

# A survey into the impact of HPCSA investigations on health practitioners' mental health

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The Health Professions Council of South Africa (HPCSA) performs an essential role in regulating healthcare professionals and ensuring public safety. However, HPCSA investigations into health practitioners can have a significant impact on the mental health and wellbeing of those physicians and dentists involved.

Medical Protection recently surveyed its members who faced HPCSA investigations between 2018 and 2022 to gain insight into their experiences. The purpose of the survey was to assess the impact on their mental health, identify areas for improvement and provide recommendations for the HPCSA and the Department of Health to resolve these issues.

The Medical Protection survey included 204 respondents who had been the subject of HPCSA investigations. The respondents were asked how the investigations affected their mental health, personal affairs and careers. In addition, they were asked to provide anonymous commentary on their experiences. The collected data was analysed to identify key themes and make improvement recommendations supported by evidence.

The majority of respondents (83%) experienced stress and anxiety as a consequence of the HPCSA investigations, according to the survey results. Some 46% of respondents reported a negative impact on their health and wellbeing and 42% reported a negative impact on their personal relationships. Unsettlingly, 11% of respondents reported having suicidal ideation during the investigation.

The survey also revealed several critical areas of concern, such as the tone of HPCSA communications, the handling of

frivolous or baseless complaints, delays in the investigation process and the financial motivations perceived by some physicians. In addition, the lack of mental health support for doctors confronting investigations emerged as a critical issue.

## Recommendations

Medical Protection formulated the following recommendations based on the survey results:

The HPCSA should re-evaluate the tone of its communications and embrace a more empathic and factual stance. It should be clearly communicated that the doctor under investigation is presumed innocent until proven culpable.

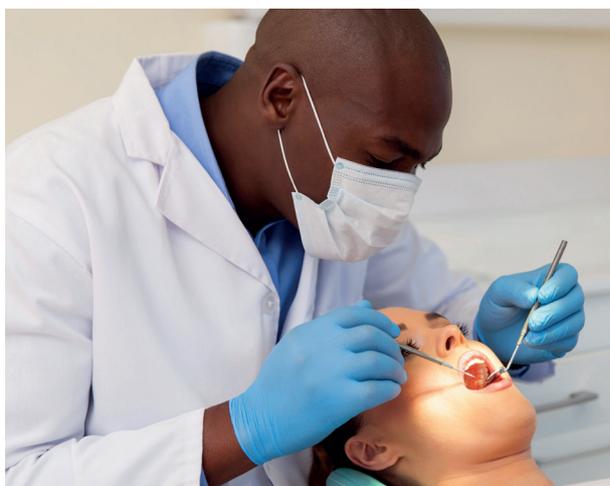
The HPCSA should improve its screening process to identify and promptly dismiss frivolous or spurious complaints. The council should discourage the active soliciting and encouragement of complaints against its registrants, which may result in minor or frivolous complaints and prolong the investigation process unnecessarily.

Delays and absence of updates: The HPCSA must address the issue of investigation process delays. It should provide doctors with an anticipated completion date and provide more frequent updates to reduce anxiety and uncertainty. The council should ensure that investigators participating in preliminary inquiry committees are sufficiently experienced and medically qualified to expeditiously close cases that do not require further action.

To combat the perception that the HPCSA is motivated by fines, the council should reassure the medical community that it is not financially led by the imposition of fines. Transparent reporting and communication of financial information can assist in dispelling this misconception.

Initial communication: The HPCSA should consider implementing strategies used by regulators in other jurisdictions to minimise the initial impact on the mental health of practitioners. This includes initiating contact by phone before sending a letter and averting email on Fridays. Priority should also be given to protecting physicians' privacy by avoiding naming other practitioners in correspondence.

Wellbeing support: The HPCSA should ensure that all investigation-related communications and materials contain obvious pointers to mental wellbeing support resources. Consideration should be given to instituting an independent, 24-hour-a-day, seven-day-a-week wellbeing





support service for practitioners facing investigations. In addition, including an acknowledgement of the potential stress and a timeline for the process in the initial notification letter can demonstrate compassion and alleviate the stress of enrollees.

The South African Dental Association (SADA) recognises that HPCSA investigations can have a significant impact on the mental health and wellbeing of dental professionals. SADA recognises the significance of upholding high standards of patient safety and ethical conduct. However, they underline the need for a balanced approach that considers the mental health of those being investigated throughout the investigation process.

SADA endorses the recommendations made by Medical Protection, including the revision of communication tone, the efficient handling of complaints, the dissemination of timely updates and the provision of adequate mental health support for practitioners. In addition, they advocate for the inclusion of healthcare professionals with relevant experience and credentials on investigative committees to ensure equitable and well-informed decisions.

Relevant Mayosi Report 2015 (Ministerial Task Team) findings:

The Ministerial Task Team released the Mayosi Report in 2015, which examined the HPCSA's operation and effectiveness. While the study's focus was on the medical profession, some of its findings are pertinent to the discussion of HPCSA investigations and their impact on mental health.

Significant concerns were raised regarding the protracted duration of investigations, delays in case resolution and insufficient communication with practitioners involved in the process. It was discovered that these factors contribute to increased stress, anxiety and uncertainty among healthcare

professionals, which negatively impacts their mental health. The Mayosi Report emphasised the significance of streamlining the investigation process, providing healthcare professionals with timely updates and providing adequate support throughout the proceedings. It called for reforms that prioritise impartiality, transparency and the efficient resolution of cases, while also taking into account the welfare of practitioners.

In conjunction with the findings of the Mayosi Report, the Medical Protection survey results underscore the imperative need for comprehensive improvements to the HPCSA investigation process. These enhancements should address issues such as the tone of communication, the efficient management of complaints, the provision of timely updates and the provision of adequate mental health support for practitioners.

By implementing the recommendations provided by Medical Protection, considering the views of SADA and taking into consideration the findings of the Mayosi Report, the HPCSA and the Department of Health can work towards a more balanced and compassionate approach to investigations. A regulatory environment that prioritises the mental health of healthcare professionals while upholding patient safety and ethical practice will be healthier and more effective.

Continuous engagement and collaboration between the HPCSA, relevant professional associations such as SADA, and other stakeholders is essential for attaining these enhancements. It is possible to establish a regulatory framework that protects both the interests of patients and the mental health of healthcare professionals through collaboration.

To read the survey by Medical Protection, follow this link: <https://www.medicalprotection.org/southafrica/about-mps/policy-and-public-affairs/hpcs-a-investigations>