

Quarterly Bulletin

Volume 2



Inside this issue...

<p>OHSC's consultative workshops with GPs on inspection tool development</p>	<p>What you need to know about the enforcement functions of the OHSC</p>	<p>Meet the new OHSC Board Members</p>	<p>The OHSC appoints its first Chief Operations Officer</p>
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Office of Health Standards Compliance's consultative workshops with General Practitioners (GPs) on inspection tool development



Ms Izelle Loots, Director: Health Standards Development and Training addressing GPs at Meropa Casino in Polokwane, Limpopo

The Office of Health Standards Compliance (OHSC), a regulator of health services was created through an amendment of section 79A (1) of the National Health Act to monitor and enforce compliance of health establishments through promulgated norms and standards set by the Minister of Health.

The OHSC is required in terms of the National Health Amendment Act (NHA) to protect and promote the health and safety of users of health establishments across the country. The regulator is mandated to conduct inspections of health establishments – from hospitals to clinics, the independent practices of doctors and other health professionals to monitor whether they meet minimum compliance requirements with the prescribed norms and standards regulations.

The prescribed norms and standards regulations provide a framework for the development of inspection tools that are used to inspect health establishments at different levels of care, and to provide safe and quality health services within the South African health system. The development of inspection tools is an important part of the process of OHSC in ensuring health establishments are inspected comprehensively in line with the relevant regulations. In addition to the inspection tools, a compliance status framework has been developed by the OHSC to determine the status of compliance

Scope of norms and standards Regulations

The regulated norms and standards for health establishments are applicable to public and private hospitals, public sector clinics and community health centres, private health clinics and General Practitioners (GPs) practices. Since the scale and range of services offered differ among these healthcare sectors, inspection tools are developed and used to measure compliance. The main categories of standards are:

User rights – User information; access to care; and waiting times

Clinical governance and clinical care – User health records and management; clinical management; infection prevention and control; waste management; and responses to adverse events

Clinical support services – Medicines and medical supplies; diagnostic services; blood services; medical equipment

Facilities and Infrastructure – Management of buildings and grounds; engineering services; transport management; security services

Governance and human resources – Governance; human resources management; occupational health and safety

by a health establishment to regulated norms and standards.

The OHSC is in the process of developing an inspection tool for all General Practitioners (GPs). The inspection tool will be used to measure processes that will influence the quality and safety of services provided by various GPs. The OHSC adopted a developmental and incremental approach to developing inspection tools for different levels of care.

The OHSC is currently engaging stakeholders in the development of inspection tools for GPs through various workshops across all provinces. The workshops are aimed to unpack the norms and standards regulations and requirements for the tool and to solicit inputs from GPs towards the inspection tool. Consultation workshops with GPs were conducted in Gauteng in January 2023, with Limpopo in February 2023, as well as Mpumalanga in March 2023. Engagement dates with GPs in other provinces will be communicated in due course.



The OHSC Senior Managers with some of the GPs at OHSC's consultative workshop at Meropa Casino in Polokwane, Limpopo

What you need to know about the enforcement functions of the OHSC?

The OHSC is mandated to conduct inspections of health establishments – from hospitals, community health centres and clinics to monitor whether they meet minimum compliance requirements with the prescribed norms and standards regulations. Health establishments that meet minimum compliance requirements are issued with a report confirming that they are compliant with the regulated standards, and it would be accompanied by a recommendation for a certificate.

Health establishments that fail to comply with the minimum norms and standards regulations are issued with compliance notices in terms of (Section 82A (1) of the National Health Act as amended) reflecting all the areas of non-compliance, the extent and nature of such non-compliance, as well as the measures to be implemented to remedy breaches. The notices also outline timeframes within which the health establishments are required to achieve compliance in respect of the identified areas of non-compliance. Upon the lapse of the timeframes, the OHSC will reschedule another inspection (re-inspection) to the health establishment to verify whether the areas identified in the compliance notices have been remedied.

