



Ms. Vanessa Gaydon
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Ref: Scope Of Practice For Educational Psychologists
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Date: 23 June 2016

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Dear Ms. Gaydon

MEDICAL SCHEME CLAIMS BY EDUCATIONAL PSYCHOLOGISTS

Your letter of 18 May 2016 refers. While we understand your frustration we are unfortunately not in a position to retract our letter dated 15 July 2015 and we deny that it is legally incorrect and discriminatory. Our views are based on the legislated scope of practice for psychologists, which was promulgated in September 2011. We are aware that these Regulations are subject to a court challenge but until such time that the court has made a final judgment on the matter and the Regulations are declared invalid it is binding and in force.

The Council for Medical Schemes (CMS), as a creature of statute, can only regulate the affairs of medical schemes. Any issues that you may have with the scope of practice will have to be dealt with by the Health Professions Council of South Africa. Having said that, medical schemes are obliged in terms of the Medical Schemes Act, 131 of 1998, to fund the prescribed minimum benefits (PMBs) on all options. The remainder of benefits offered by medical schemes are self-insured benefits and differ from scheme to scheme. The scheme itself chooses, which benefits it can afford to offer and up to which limit.

The scope of practice for Educational Psychologists, for example, states that the services are related to learning and development. If there is no benefit offered by a medical scheme for learning and development the CMS cannot force the medical schemes to pay same. PMB conditions, on the other hand, are legislated and can be found in Annexure A to the Regulations. Mental Illness is covered in the Diagnosis and Treatment Pairs, which do not cover learning and development related conditions. Hence, the CMS does not have a mandate to force a scheme to fund same. Furthermore, only Bipolar Mood Disorder and Schizophrenia are included in the Chronic Disease List.

If you are alleging that the services that you are rendering fall within the PMB Regulations or benefits provided by schemes, the CMS invites you to submit evidence to this effect, including evidence of the updated scope of practice.

Sincerely

A handwritten signature in black ink, appearing to be 'D. Lehutjo', enclosed within a large, loopy oval shape.

Mr Daniel Lehutjo
Acting CE & Registrar
Council for Medical Schemes