



17 March 2022

Tēnā koe [REDACTED]

**Your Official Information Act request, reference: GOV-016834**

Thank you for your email of 17 February 2022, asking for the following information under the Official Information Act 1982 (the Act):

*I am seeking data on the number of treatment injury claims ACC has received, processed, granted or declined over the past decade.*

*I see from ACC material that roughly a third are declined annually [sic].*

*I therefore seek information for data collected in the financial years from 2011-12 through to 2020-21 (presuming this is the latest information available).*

*\*In those 10 years, how many claims for treatment injuries were lodged with ACC ? [sic]*

*\*For the same period, how many claims were declined?*

*\*How many reviews were requested for treatment injury claims declined?*

*\*How many appeals were lodged against review decisions declining claims for treatment injuries?*

On 3 March 2022, we emailed you to provide an update regarding the progress of your request and noted that to extract the number of appeals lodged in relation to declined Treatment Injury claims would likely take a significant period of time. You replied, advising the following:

*please provide district court decision data, and then appeals data, which is central to the story we are planning.*

**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.

More information about treatment injuries is available online here:

- <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)

### Treatment injury claims by year the claim was lodged and treatment injury cover decision

This table provides a count of treatment injury claims lodged with ACC between 1 July 2011 and 30 June 2021, where a treatment injury cover decision has been made. This data was extracted on 9 March 2022 and may differ if extracted again at a later date.

Year	Accepted	Declined	Total
2011/12	5,523	3,252	8,775
2012/13	6,349	3,771	10,120
2013/14	6,958	3,769	10,727
2014/15	7,994	4,679	12,673
2015/16	9,131	4,977	14,108
2016/17	9,675	5,916	15,591
2017/18	10,154	6,896	17,050
2018/19	10,795	5,701	16,496
2019/20	11,010	5,035	16,045
2020/21	12,067	5,158	17,225

### Number of reviews lodged for declined treatment injury claims, by year

The following table provides a count of reviews lodged for declined treatment injury claims, by year the review was lodged. This data was extracted on 14 March 2022.

Year	Number of reviews
2011/12	105
2012/13	205
2013/14	178
2014/15	211
2015/16	287
2016/17	364
2017/18	349
2018/19	393
2019/20	324
2020/21	299

### We are unable to provide the number of appeals lodged for declined treatment injury claims

To determine the issue being appealed (in this case, a declined treatment injury claim) would require us to manually read through all appeals lodged with ACC over the last 10 years, requiring substantial collation or research. As such, we are unable to provide you the number of appeals lodged for declined treatment injury claims specifically. This decision has been made under section 18(f) of the Act.

In doing so, we have considered extending our timeframe to respond to your request and charging (under the Act). However, it has been determined that the resources required to extract the information would have a significant impact on the everyday functions on the team involved.

**We can provide you a count of declined treatment injury claims, by District Court decision and calendar year.**

The data was extracted on 24 February 2022.

Year	Number of decisions issued	ACC decision upheld
2011	17	14
2012	20	13
2013	25	16
2014	18	15
2015	23	17
2016	25	20
2017	17	13
2018	15	14
2019	14	11
2020	14	10
2021	21	9

**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](http://www.acc.co.nz/resources/#/category/12).

**If you're concerned about this response, please get in touch**

You can email me at [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz).

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

Ngā mihi



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