

Sir/Madam

**"Regulations Relating to the Surveillance and Control of Notifiable Medical Conditions: Amendment"**

The Caring Healthcare Workers' Coalition (CHC) is gravely concerned about the proposed "Amendment to the National Health Act".

We feel that the lack of clarity on many points leaves room for overreach and abuse of power all in the name of "health safety".

**POINTS NEEDING URGENT CLARITY :-**

- A) "Annexure A. Table 1, 2 or 3" is referenced in 15A (1) (a),(b), (c). Source - <https://www.gov.za/documents/national-health-act-regulations-surveillance-and-control-notifiable-medical-conditions> This Annexure is not attached to the proposed amendments document - please confirm and explain why this is so

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**ANNEXURE A**

**Table 1:** Category 1 notifiable medical conditions that require immediate reporting by the most rapid means available upon diagnosis followed by a written or electronic notification to the Department of Health within 24 hours of diagnosis by health care providers, private health laboratories or public health laboratories

	Notifiable medical condition
1.	Acute flaccid paralysis
2.	Acute rheumatic fever
3.	Anthrax
4.	Botulism
5.	Cholera
6.	Diphtheria
7.	Enteric fever (typhoid or paratyphoid fever)
8.	Food-borne disease outbreak*
9.	Haemolytic uraemic syndrome (HUS)
10.	Listeriosis
11.	Malaria
12.	Measles
13.	Meningococcal disease
14.	Pertussis
15.	Plague
16.	Poliomyelitis
17.	Rabies (human)
18.	Respiratory disease caused by a novel respiratory pathogen**
19.	Rift valley fever (human)
20.	Smallpox
21.	Viral haemorrhagic fever diseases***
22.	Yellow fever

\* Food-borne disease outbreak is the occurrence of two or more cases of a similar food-borne disease resulting from the ingestion of a common food.

\*\*Examples of novel respiratory pathogens include novel influenza A virus and MERS coronavirus.

\*\*\* Viral haemorrhagic fever diseases include Ebola or Marburg viruses, Lassa virus, Lujo virus, new world arena viruses, Crimean-Congo haemorrhagic fever or other newly identified viruses causing haemorrhagic fever.

**Table 2:** Category 2 notifiable medical conditions to be notified through a written or electronic notification to the Department of Health within seven (7) days of clinical or laboratory diagnosis by health care providers, private health laboratories or public health laboratories

	Notifiable medical condition
1.	Agricultural or stock remedy poisoning
2.	Bilharzia (schistosomiasis)
3.	Brucellosis
4.	Congenital rubella syndrome
5.	Congenital syphilis
6.	<i>Haemophilus influenzae</i> type B
7.	Hepatitis A
8.	Hepatitis B
9.	Hepatitis C
10.	Hepatitis E
11.	Lead poisoning
12.	Legionellosis
13.	Leprosy
14.	Maternal death (pregnancy, childbirth and puerperium)
15.	Mercury poisoning
16.	Soil transmitted helminths ( <i>Ascaris Lumbricoides</i> , <i>Trichuris trichiuria</i> , <i>Ancylostoma duodenale</i> , <i>Necator americanus</i> )
17.	Tetanus
18.	Tuberculosis: pulmonary
19.	Tuberculosis: extra-pulmonary
20.	Tuberculosis: multidrug-resistant (MDR-TB)
21.	Tuberculosis: extensively drug-resistant (XDR-TB)

- B) Please confirm that this above is indeed the same Annexure referenced. Source Pages 22, 23 and 24 [https://www.nicd.ac.za/wp-content/uploads/2017/12/41330\\_15-12\\_Health-compressed.pdf](https://www.nicd.ac.za/wp-content/uploads/2017/12/41330_15-12_Health-compressed.pdf)
- C) If indeed this is THE annexure referenced - please advise if these scenarios are correct :-
- person coughs, neighbour suspects coronavirus, notifies health department, person cannot refuse any diagnostic tests (including invasive tests), tests negative for coronavirus but tests positive for Influenza. This person (and all his contacts) now, cannot refuse treatment, prophylaxis and can be forced into isolation at a government designated quarantine facility.
  - Person sneezes, colleague at work reports to superior who contacts health department. Person tests positive for coronavirus. She has already been jabbed twice with a Gene Therapy Injection ("vaccine"). This person, and the entire office staff she was in contact with, can be force treated by someone they do not know and all can be repeatedly "vaccinated" as prophylaxis.
  - Person suffers from chronic seasonal allergic rhinitis. Has post nasal drip as well. Coughs and sneezes (due to season change). Will this person be reported annually for testing as a "suspect" of a notifiable disease?

- d) 2. "Treatment" and "Prophylaxis" is very broad and differs for each disease, for each person depending on several factors including but not limited to age, sex and comorbidities and on stage of illness. Prophylaxis is never warranted during active disease - does this imply that should person test negative for all suspected notifiable conditions in Annexure A, they may be subjected to forced prophylaxis ?

