

# Sama threatens DoH with legal action over unplaced interns

Although the country is in desperate need of medical personnel, the Department of Health (DoH) has failed to place 288 medical interns in public health facilities to complete their compulsory community service required to become fully-fledged healthcare practitioners. As a result, the South African Medical Association (Sama) has delivered an ultimatum to the DoH, the acting minister of health, and the Health Professions Council of South Africa (HPCSA) to place these interns by 9 July, or face legal action.



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The interns, who graduated in March and April, all fulfill the necessary criteria and are eligible for placement. “We have exhausted every possible avenue to get this resolved and we must now, unfortunately, turn to the courts for relief for these 288 interns because their futures hang in the balance. The failure of the DoH, the acting minister and the HPCSA to release allocations, and provide funding for these posts, is a violation of their legal obligations,” says Dr Angelique Coetzee, chairperson of Sama.

## Unconstitutional

She says by failing to place the medical interns, the department, the acting minister and the HPCSA are in contravention of Section 22 of the Constitution and of the Health Professions Act which determine that all these roleplayers have a statutory obligation to ensure placement of interns to complete their community service which will enable them to register as healthcare professionals in South Africa.

“At the beginning of June, the Department of Health undertook to release allocations before 1 July but this has not happened. In the meantime, hospitals are unable to accept new patients because there are no available beds, and doctors who are currently working are facing mental and physical burnout from working extraordinarily long hours. We have to take up the cause for these interns because their placement is in the best interests of everybody, including patients,” says Coetzee.

In legal papers served on the Department of Health, the acting minister, and the HPCSA on Friday, 2 July, SAMA demanded the immediate allocation of medical interns and a written undertaking that the 288 interns will not be penalised or disadvantaged by the delays in placing them.

"We have been left with no alternatives. For the sake of these interns, and for those who will be following them in the months ahead, we need to resolve these issues once and for all. We cannot abide by a situation where our country desperately needs healthcare professionals but where the government does not place those who are qualified to help," she says.

## **DoH response**

Meanwhile, health department spokesperson Popo Maja said on 1 July, that the consultation process with the national Treasury and provincial health departments is ongoing to source additional funding for 155 accredited posts, to ensure that all 288 medical graduates waiting to undergo the programme during the second semester are placed.

"The department acknowledges the frustration expressed by the medical graduates and appeals for patience, as some will not receive the confirmation for placement today," Maja said.

"The regular public updates and notifications with the affected students will be maintained as the consultation process unfolds to keep everyone abreast of the developments."

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