

Lancet and Ampath – had paid millions in kickbacks to certain doctors each year.

Both Lancet and Ampath were subsequently raided by the council. An inquiry into Ampath is still under way.

Lancet specialist pathologist and senior partner Dr G “Hari” Hariparsad declined to comment on the admission of guilt fine.

The practice of paying doctors a commission – or kickback – is considered unethical in medical circles because it gives the doctor an incentive to request pathology tests that are not medically necessary. It is also in contravention of council rules.

However, the practice is so widespread that medical aids belonging to the Board of Healthcare Funders (BHF) have joined forces to set up a forensic management unit to fight medical fraud, including the kickback system.

Park Clinic doctors guilty of receiving kickbacks from a radiology laboratory. They were ordered to pay the equivalent sum earned in kickbacks to the council.

Dr Percy Miller must pay back R765 153, Dr Ian Weirberg R265 339, Dr Julian Preddy R158 792 and Dr Leonard Nainkin R140 225.

Weinberg, Preddy and Nainkin were also ordered to do community service in a public hospital once a week for five years, while Miller was ordered to do so twice weekly. This will impact heavily on the income they could be earning in the private sector on those days.

A fifth doctor, Dr Stanley Levy, was granted indemnity in return for testifying at the hearing.

But, unlike the Linksfield doctors' case the Lancet hearing was not made public, and council registrar advocate Boyce Mkhize refused to discuss the

disciplinary inquiry or paying admission of guilt fines.

Sources say they chose to pay the fines, and the maximum penalty of R10 000 each was levied – a small sum compared with the punishment meted out to the four Linksfield doctors.

Mike Flemming, managing director of Afrox Healthcare, which has a 35% interest in Lancet, said the fine was paid without any admission of wrongdoing.

“There's no admission of guilt,” Flemming said.

“A R300 000 fine is really a slap on the wrist relative to the turnover of that organisation.”

Mkhize defended the council's decision. “Each matter is considered on its merits, so I can't really say they got off lightly,” he said. “It is some form of penalty, but it doesn't necessarily mean that if an individual pays an admission of guilt fine, they are guilty”