



18 September 2023

Kia ora [REDACTED]

Your Official Information Act request, reference: GOV-027234

Thank you for your email of 21 August 2023, asking for the following information under the Official Information Act 1982 (the Act):

1. *How many claims have been lodged regarding the Essure contraceptive device?*
2. *How many claims were accepted and how many declined?*
3. *How much has been paid out for accepted claims?*
4. *How many claims were regarding failure of the device to prevent pregnancy?*
5. *How many claims were regarding pelvic pain, menstrual issues (e.g. heavy bleeding), uterine infection etc?*
6. *How many claims were regarding systemic issues such as chronic fatigue, headaches/migraine, autoimmune disorders or symptoms, pain, etc?*
7. *How many claims were regarding sensitivity or allergy issues such as sensitivity to nickel?*
8. *Were any claims for medical injury or failure of the devices for follow-up procedures, such as removal of the Essure devices, surgical removal of fallopian tubes, hysterectomy, etc. as a result of failure or injury caused by the Essure devices?*

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

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 (TI) 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.

Claims data related to the Essure contraceptive device

Between 1 July 2005 and 9 September 2023, ACC has made a cover decision for nine TI claims, which mention the term 'Essure'. Four claims have been accepted for cover and five claims have been declined for cover.

To date, the total cost of the four accepted treatment injury claims is \$105,547. This amount includes compensation payments of \$2,833, rehabilitation payments of \$23,704 and treatment payments of \$79,010.

The four accepted claims have different primary injuries; foreign body, implants misplaced, perforation and tissue injury/damage.

Notes about the data provided

- Costs are GST exclusive.
- As the claims have been identified using a free-text search, the data should be considered indicative only.
- Costs covered under Public Health Acute Services (PHAS) have been excluded. PHAS is funded through an annual service agreement between the Minister of Health and the Minister for ACC. Therefore, these costs cannot be attributed to individual claims.
- The data provided was extracted on 12 September and may differ if extracted again at a later date.

We are unable to provide data for claims lodged

Until a claim cover decision has been made, we are unable to determine the cause of the injury, in this case, Essure contraceptive device. Therefore, we are unable to provide data for the number of claims lodged relating to Essure.

As this information may be of interest to other members of the public

ACC has decided to proactively release a copy of this response on ACC's website. All requester data, including your name and contact details, will be removed prior to release. The released response will be made available www.acc.co.nz/resources/#/category/12.

If you have any questions about this response, please get in touch

You can email me at GovernmentServices@acc.co.nz.

If you are not happy with this response, you can also contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi



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