

COVID-19 PANDEMIC

NOTICE IN TERMS OF SECTION 4(9) OF THE MEDICAL AID FUNDS ACT, 1995 (ACT NO.23 OF 1995)

The Registrar hereby:

- a) indicates his intention to declare the following practise as undesirable in terms of section 4(9) of the Medical Aid Funds Act, 1995 (Act No.23 of 1995).The below will be gazetted as soon as possible and the industry is hereby given notice of the Registrar's intention, in order, for it to prepare and implement accordingly.
1. Following reports of confirmed cases of the coronavirus disease, commonly known as COVID-19, in Namibia and the declaration by the President of the Republic of Namibia His Excellency Hage G. Geingob of a state of emergency, certain medical aid funds ("Funds") have taken measures to minimize the impact of COVID-19 on the business of the Funds.
 2. The World Health Organization ("WHO") has declared that "Diagnostic testing for COVID-19 is critical to tracking the virus, understanding epidemiology, informing case management, and to suppressing transmission." (WHO, 2020) Having regard to the seriousness of the COVID-19 pandemic and its implication on human life, it is imperative that members of Funds who meet the criteria for laboratory testing, be afforded access to the diagnostic testing, and subsequent healthcare treatment recommended by WHO, in accordance with their benefit option limits.
 3. Against this background and under section 4(9) of the Act I hereby declare the practice of the curtailment of the use of benefits that members are entitled to in terms of the rules of Funds as an undesirable practice (e.g. requiring members to pay upfront for a COVID-19 test, or refunding members for upfront payments only if the result of the COVID-19 test is positive), is declared an undesirable

practice. This practice is not in the interest of the public, which is the basis on which Funds were established as envisioned in section 24(2)(a) of the Act.

4. In terms of section 28 of the Act, the Registrar is cognizant that every Fund seeks to carry on its business in accordance with sound business principles to preserve its financial soundness. In this regard, Funds are urged to find a balance between maintaining financial soundness and not creating additional financial burdens to members of the Funds, especially in light of the worldwide pandemic
5. Any contravention of this notice will be dealt with in accordance with the provisions of the Act.

A handwritten signature in black ink, appearing to read 'K. Matomola', with a stylized, flowing script.

Kenneth S. Matomola

REGISTRAR OF MEDICAL AID FUNDS

Windhoek, 24 March 2020