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**BOARD NOTICES • RAADSKENNISGEWINGS**

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**BOARD NOTICE 102 OF 2019****ALLIED HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA****6 CASTELLI, IL VILLAGGIO, 5 DE HAVILLAND CRESCENT SOUTH, PEREQUOR****TECHNOPARK, PRETORIA, 0184****Telephone: (012) 349 2331 Facsimile: (012) 349 2327****Email: [registrar@ahpcs.co.za](mailto:registrar@ahpcs.co.za)****Website: [www.ahpcs.co.za](http://www.ahpcs.co.za)****UNPROFESSIONAL CONDUCT BOARD NOTICE:****ISSUING OF CERTIFICATE OF INDISPOSITION WITHOUT AN EXAMINATION**

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The Allied Health Professions Council of South Africa (AHPCSA) is a statutory health body established in terms of the Allied Health Professions Act, 63 of 1982 ("the Act") in order to control all allied health professions, which includes Ayurveda, Chinese Medicine and Acupuncture, Chiropractic, Homeopathy, Naturopathy, Osteopathy, Phototherapy, Therapeutic Aromatherapy, Therapeutic Massage Therapy, Therapeutic Reflexology and Unani-Tibb.

Section 3 of the Act, sets out the objectives of the AHPCSA, which include but are not limited to:

- Assist in the promotion and protection of the health of the population of the Republic of South Africa; and
- Govern, administer and set policy relating to the professions registered with the AHPCSA.

Section 1(2)(a) of the Act, read together with section 32 (1) of the Act, delineates the legal scopes of practice.

In order to achieve the objectives of the Act and for a practitioner to be able to practise within the scope of his practice to the best interest of the practitioner's

patients, a practitioner shall at all times be obliged to examine a patient prior to the issue of any certificate and/or letter of indisposition, whether such certificate and/or letter of indisposition is to be issued on the basis of personal observations or whether issuance is on the basis of information received from any patient.

In terms of Regulation 54 (g) of Regulation No.R.127 of 12 February 2001, it is stipulated that:

*“A practitioner in active practice may not –*

*...*

- (g) *in any way provide anything from his or her practice premises by means of sale or otherwise to any person with whom he or she has not had a recorded consultation. Provided that the professional board concerned may, after a substantiated application has been received from a registered practitioner, at its discretion, approve such provision.*

The AHPCSA after due consideration and in consultation with the Professional Board: Ayurveda, Chinese Medicine and Acupuncture and Unani-Tibb, the Professional Board: Chiropractic and Osteopathy, the Professional Board: Homeopathy, Naturopathy and Phytotherapy, and taking into account sections 4 and 10C of the Allied Health Professions Act (63/1982) (“the Act”) and Regulation 54 (g) of Regulation No R 127 of 12 February 2001, resolved that: -

- A practitioner may not issue a letter and/or certificate of indisposition without examining a patient.
- A practitioner shall grant a letter and/or certificate of indisposition only if such certificate contains the following information –
  - the name, address and qualification of such practitioner; and
  - the professional designation; and
  - the Council registration number; and
  - the practitioner’s practice number; and
  - the name of the patient; and
  - the employment number of the patient (if applicable); and
  - the date and time of the examination; and
  - whether the certificate is being issued as a result of personal observations by such practitioner **after an examination**, or as a result of information which has been received from the patient **after an examination** and which is based on acceptable medical grounds; and
  - a description of the illness, disorder or malady in layman’s terminology with the informed consent of the patient: Provided that if such patient is not prepared to give such consent, the practitioner shall merely specify that, in his or her opinion based on an examination of such patient, such patient is unfit to work; and

- whether the patient is totally indisposed for duty or whether such patient is able to perform less strenuous duties in the work situation; and
- the exact period of recommended sick leave; and
- the date of issue of the certificate of illness; and
- the initial and surname in block letters and the registration number of the practitioner who issued the certificate; and
- clear signature of the practitioner who issued the certificate.

Should the AHPCSA become aware of any practitioner who issues a letter and/or certificate of indisposition without examining a patient in all cases, such person shall make him/herself guilty of unprofessional conduct and face disciplinary action in terms of sections 23 to 30 of the Act.



**DR LOUIS MULLINDER**

**REGISTRAR: ALLIED HEALTH PROFESSION COUNCIL OF SOUTH AFRICA**