

## Summary

### Objective

This entry explains the difference between accidental death claims and other claim types, and provides information about the lodgement and management of accidental death claims.

1. Accidental death claims
2. Eligibility
3. Lodgement and management of accidental death claims
4. Claims for cover of an unborn child

### Owner

Name withheld

### Expert

Name withheld

## Policy


### 1.0 Accidental death claims

- a** The two key differences between accidental death and other injury claims are:
- the sensitive nature of accidental death claims, i.e. ACC has contacts the deceased client's family
  - that any resulting entitlements, except the funeral grant, are to assist surviving family members and are fixed for a period of time.

### 2.0 Eligibility

- a** A death can be covered as an accidental death claim if it's caused by one of the following:
- an accident
  - a consequence of treatment for personal injury
  - a work-related gradual process, disease or infection (WRGPDI)
  - a treatment injury
  - the death was from End of Life Choice where a person's terminal condition is covered by ACC, this will be covered in the same way as if the person had died from their terminal condition.

Although Disentitlement applies to wilfully self-inflicted deaths, a death resulting from suicide may still be covered, if it was the result of a covered mental injury.

 Disentitlement if suicide or wilfully self-inflicted Policy

### 3.0 Lodgement and management of accidental death claims

- a** Accidental death claims, including work-related accidental death claims, are lodged and registered at the Registration Centre using an ACC21 Advice of an accidental death or ACC045 from providers.
- b** Once a claim has been identified and lodged as an accidental death claim, it is forwarded to the Accidental Death Unit (ADU) without registering or determining the managing insurer for the claim.

### 4.0 Claims for cover of an unborn child

- a** A 2003 Court of Appeal decision, *Harrild v Director of Proceedings CA92/02*, means ACC doesn't extend cover to an unborn child for accidental death suffered before birth.

Accidental death to a foetus is considered for cover as a physical injury to the mother.

If an infant is born alive but injured because of a pre-birth accident to the mother, ACC may consider separate cover for the infant's injuries, from the date of the infant's birth.

A claim for mental injury to the mother arising from her covered physical injury may also be considered.