

Proposed Regulatory Interventions – Licensing of Healthcare Facilities

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competition commission
south africa

competition regulation for a growing and inclusive economy

MAIN OBJECTIVE

Achieving a Pro-Competitive Licensing System, which should promote:-

- Access at Appropriate Levels of Care
- Cost Effectiveness
- Quality Health Outcomes
- Introduction of Novel and Innovative forms of Healthcare Delivery
- Competition



REGULATORY PERSPECTIVE

- Reasonable regulation of the private sector is an inherent aspect of the State's duty i.t.o s27 the Constitution
- The role and powers of Provinces and National Department
- The Constitution and NHA promotes spirit of co-operation between public as well as private parties in fulfilment of s27 the Constitution
- Achievement of UHC through NHI:-
 - Recommendations framed in line with this policy trajectory.

- A systematic approach to effective regulation:
 - The Competition Act to assess competitive impact
 - Streamlining and updating licensing regulations to cater for modern needs and innovation
 - Addressing administrative shortcomings (clear turn-around times for decisions)(PAJA)
 - Transparency and accessibility
 - Issuing of PCNs – Medical Schemes Act regulations
 - Exclusive and perpetual agreement between BHF and CMS
 - IP issues
- Effective co-ordination between regulatory bodies (existing and future) including; -CMS, HPCSA, OHSC, SAHPRA, HTA Institution
- Effective regulatory oversight, capacity, expertise
- NB: Regulatory autonomy and good governance

PROPOSED INTERVENTIONS



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STANDARISED LICENSING SYSTEM

- Single National Policy – Norms and Standards
- Provincial implementation based on Market Dynamics
- Scientific Models for Licensing
- Regulatory Coordination
 - National and Provinces
 - OHSC, HPCSA, CMS

TRANSPARENCY, MANDATORY MONITORING AND REPORTING

- Bed (Type and Number)
- Capacity – e.g. Occupation Rates, Density ratios
- Quality and Health Outcomes
- PCNS System
- Scrutiny of licence transfers and changes in ownership
- Revocation of uncommission licenses – linked to timeframes

PRIORITISATION

- Innovative models of care
- Cost Effective models of care
- Primary Healthcare
- Underserviced areas