

02 November 2021

Tēnā koe [REDACTED]

Your Official Information Act request, reference: GOV-014620

Thank you for your email of 11 October 2021, asking for the following information under the Official Information Act 1982 (the Act):

Recently there was an article in one of media outlets the New Zealand Herald, you provide an update of the statistic of Covid cases work related, and vaccine injuries. These Stats only take us up to the 10th September, I am now requesting a further update to the 10 of October 2021. Could you please provide an update on the following stats:

- 1. Pfizer vaccine injuries accepted*
- 2. Vaccine injuries declined?*
- 3. Vaccine injuries still pending?*
- 4. How many ACC vaccine injury deaths has accepted/dismissed by the Corporation?*

These figures would be helpful at keeping our Database up to date. Also I am advising the vaccine injured on how to make a claim, and also advising if they don't have a claim, but I always advise people to talk to their GPs first.

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 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.

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](#).

TI claims related to the Comirnaty vaccine

Comirnaty is the only COVID-19 vaccine that has been used as part of New Zealand's vaccination response. With the exception of fewer than four cases where the vaccine was administered abroad and ACC does not have certainty over the vaccine used, all figures quoted in this response are assumed to be in relation to the Pfizer-BioNTech Comirnaty vaccine.

Between 18 February 2021 (when New Zealand began COVID vaccinations) and 16 October 2021, 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 table below provides the count of accepted COVID-19 vaccination claims, by primary injury.

TI claims related to the COVID-19 vaccine, by primary injury

Primary Injury	All Accepted Claims
Allergic Reaction	75
Anaphylactic Reaction*	25
Adverse Drug Reaction	24
Cellulitis	7
Cardiac injury	7
Contusion	6
Wound Infection	6
Nerve Damage	4
Infection	4
Other Specified	17
Other Unspecified	85
Total	260

* All cases identified as anaphylactic reactions were accepted.

Treatment injuries are confirmed and recorded when a claim is decided. The above table shows the primary injury recorded for the accepted COVID-19 vaccination claims, where the cover decision was made by 16 October 2021.

How to contact us

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

Nāku iti noa, nā

A handwritten signature in black ink, appearing to read 'Sasha Wood', written in a cursive style.

Sasha Wood

Manager Official Information Act Services
Government Engagement & Support