

23 February 2022



Tēnā koe 

Your Official Information Act request, reference: GOV-016607

Thank you for your email of 4 February 2022, asking for the following information under the Official Information Act 1982 (the Act):

1. *What was the basis in which you accepted or declined the cases referred to you?*
2. *Could you send me a record of claims for ANY vaccine injury in the last five years?*

Reasons for declining COVID-19 vaccine injury claims

In respect of your first question, the majority of treatment injury claims for COVID-19 vaccine injuries that were declined, were declined for one of the following reasons:

- There is no physical harm or damage caused
- The injury was not caused by the vaccine
- The injury was considered an ordinary consequence of the vaccination
- The client requested their claim be withdrawn

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

<https://www.acc.co.nz/assets/oia-responses/covid-vaccination-claims-refresh-feb22-v3-IPA5768.pdf>

Page 6 of the Feb 22 data has a table with the breakdown of declined claims by decline reason.

This data includes a breakdown of COVID-19 vaccine injury claims grouped by age and injury type for claims lodged with ACC between 18 February 2021 (when New Zealand began COVID-19 vaccinations) and 5 February 2022. The data also includes data for the number of approved COVID-19 injury claims, the number of declined COVID-19 injury claims, and the number of COVID-19 injury claims still being processed. Please note that the data on the ACC website is updated on a monthly basis.

ACC vaccination data

In respect of your second question, please see the attached data set which provides data for vaccination injuries up to 5 December 2021.

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

A handwritten signature in black ink, appearing to read 'Sasha Wood', enclosed in a thin black rectangular border.

Sasha Wood

Manager Official Information Act Services
Government Engagement & Support

Official Information Act Request

All Vaccination Injury Analysis to December 2021

Reference IPA-5273

Background information about treatment injury data

Before responding to your request, we would first like to provide you with 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.

The ACC website contains further information on treatment injury <https://www.acc.co.nz/for-providers/treatment-safety/>.

A full overview of treatment injury in public and private surgical hospitals and general practice settings is available at <https://www.acc.co.nz/assets/provider/ACC7971-Supporting-Treatment-Safety-2021.pdf>.

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.

Privacy

ACC does not routinely disclose low value numbers related to claims. Accordingly, we have noted some values below as being fewer than four.

Withholding in this way is necessary to protect the privacy of these individuals under section 9(2)(a) of the Act. In doing so, we have considered the public interest in making the information available and have determined that it does not outweigh the need to protect the privacy of these persons.

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.

Vaccine related treatment injury claims

The data below was extracted on 6 December 2021 for treatment injury claims lodged with ACC between 1 July 2005 and 5 December 2021, where the treatment event was *vaccination* or *injection/medications*, *adverse reaction/medication error* and where the medication type was recorded as *vaccine*.

These fields are only completed when cover for the claim is decided. Given the active Covid-19 vaccination campaign the all vaccine 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. Free text search methods are not reliable data extraction methods and can result in anomalies in the data so claims identified by this method above have been manually reviewed and some false positive matches removed.

Ethnicity

The ethnicity data provided below 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 reports ethnicity using a different method to Statistics New Zealand. Care must be taken when comparing ACC's ethnicity data with other Government agencies or census data.

Data

The treatment injury data provided below was extracted on 6 December 2021 and includes vaccination claims between 1 July 2005 and 5 December 2021 and Covid-19 vaccination claims lodged up to 5 December 2021.

During this period ACC has received 4,556 claims for injuries relating to vaccinations. 2,153 claims had been accepted, 1,876 had been declined and 527 had yet to be decided. The following tables break down these numbers by the sex, age and ethnicity of the claimants.

Sex

Sex	Accepted	Declined	Pending Decision	Total
Female	1,435	1,222	352	3,009
Male	718	654	175	1,547
Total	2,153	1,876	527	4,556

The table above shows that females are far more likely than males to have lodged a claim for a vaccination treatment injury. Claims for female clients represent 66% of claims lodged.

Age Band

Age Band	Accepted	Declined	Pending Decision	Total
0-4 ¹	669	452	0	1,121
5-9	65	40	0	105
10-14	107	124	8	239
15-19	77	100	21	198
20-24	81	79	27	187
25-29	97	79	44	220
30-34	109	71	56	236
35-39	110	85	56	251
40-44	94	101	58	253
45-49	148	115	64	327
50-54	103	109	46	258
55-59	97	109	49	255
60-64	95	115	37	247
65-69	117	111	21	249
70-74	68	88	19	175
75-79	54	45	11	110
80-84	35	37	6	78
85 plus	27	16	4	47
Total	2,153	1,876	527	4,556

¹ Includes fewer than four claims where the age was not known.

