

DOCTOR'S RESPONSIBILITY TO DISCUSS THE COST OF THE TREATMENT AND/ OR PROCEDURE WITH THE PATIENT

In terms of Section 6 of the National Health Act (extract below), there is a statutory obligation on the doctor to discuss the cost of treatment and / or procedure with the patient. This does not mean that the doctor is responsible to inform the patient of any co-payment due. However, please note that the patient is entitled to know the cost of any health service in advance and will then be able to ascertain from his medical scheme what his liability will be. This must also form part of the informed consent to be signed by the patient prior to the practitioner rendering the service. A pro forma agreement is available to members at request from the Human Rights, Law & Ethics Unit of the SA Medical Association.

“6. User to have full knowledge

(1) Every health care provider must inform a user of-

(a) the user's health status except in circumstances where there is substantial evidence that the disclosure of the user's health status would be contrary to the best interests of the user;
(b) the range of diagnostic procedures and treatment options generally available to the user;
(c) the benefits, risks, costs and consequences generally associated with each option; and
(d) the user's right to refuse health services and explain the implications, risks, obligations of such refusal.

(2) The health care provider concerned must, where possible, inform the user as contemplated in subsection (1) in a language that the user understands and in a manner which takes into account the user's level of literacy.”