

02 November 2021



Tēnā koe [REDACTED]

Your Official Information Act request, reference: GOV-014524

Thank you for your email of 6 October 2021, asking for the following information under the Official Information Act 1982 (the Act):

Please provide data for all covid related vaccination claims including death and side affects also including age, gender and ethnicity.

Background information about treatment injury claims

Before responding to your request, we would first like to provide you some background information about treatment injuries.

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, or at the direction of, 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.

Context

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

Further information about treatment injury can be found at the following links:

- <https://www.acc.co.nz/for-providers/treatment-safety/> and
- <https://www.acc.co.nz/assets/provider/ACC7971-Supporting-Treatment-Safety-2021.pdf> (overview of treatment injury in public and private surgical hospitals and general practice settings).

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

Covid-19 vaccine related treatment injury claims

The data below was extracted on 18 October 2021 for treatment injury claims lodged with ACC between 18 February 2021 (when New Zealand began COVID-19 vaccinations) and 16 October 2021, where the treatment event was *vaccination or injection/medications, adverse reaction/medication error* and where the medication type was recorded as *vaccine*.

However, as these fields are only completed when cover for the claim is decided, the figures provided have been supplemented by a text search of the claim forms received by ACC which mention *Comirnaty* (the name of the Pfizer-BioNTech COVID-19 vaccine), or included the terms *covid* or *Pfizer* and *vacc*. This text search allows us to identify claims that have been lodged but where cover has not been decided.

During this period ACC has received 684 claims for injuries relating to the COVID-19 vaccination. Of these, 260 claims have been accepted, 123 have been declined and 301 are yet to be decided. As at 18 October 2021, no claims for fatalities in relation to the COVID-19 vaccination had been lodged with ACC. The tables below provide a break down the claims received by sex, age, and ethnicity of the clients.

Please note that we can only respond based on the vaccine related claims lodged with ACC, and the figures may differ to those previously reported or supplied. Up-to-date data on the number of adverse effects reported from the COVID-19 vaccine can be found on the MedSafe website, [here](#).

Data

Table 1. TI claims related to the COVID-19 vaccination, by sex

Sex	Accepted	Declined	Pending Decision	Total
Female	207	95	200	502
Male	53	28	101	182
Total	260	123	301	684

The table above shows that females are far more likely than males to have lodged a claim for a COVID-19 vaccination treatment injury. Claims for female clients represent 73% of claims lodged. This compares to 52% of COVID-19 vaccination doses given.¹ This pattern is consistent with claiming rates for other vaccines such as influenza.

Table 2. TI Claims related to the COVID-19 vaccination, by age

Age Band	Accepted	Declined	Pending Decision	Total
12-19	5	--	--	25
20-24	9	5	26	40
25-29	14	7	17	38
30-34	12	13	29	54
35-39	16	11	32	59
40-44	16	7	38	61
45-49	28	15	24	67
50-54	19	15	24	58
55-59	18	11	23	52
60-64	17	14	23	54
65-69	14	4	20	38
70-74	6	5	11	22
75 plus	7	11	16	34
Unknown age	79	<4	<4	82
Total	260	123	301	684

¹ Source: https://www.health.govt.nz/system/files/documents/pages/covid_vaccinations_19_10_2021.xlsx

Table 3. TI claims related to the COVID-19 vaccination, by ethnicity

Ethnicity	Accepted	Declined	Pending Decision	Total
Māori	19	<4	--	42
Pacific Peoples	11	5	16	32
Asian	28	17	28	73
European	185	86	214	485
Other/Unknown	17	--	--	52
Total	260	123	301	684

Seventy one percent of claims have been for clients with European ethnicity. Māori comprise 6% of claims lodged with ACC for COVID-19 vaccination injuries and 7% of overall claims accepted.

Notes about the data provided

Ethnicity data

The ethnicity data provided is based on ACC's 'prioritised ethnicity' data field. This method reduces the six ethnic responses to a single response by a system of "prioritisation" where: Māori regardless of other ethnicities listed is classified as Māori; Pacific peoples with any other response other than Māori is classified as Pacific; Asian peoples with any other response other than Māori and Pacific are classified as Asian; Other ethnicity regardless of any other response other than Māori, Asian or Pacific is classified as Other. Those that listed European and did not list Māori, Pacific, Asian or Other are classified as European.

ACC takes privacy seriously

ACC does not routinely disclose claim counts fewer than four. Accordingly, some entries in the table provided only indicate that the claims count is fewer than four (denoted as <4). In other instances, cells are suppressed and denoted as two dashes (--). This limits the potential for particular individuals or matters pertaining to certain individuals from being identified.

Withholding the data in this way is necessary to protect our clients' privacy. This decision has been made under section 9(2)(a) of the Act. In doing so, we have considered the public interest in making the suppressed data available and determined that it does not outweigh the need to protect our clients' privacy.

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