Ethnicity

Ethnicity	Accepted	Declined	Pending Decision	Total
Māori	269	214	60	543
Pacific Peoples	134	64	16	214
Asian	218	147	34	399
European	1,387	1,300	370	3,057
Other/Unknown	145	151	47	343
Total	2,153	1,876	527	4,556

Accepted Injuries

Treatment injuries are confirmed, and the primary injury is recorded when a claim is decided. The following table shows the primary injury recorded for the accepted vaccination claims decided by 6 December 2021.

Primary Injury	All Accepted Claims
Allergic Reaction	566
Cellulitis	490
Infection	218
Adverse Drug Reaction	138
Anaphylactic Reaction	118
Haematoma - Bruising	109
Abscess	57
Contusion	56
Sprain	45
Nerve Damage	43
Skin Damage/Injury/Tear	35
Bursitis	30
Shoulder Damage/Injury	26
Inflammation	19
Cardiac Injury	16
Tendonitis/Tendinopathy	15
Other	172
Total	2,153

Severity of Injuries

Measuring the impact of an injury on a person is challenging. ACC and others use the overall cost of a treatment injury claim as an indicator of the severity of the injury because more costly claims are likely to indicate claims where there has been a more severe impact on the person injured. While not always directly related, overall cost is one measure of severity and impact.

Fewer than four vaccination claims have been lodged with ACC which have resulted in a fatal injury.

Payments per Claim

The following table shows the number of accepted claims grouped by the total payments made per claim to 5 December 2021.

Payments to 5 December 2021	Number of Accepted Claims
No payment to date	267
Up to \$100	894
Over \$100 to \$500	773
Over \$500 to \$1,000	117
Over \$1,000 to \$5,000	62
Over \$5,000 to \$10,000	10
Over \$10,000 to \$50,000	25
Over \$50,000	5
Total	2,153

As of 5 December 2021, ACC had made payments on accepted vaccination claims totalling \$2,207,739

Claims by Month

The following table shows the number of vaccination injury claims lodged with ACC by month up to 5 December 2021.

Fin Year	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
2005/06	21	33	22	14	11	10	5	5	10	16	17	9	173
2006/07	5	5	4	11	20	8	5	12	19	18	29	10	146
2007/08	14	8	4	5	11	9	6	8	14	34	21	12	146
2008/09	11	7	10	14	5	17	9	12	24	17	26	11	163
2009/10	17	11	14	10	12	8	7	10	36	40	20	13	198
2010/11	16	15	13	6	8	10	8	11	22	21	19	19	168
2011/12	7	10	13	13	17	9	4	10	22	24	25	24	178
2012/13	12	11	10	21	14	9	8	15	25	34	31	21	211
2013/14	9	7	11	11	13	9	8	10	27	29	38	16	188
2014/15	20	15	13	15	16	7	15	18	17	30	34	20	220
2015/16	17	18	21	13	10	12	11	13	22	31	36	19	223
2016/17	23	25	21	15	18	9	17	10	20	24	44	26	252
2017/18	17	18	19	20	20	9	10	17	12	27	40	28	237
2018/19	27	22	12	15	13	16	11	20	28	28	28	23	243
2019/20	23	16	16	18	21	15	15	18	32	20	27	26	247
2020/21	22	20	15	13	15	8	8	11	30	36	88	84	350
2021/22	73	131	262	311	392	44 ¹							1,213 ¹
Total	334	372	480	525	616	209	147	200	360	429	523	361	4,556

