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DA may take KZN Health to court over oncology crisis

DURBAN — The Democratic Alliance (DA) is considering taking the KwaZulu-Natal Health Department to the Constitutional Court after the province failed to provide adequate cancer treatment to patients for over two years.

This comes after the Human Rights Commission on Thursday found the provincial Health Department guilty of violating the rights of oncology patients in the province. Patricia Kopane, DA health portfolio committee member, said that she will consult her party to investigate the possibility of launching a Constitutional Court case.

"This is a constitutional matter, our Constitution says everyone must receive proper health and what is happening is actually sad. It is a shame to our democracy that the rights of the poorest are ignored," Kopane said.

She said she will additionally write to the public protector and health portfolio committee chairperson to investigate cancer treatment in the province.

In a statement, the Human Rights Commission called on the provincial Health Department to repair all oncology treatment machines regardless of contractual disputes.

The department should furthermore enter into interim public-private partnership arrangements with private oncologists, medical officers, radiotherapists and oncology nurses to remedy the situation, the commission said.

Cancer Association of South Africa (CANSA) advocacy co-ordinator Lorraine Govender, however, said the recommendations are too late.

"The bigger machines haven't been working for two years, while we still don't have an oncology specialist in the public sector," Govender said.

"Over 80% of South Africans rely on the public service for health ... the Health Department should've done their jobs, they should've looked at the crisis when oncologists started leaving."

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"These oncologists worked for the Health Department for over 10 years and they didn't go to private sector because they loved what they did," she said.

"They hoped with them leaving they would highlight the problem in the public health sector."

Govender questioned whether the recommendations by the Human Rights Commission would solve the ongoing crisis.

"The reality is there aren't any oncologists in the public sector. If they [the Health Department] send patients to private hospitals, those hospitals reach their capacity," she said.

The department had not responded to e-mails and phone calls seeking comment. — News24.

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