3. The patient's rights charter of South Africa

(<https://www.idealhealthfacility.org.za/App/Document/Download/150>), clearly states that "Every citizen has the right to participate in development of health-policies and everyone has the right to participate in decision-making on matters affecting one's health". Point 15A c(i),(ii) and (iii) is in direct violation of this right as well as the Nuremberg Code. Who decides that section 36 of the constitution is weighted more than section 12 in a blanket manner with regards to confirmed cases, suspected cases as well as contacts in a blanket manner ? These 3 groups are undoubtedly 3 different categories and cannot and must not be treated the same.

4. The patient's rights charter (<https://www.idealhealthfacility.org.za/App/Document/Download/150>) also states "Everyone has the right to know the person that is providing health care and therefore must be attended to by clearly identified health care providers." The amendments give no clarity regarding who exactly will be given such authority ? Will it be registered health

professionals ? Will it be law enforcement ? Will it be volunteers ? Again, another violation of a persons rights.

5. Let's be reminded that the patient's rights charter

(<https://www.idealhealthfacility.org.za/App/Document/Download/150>) also states "a person may refuse

**Table 3:** Category 3 notifiable medical conditions to be notified through a written or electronic notification to the Department of Health within 7 days of diagnosis by private and public health laboratories

	Notifiable medical condition	Pathogen/s to notify
1.	Gonorrhoea	Ceftriaxone-resistant <i>Neisseria gonorrhoea</i>
2.	Endemic arboviral diseases	West Nile virus, Sindbis virus, Chikungunya virus
3.	Non-endemic arboviral diseases	Dengue fever virus, other imported arboviruses of medical importance
4.	Non-typhoidal Salmonellosis	<i>Salmonella</i> spp. other than <i>S. Typhi</i> and <i>S. Paratyphi</i>
5.	Rubella	Rubella virus
6.	Shiga toxin-producing <i>Escherichia coli</i>	Shiga toxin-producing <i>Escherichia coli</i>
7.	Shigellosis	<i>Shigella</i> spp.

**Table 4:** Category 4 notifiable medical conditions to be notified through a written or electronic notification to the Department of Health within 1 month of diagnosis by private and public health laboratories

	Notifiable medical condition	Pathogen/s to notify
1	Health care-associated infections or multi drug-resistant organisms of public health importance*	<ul style="list-style-type: none"> <li>• Carbapenemase-producing Enterobacteriaceae</li> <li>• Vancomycin-resistant enterococci</li> <li>• <i>Staphylococcus aureus</i>: hGISA and GISA</li> <li>• Colistin-resistant <i>Pseudomonas aeruginosa</i></li> <li>• Colistin-resistant <i>Acinetobacter baumannii</i></li> <li>• <i>Clostridium difficile</i></li> </ul>

\*Health care-associated infection means an infection occurring in a patient during the process of care in a health establishment which was not present or incubating at the time of admission.

treatment". Under the State of Disaster these rights were (many times unfairly) waved "for the greater good". Making this a norm rather than the exception is an appalling and disastrous overreach of power. Cholera has been around since the early 1800's - now, suddenly a person diagnosed with Cholera can be subjected to forced treatment, isolation and quarantine ? This makes even less sense when contacts of this person are to be subjected to the same violations.

6. With such broad amendments proposed on such a large number of notifiable diseases, as per Annexure A, Tables 1,2 and 3, why was the list not reconsidered and adjusted accordingly? A person suffering from food-poisoning (No. 8 - Table 1) does not warrant isolation in the same way that a person suffering from Bilharzia (No. 2 - Table 2) or Rabies (No.17 - Table 1)

7. Where is the authority and trust from us, the health professionals that have fought in the frontline for so long, being usurped ? The Amendment grants government the legal authority to enforce any medication it deems necessary. What about choice? Health Professionals are bound by their oath which states "first - do no harm". We form relationships with our patients and know best how to treat them. How can a detached policy maker, who has never even met the patients, now be given authority to treat our patients ?

8. "Surveillance" and "monitoring" in the name of health safety ? We have survived centuries without same. Why now ? Why after a "pandemic" with an "infection fatality of less than 0.15%" and "in people younger than 70 years, infection fatality rates ranged from 0.00% to 0.31% with crude and corrected medians of 0.05%."

<https://apps.who.int/iris/bitstream/handle/10665/340124/PMC7947934.pdf?sequence=1&isAllowed=y>

We need to focus all our efforts into rebuilding our broken economy and start saving livelihoods if we want to save lives. A John Hopkins University study has found that "the lockdowns have had little to no public health effects". Although, they had a devastating effect on economies...[sites.krieger.jhu.edu/iae/files/2022...](https://sites.krieger.jhu.edu/iae/files/2022...) Draconian regulations veiled as "health safety regulations" are only going to damage our economy further.

South Africans, more than any other nation in the world, know what freedom means. We will not let that be compromised (again) - not at any cost.

Regards

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