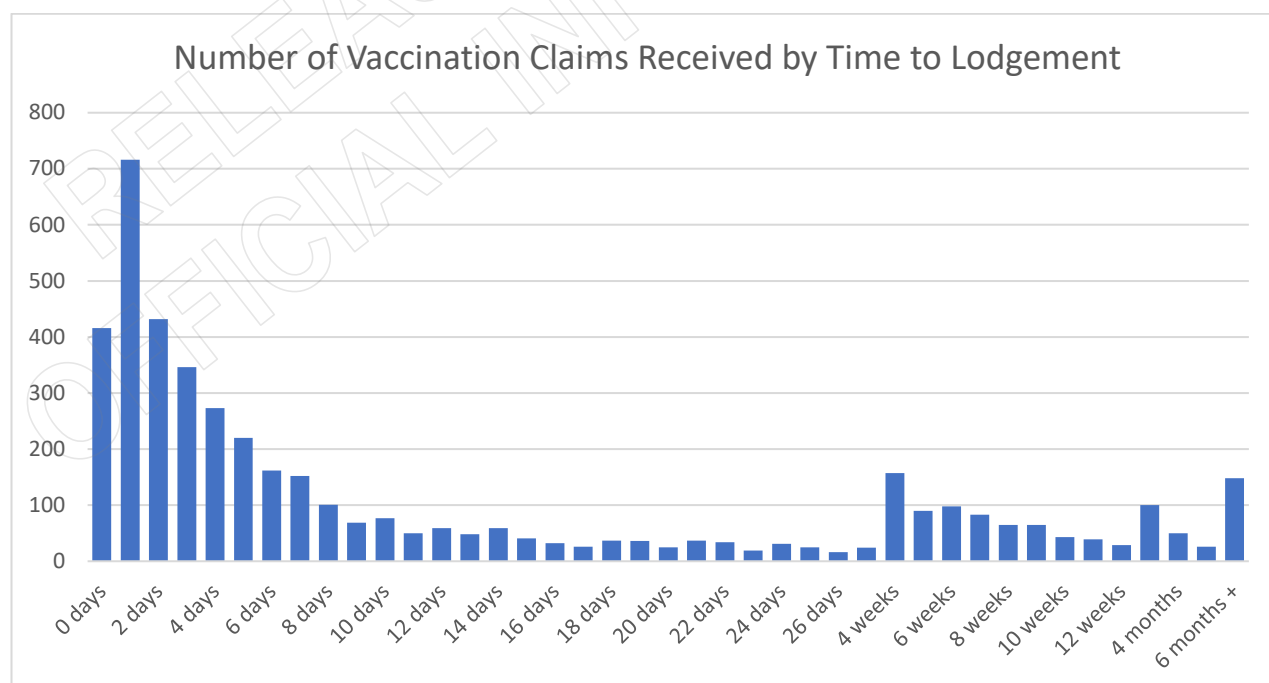
¹ To 5 December 2021 only

Time to Lodgement

Some vaccination injuries are immediately apparent whereas other injuries may take some time to become apparent or be considered as a possible treatment injury. The table below shows the time between the accident date (assumed to be the date of vaccination in most cases) and the date when the claim is lodged with ACC.

Time to Lodgement	Number of Claims	Time to Lodgement	Number of Claims
0 days	416	21 days	37
1 days	716	22 days	34
2 days	432	23 days	19
3 days	346	24 days	31
4 days	273	25 days	25
5 days	220	26 days	16
6 days	162	27 days	24
7 days	152	4 weeks	157
8 days	101	5 weeks	90
9 days	69	6 weeks	98
10 days	77	7 weeks	83
11 days	50	8 weeks	65
12 days	59	9 weeks	65
13 days	48	10 weeks	43
14 days	59	11 weeks	39
15 days	41	12 weeks	29
16 days	32	3 months	100
17 days	26	4 months	50
18 days	37	5 months	26
19 days	36	6 months +	148
20 days	25	Total	4,556

The table above is illustrated in the chart below.



DHB

The DHB has been provided below based on the DHB of Treatment where this has been identified and by the DHB of Residence of the client.

District Health Board Region	DHB of Treatment	DHB of Residence
Auckland	591	421
Bay of Plenty	173	217
Canterbury	401	499
Capital & Coast	285	302
Counties Manukau	232	424
Hawkes Bay	154	179
Hutt Valley	91	152
Lakes	41	62
Mid Central	146	185
Nelson Marlborough	134	163
Northland	164	187
South Canterbury	47	54
Southern	230	315
Tairāwhiti	30	44
Taranaki	122	174
Waikato	342	446
Wairarapa	53	53
Waitematā	263	542
West Coast	29	30
Whanganui	66	94
Overseas	11	0
Unknown	951	13
Total	4,556	4,556

The DHB of Treatment is often not confirmed until the claim is decided hence the large number of claims recorded with no known DHB of Treatment.