

MEDIA STATEMENT:

South African Internationally Trained Health Professionals Association (SAITHPA)

The *South African Internationally Trained Health Professionals Association* (herein referred to as SAITHPA) is a non-profit organisation which represents over 380 South African citizens who have obtained medical and allied health degrees from institutions globally. It was constituted to co-ordinate the grievances and challenges faced by graduates as they legitimately seek to enter the healthcare system and contribute to the improvement of much needed healthcare in our country, South Africa.

The tremendous effort made by the students to obtain a medical education abroad and return to serve their country, has been met with responses by the HPCSA that range from unsupportive to obstructive. Their bewilderment and disappointment in relation to the disregard shown by the HPCSA to them is now further enhanced by the recent importation of medical personnel from Cuba (and possibly China), as these unemployed medical graduates wonder why R440 million of money from their tax paying parents has been used to import doctors whilst they remain unemployed and willing to serve through the necessary channels.

Since 2018, the following problems have been encountered by affected graduates:

- 1) **January 2018 : “Regulation 4” - Regulation 4 of the Regulations Relating to the Registration of Persons who hold Qualifications not Prescribed for Registration promulgated under GG No 31859 issued on 6 February 2009.”**

The HPCSA refused to allow graduates the opportunity to write board examinations and thereafter obtain registration on the grounds that they had to produce:

- (a) *Certificate of internship from the country whence they obtained their degree;*
- (b) *Certificate of good standing from the regulatory authority where the applicant trained as a medical practitioner; and*

(c) Proof of registration with the regulatory authority where the applicant trained as a medical practitioner.

This regulation clearly indicates inconsistency and double standards practiced by the HPCSA, as they have applied the rules differently for graduates who applied to write the board examinations in the past. It is well known, as in the case of all medical students who study out of their countries, that they will not be able to provide a certificate of internship from the country in which they have studied, as they have had student visas and not work permits to enable employment for internship. This therefore meant that their application to register for the board examinations would be declined. Following interventions by Mr Narend Singh (IFP MP) at the request of the organisation, the MOH issued a directive to the HPCSA that permitted these graduates to write the board exam -most of whom are now completing their second year of internship.

2) January 2019- “Venue Dispute”

The following batch of graduates who attempted to register for the board examinations were told that they were either not entitled to apply to write the Board Examination, or that the HPCSA was unable to accommodate them as a consequence of the 120-applicant limit that the HPCSA had imposed per year to limit applications.

Consequently, SAITHPA was launched and the Legal Resources Centre was approached to institute legal proceedings on behalf of our members, after which papers were served on the HPCSA in January 2019.

Dr Billa,(the CEO at the time) stated in a letter to the LRC on the 21st January 2019 that 60 applicants would be permitted to write the Board Examination in 2019 on a date that will be communicated to them once confirmation of their seat/candidate number has been finalised. The remaining 52 applicants were encouraged to submit their applications for registrations.

He further stated that Applicants applying for registration as interns should indicate that in their application to enable the Council to assess their applications correctly and not reject their applications on the notion of non-compliance with the set requirements for registration as stipulated in Regulation 4.

As a consequence of this action approximately 120 members of SAITHPA registered and wrote the board exam in September 2019, achieving a pass rate of 80 percent.

3) March 2019 – “Category E Dispute”

In March 2019 the HPCSA informed some Applicants cited in the ‘Venue Dispute’ above that their application to write the September 2019 board exam was deemed non-compliant on the basis that the institution from which they obtained their basic medical degree was ‘not evaluated by the relevant Medical and Dental Board previously’. The affected universities are:

- (a) Zhengzhou Medical University- China
- (b) Texila American University – Guyana
- (c) Anhui Medical University- China
- (d) Hebei North University –China
- (e) Shenyang Medical College- China
- (f) University of Medicine and Pharmacy “Grigore T Popa” –Romania.
- (g) North China University of Science and Technology- College of Medicine

SIATHPA threatened court action on behalf of its members. The HPCSA requested a stay in legal action and on the 16th August 2019, a decision was taken to permit these graduates to write the board examination in March 2020 and May 2020.

However, the HPCSA backtracked on this decision and consequently action was launched in the Gauteng High Court.

In an attempt to settle the matter the HPCSA proposed that should Applicants comply with the following requirements in terms of regulation 4 above within five days, they will be permitted to write the board examinations:

(a) Certificate of internship;

(b) Certificate of good standing from the regulatory authority where the applicant trained as a medical practitioner; and

(c) Proof of registration with the regulatory authority where the applicant trained as a medical practitioner.

At a meeting held on the 13th February 2020, the Association requested clarity as the proposal meant that no South African doctor who obtained his/her degree abroad would be allowed to apply for registration to write board examinations and subsequently practice as medical practitioner in South Africa.

SAITHPA cautioned the HPCSA not to implement its interpretation of the requirements as it contained elements of bias and/or discrimination.

The following questions remain unanswered by the HPCSA:

- (a) The results of the January 2020 examination (the OSCE component) have been withheld to date - what are the reasons for withholding these results as graduates sit unemployed for over 4 months?
- (b) Why were some graduates who qualified at the same institution as their peers allowed to write the board examinations while their peers were not allowed to do so?
- (c) Will those candidates who failed the last theory examination no longer will be able to write the board examination?
- (d) Very few candidates have been informed that they may write the examination at some future date, but no examination date has been released.
- (e) Does government support the actions of the HPCSA – noting that the MOH has not intervened to date.