In a nutshell, the two pieces of legislation provide that:

A compliance notice remains in force until the relevant provision of the Act has been complied with and a compliance certificate has been issued by the relevant authority. Section 82A(4) read with regulation 24 of the Procedural Regulations 21(4) further provides that:

If a person in charge of a health establishment to whom a compliance notice has been issued, fails to comply with the notice, the OHSC may as appropriate and considering the nature, extent, gravity, and severity of the contravention:

- a. issue a written warning to achieve compliance within a set period in a manner prescribed.
- b. require a written response from the health establishment regarding the continued non-compliance.
- c. recommend to the relevant authority any appropriate and suitable action to be undertaken, including the institution of disciplinary proceedings against persons responsible for non-compliance or continued non-compliance.
- d. revoke the compliance certificate and recommend to the Minister the temporary or permanent closure of the health establishment or part thereof that constitutes a serious risk to public health or to health service users

Should the re-inspection confirm that those areas have been remedied, the OHSC inspector will then recommend the health establishment to be issued with a certificate of compliance. In instances where a health establishment fails to remedy the areas of non-compliance after the re-inspection as listed on the compliance notice, the OHSC will recommend enforcement action against the health establishment. A health establishment can be recommended for certification or enforcement action, which the OHSC will implement. A certificate of compliance will be issued to a compliance health establishment and a notice of compliance to a non-compliant health establishment.

The OHSC may extend the certification status of the health establishment that has applied for renewal for a period of not more than one year from the date of expiry, to afford the OHSC an opportunity to schedule and conduct an inspection for the purposes of renewal of certification. The certificate of compliance may be suspended, withdrawn, or revoked should health establishments be found to have breached norms and standards regulations.

The OHSC follows the provisions of both the National Health Act (as amended) and the Procedural Regulations Pertaining to the Functioning of the Office of Health Standards

Compliance and Handling of Complaints by the Ombud depending on the recommendation from the Compliance Inspectorate for enforcement action to be undertaken.



The certificate issued by the OHSC is valid for four years and is a requirement for the accreditation of service providers in terms of the National Health Insurance (NHI) Fund. Should the certificate expire prior to the NHI accreditation, Regulation 19 allows for the renewal and extension of certification. The regulation states that health establishments must apply to the OHSC for the renewal of the compliance certificate within six months before the expiry of the compliance certificate.

The norms and standards regulations which apply to various categories of health establishments were promulgated by the Minister of Health in 2018 and came into effect in 2019. The regulations afford the OHSC with powers to take legal action against public and private health establishments that are persistently non-compliant with the regulated norms and standards. The powers include recommending the closure of facilities or of part of their operations. The measures are undertaken by the OHSC to enforce compliance and to ensure quality healthcare for users of health services.

For more information on the enforcement function of the OHSC, contact us at enforcement@ohsc.org.za.

Meet the new OHSC Board Members

The Honourable Minister of Health, Dr Joe Phaahla has appointed new members of the Board of the OHSC for a period of three years with effect from 12 February 2023. The OHSC is a regulator of the health system, established as part of the significant steps taken by the South African government to improve the quality of services and safety of the users of health services including health workers. The OHSC functions under the control of a Board appointed by the Minister of Health in terms of the National Health Amendment Act of 2013. The Board is the accounting authority of the entity and is responsible for determining the policy of the OHSC and undertaking strategic planning for the functions of the entity.

The Act specifies that the OHSC Board should consist of seven to twelve members. Most members are selected on the basis of specific expertise and experience in various areas of healthcare, law, finance and economics, the private and public healthcare systems, and quality

assurance. One member represents organised labour and one is a representative of civil society organisations.



OHSC new Board Members accompanied by the National Department of Health representatives during the induction of the Board at Southern Sun OR Tambo International, Gauteng

The Minister makes the final selection of members from individuals nominated by institutions of higher learning, civil society organisations, trade unions, and other organisations in response to adverts in the Government Gazette and national press. The Chief Executive Officer and the Chief Financial Officer of the OHSC are *ex officio* members of the Board.

