to a nutrition specialist who is integrated into the ICU team. A dietitian registered with the HPCSA, is the team member that prioritises the nutritional requirements of a patient and ensures that an adequate nutritional status is maintained throughout hospital stay from the acute phase, while the patient is critically ill in ICU, to the recovery phase. Nutrition services may include the administration of artificial nutrition through tube or intravenous feeding, oral nutritional supplements, dietary modification and education.

In the Public Sector, dietetic services to patients are included at all levels of care i.e. from primary, secondary and tertiary care while, in the Private Sector, benefits provided by funders to members are regulated by the Council of Medical Schemes (CMS). The CMS published a list of life-threatening conditions known as prescribed minimum benefits conditions (PMB conditions) to be covered by all funders to members, irrespective of the insurance plan of the member. Therefore, all patients requiring treatment for PMB conditions, has the right to treatment of these conditions as would be the standard of care in tertiary institutions. Hence, dietetic services are included in the treatment of PMB conditions of all patients admitted to private hospitals. As custodian of the Workman's Compensation Fund and its members, the Commissioner is reminded that, the admissions of patients with injuries on duty, are mainly for PMB conditions for which these patients, in both the Private and Public sector in South Africa, would have received evidence based dietary intervention by dietitians.

Non-payment of dietitians as service providers to members of the Compensation Fund

Section 73 of Compensation for Occupation Injuries and Diseases Act (COIDA) of 1993 (amended in 1997) and hereafter referred to as 'The Act' refers to the compensation for reasonable cost incurred by or on behalf of an employee in respect of medical aid necessitated by an accident or disease as specified in The Act. After an injury on duty, the main objective is to place a fully recovered, rehabilitated and functional individual back into the workplace. Evidence supports the crucial role of the dietitian, as part of the multi-professional team, to ensure appropriate nutritional care of patients after injury that inevitably not only contributes to decreased healthcare costs as a result of less complications and decreased length of hospital stay but also to the uncomplicated and successful rehabilitation of patients.

Prior to the Commissioner implementing the software programme, Umehluko, on the 4th August 2014, dietitians were reimbursed manually in terms of section 73 of The Act, for services rendered to critically injured patients admitted to hospital ICUs. However, after implementation of Umehluko as well as other versions of similar software programmes, manual payments could no longer be made to dietitians, as the software programmes do not include tariffs for dietitians. Despite non-payment, many dietitians are currently, for ethical reasons, still rendering these essential services to members of the Compensation Fund without reimbursement, as without these services, the health and recovery of these patients are jeopardised.

ADSA was advised by your Department to urgently negotiate tariffs and listing in the Government Gazette. Therefore, since September 2015, ADSA attempted to motivate for the listing of dietitians in the Government Gazette. Unfortunately, despite annual attempts, we have been unsuccessful.

Attempts to obtain a meeting date during 2020

On the 26th November 2019, ADSA was granted a meeting by Ms Milly Ruiters who is the Chief Director: Compensation Fund. During the meeting, a comprehensive discussion of the motivation for dietetic services to members of the Compensation Fund took place. After the meeting ADSA was informed that the motivation was too late for the 2019/2020 consultation process and that we need to resubmit the motivation for the 2020/21 process. Hence, ADSA started requesting meetings since July 2019 and was informed by Ms Ruiters that the consultation process for 2021/22 financial year only commences in August 2020. ADSA was advised that the Department sourced the assistance of specialists to review the tariffs and that the billing and coding unit headed by Ms Dolly Nkabinde will communicate meeting dates with ADSA. A follow up request for a meeting date was done via email on the 12th August 2020 and we were advised by Ms Nkabinde

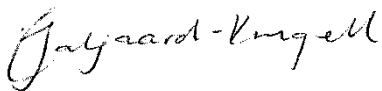
that the consultations indeed starts in August and that the Fund will consider the previous submissions and that a final decision will be provided. ADSA was also informed that if the Fund requires any further information, it will be requested. A final follow up email was sent to Ms Nkabinde on the 19th September 2020. Unfortunately, ADSA received no reply from the Department.

Request to list dietitians as service providers

Section 79 of The Act allows for consultation of the Director-General with any representative medical authority concerning matters connected with or arising from the provision of The Act with regards to medical aid. To this extent we, as the professional body representing dietitians, wish to engage with the Director-General of the Department of Employment and Labour, as accounting officer for the Compensation Fund, with regards to listing of dietitians in the Government Gazette as service providers to members of the Compensation Fund that obtained injuries while on duty.

Thank you for considering ADSA's submission, we are looking forward to engaging in further discussion to allow for the inclusion of dietitians as service providers to members of the Compensation Fund for 2021.

Kind regards,



Dr Christine Taljaard-Krugell, RD (SA)

President of the Association for Dietetics in South Africa (ADSA)

www.adsa.org.za

cc: Mr Vuyo Mafata, Commissioner: Compensation Fund