The above matter was raised in Parliament –and whilst an undertaking was given to address the issue –no action has been taken by the Minister of Health to address the concern which would, in effect, allow these graduates to make application to register for the board examinations.

Some of these graduates have now been waiting for more than three years to write their board examinations.

How will the State President explain to the citizens of this country, the government's initiatives to import medical personnel when South African doctors have been waiting to write their board examinations for more than two or even three years?

4) January 2020- Practical board exam results

Graduates who wrote the January 2020 Practical Board Exam expected their results within two to three weeks after the examination date, which has been the norm. To date these graduates have not been informed of their results. Consequently, they could not register for internship in the mid-year cycle. This means that those graduates who passed and who could make application to register for internship were denied that right to do so. This government has been quick to import expertise but has ignored the available expertise available at home. How does the MOH justify this expense?

5) April 2020 - Board examinations have been indefinitely delayed due to the lockdown

To date close to 175 graduates who are our members and four non-members are awaiting either their results of the last practical board examination or the opportunity to write the next board examination.

SAITHPA has been informed on the 28th April 2020 that the board examinations have been indefinitely delayed due to the lockdown. Despite the drastic shortage of doctors the HPCSA has not addressed the question of board examinations, but the MOH has spent over 400 million rands to export 100 doctors - why are skills being imported at great cost when we have South Africans who could serve the country ?

6) September 2019 board examination

The September 2019 board examination was deemed a 'pilot examination' intended to test the implementation of the imported USMLE/ SPEXI style examinations format for the first time in South Africa – however it was based on the scope and content of the practice of medicine in the USA, which is largely inappropriate to our country's disease spectrum .

SAITPHA raised the following questions in a submission to the MOH, pleading for the intervention of / investigation by the MOH :

- a) Should an examination which is deemed a 'pilot format' be counted as an attempt as per the rules of the HPCSA board examinations.
- b) Does the South African legal framework authorise the HPCSA to conduct its board examinations based on the practice of medicine in the USA so as to enable candidates to practice medicine in South Africa.
- c) Reasons why the HPCSA engaged an outside examinations authority to conduct its board examinations.
- d) The cost of such examination in total.
- e) What is the benefit for the outside agency?
- f) Who benefited from engaging such agency in South Africa?
- g) What is the benefit for the HPCSA in engaging such authority?
- h) Why is the practice of medicine in the USA being used to test the level of competency to practice medicine in South Africa?.
- i) Why no empirical substantiation or reasons has been presented to show that the current exam format is appropriate to the SA context.
- j) The HPCSA must verify the appropriateness of the content tested in the current exam and present substantive and cogent reasons why such content is relevant to South African health conditions. That PAIA be used to access this information so that these allegation be proved.
- k) The HPCSA must provide proof of validation and endorsement of standards as applied in the current exams format against local standards for final year medical student assessments.

l) The HPCSA must provide a comprehensive diagnostic analysis of the examinations. This will be consistent practice in the promotion of fairness to students.

SAITHPA fielded the following resolution:

- (a) Candidates should be granted a minimum of 4 attempts (written and Osce independently) and should only repeat the examination that they have failed. This is necessary to factor in the adjustment that is required in terms of the current exam.
- (b) The scope and content of the examination must be compatible with the current final year medical curriculum offered at South African Universities and be in accordance with the South African Medical Guidelines, Essential Drug Lists [EDL] and protocols.

To date the MOH has not deemed it necessary nor ethical –in terms of its public mandate to be accountable for its actions- to respond to these submissions.

7) Recognition of non-examination universities

SAITHPA has contended that no Minister of Health has neither deemed it necessary nor sought to regulate registration as envisaged under section 25(1) of the HPA, post-apartheid. The current practice employed by the HPCSA grants exemption from the board exam only to candidates who have qualified from institutions recognised by the HPCSA from the so-called 'colonial countries' and related territories. In raising the question SAITHPA called on the MOH to review such legislation as custodian and initiator of the legal framework pertaining to the health sector.

The allegation by Dr Letlape that internationally trained graduates wish to make application to practice without writing the board examinations and are using the current crisis as an opportunity to do so is incorrect. We call on Dr Letlape to found his allegation on real evidence as it places our graduates in a poor light and essentially demeans their integrity and dignity. SAITHPA will no longer accept such allegations made against its members and if it means that it has to go to court to protect the dignity and integrity of its members, it will do so.

8) List of Universities recognised by HPCSA

SAITHPA has been calling for a list of universities recognised by the HPCSA since November 2019. Dr Letlape faithfully promised approximately two hundred parents, graduates and undergraduates at a meeting in November 2019 that such a list will be made available so as to guide students when choosing global tertiary institutions. The existence of such a list will ensure that graduates are not faced with the situation that the Category E graduates have found themselves in.

Given that South Africa does not have the capacity to train the doctors it needs one would expect that the MOH would support such initiative undertaken by parents to finance the education of the children. Unfortunately this is not the situation since to date neither the HPCSA nor the MOH has released a list of universities it recognises, which would guide both parents and students. What is equally sad is that many of the graduates in the country are willing to be posted to the rural areas where their skills are needed most.

9) Employment of foreign nationals into the public sector

SAITHPA is deeply concerned that an ever-increasing number of foreign medical practitioners are employed in the public sector whereas the gate keeping role of the HPCSA consistently creates challenges to keep out South Africans who obtained their qualification abroad. We have raised the question with the MOH whether the practice of employing foreign nationals over South Africa citizens who have the same or similar skill is not unfair discrimination.