

28 February 2022



Tēnā koe

Your Official Information Act request, reference: GOV-016581

Thank you for your email of 31/01/2022, asking for the following information under the Official Information Act 1982 (the Act):

- *Question 29: Where the NZ Government or its agencies and departments paid any money to Injured or the families of Injured persons following any COVID-19 injectable product, who authorised the payment, and under what conditions? Were conditions of secrecy placed on recipients?*
- *Question 30: How many claimants, and the sum paid, have received compensation for vaccine induced injury or injury following vaccination under the ACC Treatment Injury budget in 2021? And, please provide the total to date of Vaccine induced Treatment Injury Claims received by ACC.*
- *Question 31: Please provide the total to date, of Vaccine induced Treatment injury Claims declined by ACC.*
- *Question 32: What allowance for vaccine induced injury or injury following vaccination under the ACC Treatment Injury budget does the NZ Government propose for the 2022-2023 budget?*
- *Question 33: Has ACC declined vaccine induced Treatment Injury Claims on the basis that the injury presented no physical (outward) visible bodily injury?*
- *Question 34: Has ACC declined vaccine induced Treatment Injury Claims on the basis that the subject patient was denied a specialist referral by a DHB or GP?*
- *Question 35: What are the criteria template protocols that ACC uses to decline vaccine induced Treatment Injury Claims?*
- *Question 36: Before any Payments are made have these ACC and claimants been required to sign confidentiality contracts before they receive compensation for Death or Injury. Please provide a template copy of the confidentiality agreement compensation the Government intends victims or their families sign?*

Question 29, 30, 31 and 33: COVID-19 vaccine injury data published online

We have recently published the current COVID-19 vaccine injury data on the ACC website:

<https://www.acc.co.nz/resources/#/subcategory/213>. This data includes a breakdown of COVID-19 vaccine injury claims, for claims lodged with ACC between 18 February 2021 (when New Zealand began COVID-19 vaccinations) and 5 February 2022. Please note that the data on the ACC website is updated on a monthly basis.

Because we make this information publicly available on our website, we are not reproducing it for questions 29, 30, 31 and 33. This decision has been made under section 18(d) of the Act.

You may be interested to know that we also publish OIA responses on various topics including the COVID-19 vaccine here: <https://www.acc.co.nz/resources/#/category/12>.

Question 32: Treatment Injury budget

ACC forecasts overall claims volumes to enable it to budget for and respond to future demand for its services. It does not forecast projected costs for vaccine treatment injury claims as a separate group of claims.

Question 34: Specialist referrals

A claim will be declined by ACC where it does not meet the treatment injury criteria. Whether a client had a specialist referral is not one of those criteria. Further, ACC is unlikely to hold any information relating to whether a client was denied a specialist referral.

Question 35: Criteria template for declining vaccine-related claims

ACC does not have a *criteria template* for assessing *vaccine-related claims*. Therefore, we are not able to provide this under section 18(e) of the Act as this does not exist. However, ACC does have [guidance](#) around 'Necessary Part of Ordinary Consequence of Treatment Policy'. This guidance is used when assessing a treatment injury claim (such as vaccine related claims) to help determine whether the injury suffered by a client was a necessary part or ordinary consequence of the treatment provided.

For further information about ACC cover for treatment injuries, please refer to section 32 of the Accident Compensation Act 2001 (the AC Act), [here](#).

Question 36: Confidentiality contracts

ACC does not have any confidentiality contracts in relation to any of its decisions on cover or entitlements. Therefore, we are unable to provide this under section 18(e) of the Act as this does not exist.

How to get in touch

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

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 [here](#).

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