

FEEDBACK REPORT



Work stream no. 1 - Medical / Healthcare Aspects – (Sub-stream 5 a)

National Coordinator: Dr Herman Edeling & Dr Piet Engelbrecht

Sub-stream No. 5a Medico-legal evaluation and reporting – (RAF4 - in case of Retention of Limitation wrt “Serious Injuries”)						
FOCUS AREA	SOLUTION	CLAIMANT	STATUS	DEPENDENCIES	ACTIONS TO IMPLEMENT	IMPACT ON KEY RAF ELEMENTS
<p>Serious Injury Determination. Shortcomings of AMA Guides (Fabricius Judgment).</p> <p>Failure to comply with Narrative Test Guidelines published by HPCSA in SAMJ.</p> <p>Lack of competence and independence of HPCSA personnel.</p> <p>Abuse of human rights of permanently disabled victims.</p>	<p>A. Create competent and independent oversight body.</p> <p>B. Create competent and independent administrative body.</p> <p>C. Publish guidelines and protocol for serious injury assessment.</p> <p>D. Publish guidelines and protocol for functioning of Appeal Tribunals plus selection criteria, duties and remuneration of Appeal Tribunal members.</p> <p>E. Train senior healthcare practitioners iro medical and legal requirements of the administrative action exercised by Appeal Tribunal members.</p>	<p>Just and equitable assessment of serious injuries.</p> <p>Just and equitable determination of appeals wrt serious injury claims.</p> <p>Fair compensation to persons who suffer serious injuries.</p>	Complete	<p>In-bound – Input / info needed from another group in order to proceed - NO</p> <p>Outbound - Need to complete before other group(s) can proceed. - YES</p>	<p>Changes to existing regulations pursuant to the existing RAF Amendment Act.</p> <p>(COMMENT. In collaboration with outside experts/organizations if necessary. APRAV and SAMLA are willing to assist.)</p>	<p>1. Impact on RAF Act? POSSIBLY</p> <p>2. Impact on RAF Regulations? YES</p> <p>3. Impact on settlement agreements? DEFER TO LEGAL STREAM</p> <p>4. Impact on RAF budget? DEFER TO FINANCE STREAM</p> <p>5. Impact on Fuel Levy? DEFER TO FINANCE STREAM</p>