

27 July 2021



Tēnā koe [REDACTED]

Your Official Information Act request, reference: GOV-009235

Thank you for your email dated 16 February 2021 asking for the following information under the Official Information Act 1982 (the Act):

“Are you able to provide the latest statistics and type of injury that acc has agreed to cover for dental treatment injuries. Are you able to provide this information by practitioner or district? I have found an older response dated sept 2019. But there is no area or practitioner named. Can you inform me how long does it take for a dental treatment injury to be accepted by acc and where the process for this is carried out, it used to be Dunedin is this still the case?”

Background information about treatment injury data

ACC has provided cover for treatment injuries since 1 July 2005. The treatment injury provisions replaced the medical misadventure provisions of the Accident Compensation Act 2001, to bring it more in line with the no-fault nature of the scheme.

A treatment injury is a personal injury caused as a result of seeking or receiving medical treatment from a registered health professional. In order to fulfil the criteria for cover, the person must have suffered a personal injury and there must be a clear causal link between the treatment and the injury, and the injury must not be a necessary part or ordinary consequence of the treatment.

When considering treatment injury data, it is important to note that the number of claims lodged with ACC cannot be taken as an accurate indication of the occurrence of injury during treatment or the quality of care. This is because, among other reasons, not all occurrences of injury during treatment are lodged with ACC.

Treatment injury (TI) data is available from 1 July 2005, when treatment injury provisions came into law.

The ACC website contains further information on treatment injury <https://www.acc.co.nz/for-providers/treatment-safety/>.

A full overview of treatment injury in public and private surgical hospitals and general practice settings is available at <https://www.acc.co.nz/assets/provider/supporting-treatment-safety-report-2020.pdf>.

Claim lodgement rates are dependent on several factors. They can be influenced by:

- population demography i.e. the characteristics of the resident population, visitors and referred patients
- health status of the population treated
- what level of facility the organisation provides i.e. tertiary versus secondary
- familiarity of health providers or clients in recognising and/or lodging treatment injury claims.

Dental related treatment injuries

Between 1 July 2015 and 30 June 2020 ACC has made 3,419 cover decisions for treatment injury claims related to dental treatment. Of the 3,419 claims, 1,976 (58%) were accepted for cover. Please note that ACC can only provide figures relating to dental treatment injury by DHB region, not by practitioner.

The tables provided

The tables below provide various breakdowns of dental related treatment injury claims. Please note that tables 2 and 3 only provide a breakdown of accepted dental related treatment injury claims.

Table 1 Dental related treatment injury claims by financial year cover decision was made, between 1 July 2015 and 30 June 2020

| Cover Decision Financial Year | Accept | Decline | Total |
|-------------------------------|--------------|--------------|--------------|
| 2015/16 | 371 | 296 | 667 |
| 2016/17 | 391 | 303 | 694 |
| 2017/18 | 384 | 292 | 676 |
| 2018/19 | 409 | 275 | 684 |
| 2019/20 | 421 | 277 | 698 |
| Total | 1,976 | 1,443 | 3,419 |

DHB region

The region is based on where the treatment, that resulted in the covered injury, was provided. This may differ from where the client resides.

Table 2 Accepted claims by financial year cover decision made and DHB region, between 1 July 2015 and 30 June 2020*

| DHB Region | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 |
|--------------------|---------|---------|---------|---------|---------|
| Auckland | 45 | 62 | 64 | 93 | 75 |
| Bay of Plenty | 22 | 18 | 21 | 22 | 29 |
| Canterbury | 43 | 46 | 42 | 41 | 47 |
| Capital & Coast | 24 | 33 | 36 | 45 | 37 |
| Counties Manukau | 13 | 16 | 11 | 13 | 11 |
| Hawkes Bay | 20 | 19 | 16 | 9 | 13 |
| Hutt Valley | 13 | 6 | 11 | 16 | 7 |
| Lakes | 5 | 9 | 8 | <4 | 7 |
| MidCentral | 10 | 14 | 10 | 14 | 9 |
| Nelson Marlborough | 44 | 19 | 22 | 20 | 14 |
| Northland | 5 | 18 | 10 | 16 | 14 |
| South Canterbury | <4 | 5 | 7 | <4 | 0 |
| Southern | 40 | 30 | 30 | 35 | 36 |
| Tairāwhiti | <4 | <4 | <4 | <4 | <4 |
| Taranaki | 13 | 16 | 7 | 9 | 13 |
| Waikato | 31 | 37 | 43 | 31 | 59 |
| Wairarapa | <4 | <4 | <4 | <4 | <4 |
| Waitematā | 24 | 29 | 31 | 22 | 28 |
| West Coast | <4 | <4 | 4 | <4 | 7 |
| Whanganui | 7 | 6 | 6 | 10 | 9 |

*excludes a small number of claims related to overseas treatment or where the DHB is unknown.

Table 3 Accepted claims by injury group, between 1 July 2015 and 30 June 2020

| Injury Group | Accepted Claim Count |
|---|----------------------|
| Tooth Injury/Damage | 368 |
| Nerve Damage/Injury | 244 |
| Adverse reaction | 181 |
| Strain/Sprain | 153 |
| Infection | 143 |
| Oroantral Fistula | 123 |
| Perforation - Root Canal | 120 |
| Temporomandibular joint dysfunction | 112 |
| Laceration | 101 |
| Haematoma | 46 |
| Fracture | 43 |
| Joint Injury/Displacement | 40 |
| Perforation - Other | 34 |
| Foreign Body | 25 |
| Skin Damage/Injury/Tear | 23 |
| Surgical Emphysema | 17 |
| Sinus Damage/Injury | 17 |
| Burn | 16 |
| Surgical omission | 15 |
| Ulcer - Mouth | 14 |
| Damage/Malfunction to Prosthetics/Implant | 13 |
| Abrasion - Other | 13 |
| Tissue injury / damage | 10 |
| Oral Injury | 10 |
| Tissue or Muscle Loss | 8 |
| Other Injuries | 87 |

Time required to make cover decision

For dental related treatment injury claims decided in the last five financial years (1 July 2015 to 30 June 2020) the median number of days between claim lodgement and cover decision was 40 days for accepted claims, and 56 days for declined claims.

Note that the numbers of days refers to all days, not only working days.

Dental treatment injuries claims are assessed for cover in Hamilton, Wellington, and Dunedin.

Notes about the data provided

The following points should be considered when interpreting the data:

- The treatment injury data provided above was extracted on 25 February 2021 and includes claims decided between 1 July 2015 and 30 June 2020.
- Figures may differ to those previously reported or if the data is extracted again at a later date..

ACC takes privacy seriously

ACC does not routinely disclose low value numbers related to claims. Accordingly, some of the values in the tables only indicate that the number is less than 4 (denoted as <4). This limits the potential for particular individuals, or matters specific to certain individuals, from being identified.

Withholding in this way is necessary to protect the privacy of these individuals under section 9(2)(a) of the Act. In doing so, we have considered the public interest in making the information available and have determined that it does not outweigh the need to protect the privacy of these persons.

How to contact us

If you have any questions, you can email me at GovernmentServices@acc.co.nz

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Nāku iti noa, nā



Sasha Wood
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Government Engagement & Support