



12 October 2023

The Board of Trustees

Gemhealth Medical Scheme

C/o Prosperity Health

Windhoek

Via email: clientservices@prosperitynam.com

Cc: HPCNA

C/o Mr Weyulu

Via email: cweyulu@hpcna.com.na

Dear Trustees

“FRAUD, WASTE AND ABUSE”

We refer to your letter dated 9 October 2023, which appears to have been sent to all “*Healthcare Practitioners*”.

You state in your letter that you (apparently only recently) “*took steps to scrutinize claims for indications of fraud, waste and abuse*” and that your “*observations have been concerning*”. You further state that “*in-depth evaluations revealed cases of fraud, waste and abuse*”. You proceed to state that there is a “*lack of collective responsibility, especially when the sector’s stability is at stake*” and also state that you have “*unearthed troubling trends*”. All of the above statements, and others, are clearly meant to **tarnish the reputation of the private healthcare industry as a whole**.

The examples of alleged “fraud, waste and abuse” which you provide do not contain an iota of detail to enable any healthcare provider, or the industry at large, to refute any of the allegations you make. They thus remain unfounded.

The private healthcare industry cannot summarily accept or tolerate such serious allegations, which appear from your letter to serve no other purpose but to tarnish the name of the whole industry.

As you are aware, all healthcare providers are regulated by statutory councils under the umbrella of the HPCNA. There is no doubt that the conduct you allege in your said letter fall squarely within the disciplinary powers of the regulatory councils. In light of your serious and

unfounded allegations, **kindly indicate how many of the alleged cases have you reported to the HPCNA / regulatory councils.** This is important as the HPCNA / regulatory councils respect the constitutional right to a fair trial, and fair administrative procedure, by, *inter alia* providing accused persons the right of audience. From our experience, the funds (and their administrators) refuse to observe these basic constitutional rights.

If you have not reported the alleged cases, we can only assume that you do not have the evidence as you aver, and that your sole intention is indeed to tarnish the private healthcare industry. We shall then proceed from that premise.

Lastly, we wish to caution the fund and its administrator not to take the law in your own hands. This is a worrying trend of late, and the private healthcare industry cannot sit idly by while the funds show no regard for our country's laws, and especially the rights of the fund members and their healthcare providers.

We trust you can provide us with your written response by **Monday, 16 October 2023.**

Yours faithfully



Eben de Klerk

Legal Advisor: NPPF