The new Board members are as follows:

1. Dr Molefe Kenoshi (Chairperson)
2. Dr Reno Morar (Vice-Chairperson)
3. Prof Lilian Dudley
4. Ms Palesa Santho
5. Ms Sizeni Mchunu
6. Prof Usuf Chikte
7. Dr Maria Peenze
8. Mr Rajesh Mahabeer
9. Prof Mohambry Chetty
10. Ms Ritta Msibi
11. Mr Anele Yawa

The leadership and experience of the members of the accounting authority will bolster the OHSC's strategic role towards the transformation of the South African healthcare sector. Through the guidance of the Board members, the OHSC will strive to be a leading entity, continuously evolving and developing to ensure safe and quality healthcare for all. As the OHSC Team, we consistently live the values towards fulfilling the mandate of the health regulator.

OHSC appoints its first Chief Operations Officer



Dr Mathabo Mathebula, OHSC
COO

Chief Operations Officers are tasked with ensuring effective and efficient functioning and implementation of institutional operations. The Office of Health Standard Compliance (OHSC) welcomes Dr Mathabo Mathebula as its first-ever Chief Operations Officer (COO). Dr Mathebula resumed her duties at the beginning of March 2023.

By profession, Dr Mathebula is a Medical Doctor and holds various certificates and qualifications in health management, including a master's degree in public health from the University of Witwatersrand. She

worked as a Medical Officer at numerous hospitals of different levels of care within the City of Tshwane. Her management career started at 1 Military Hospital where she headed the General Outpatient department for three years, thereafter, she held a position of a Medical Manager for almost four years at the then Pretoria Academic Hospital, now Steve Biko Academic Hospital.

Subsequently, Dr Mathebula held the position of Deputy Chief Executive Officer at Steve Biko Academic Hospital for over nine years where she was a member of the Research Ethics Committee at the University of Pretoria's Faculty of Health Sciences. Whilst in the position of the Deputy CEO of Steve Biko Academic Hospital, she was seconded to the position of Acting Chief Executive Officer of Kalafong Provincial Tertiary Hospital for 18 months. In 2019, she was appointed as the Chief Executive Officer (CEO) at Steve Biko Academic Hospital, after having been an Acting CEO since 2017.

Passionate about health care, her vision is to see all health establishments improve in the provisioning of quality healthcare. As the COO, Dr Mathebula's main role within the entity is to support the Chief Executive Officer through leading all operations of the organisation, in so doing, enabling the CEO to rigorously focus on leading the strategic direction of the entity. Her task is to ensure the operationalization of the OHSC strategy, seeing to it that the entity functions to optimal levels.

Characterising her leadership style, Dr Mathebula is a firm believer in the transformational leadership style. She is results driven and less interested in inputs and processes but more interested in the quality of outputs

“ I joined the OHSC with the intention to assist the organisation in realising its mandate of ensuring quality and safety of health care for the citizens, including myself. I believe that with my leadership expertise acquired within the various health establishments, I will be able to inspire Team OHSC to achieve its objective of certifying health establishments to enable these establishments to participate in the envisaged National Health Insurance (NHI).

and outcomes and pushes for only the best, leading from behind and from the front.

Outlining her goals in office, operational aspects, and priorities, Dr Mathebula intends to undergo intensive orientation to gain a solid knowledge of OHSC operations, in turn assessing and identifying areas that would require her immediate action and intervention; and respond accordingly.

As a transformational professional and leader, Dr Mathebula intends to continue to inculcate and strengthen a solid professional culture with the OHSC through ensuring enforcement and compliance when it comes to effecting code of conduct and share her vision and dream of “all South Africans are able to access the best quality of healthcare, irrespective of where they are in the country”.

Should you have any questions or concerns about this transition, please don't hesitate to contact: (012) 942 7712 or by email at msimasiku@ohsc.org.za.

” One of my career highlights is leading a nationally recognised quality assurance health establishment. My dream is that all South Africans should be able to access the best quality of healthcare, irrespective of where they are in the country.



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