

25 August 2014

Kevin McCready  
[fyi-request-1800-c2c0e060@requests.fyi.org.nz](mailto:fyi-request-1800-c2c0e060@requests.fyi.org.nz)

Dear Mr McCready

### Official Information Act Request

Thank you for your email of 10 July 2014, which sought further clarification of ACC's response to your Official Information Act 1982 (the Act) request of 16 June 2014. Your questions are answered in turn below:

1. *"Re which acupuncture and Chiropractic "modalities" are funded..."*

Under ACC legislation acupuncturist and chiropractor are defined as treatment providers.

ACC is required to pay the cost of a claimant's treatment if the treatment is necessary and appropriate, and is provided by a "treatment provider" who is appropriately qualified.

In regards to which acupuncture and chiropractic 'modalities' are funded, ACC relies on a client's medical professional to determine the best course of treatment. ACC funds acupuncture and chiropractic treatments as adjuncts to normal medical management, therefore all treatments are assessed against the standards for medical efficacy of treatment by the client's medical professional.

*"...you said the information was available on your website under the heading "ACC payment for services". An advanced search on your website for this exact phrase gets 200 hits. Would you be so kind as to provide me with the link to which you refer."*

The ACC Payment for Services web page that was referred to in our previous response was <http://www.acc.co.nz/for-providers/invoicing-and-payment/PRV00047>. This page includes a link to the document 'ACC1523 Specified treatment provider's cost' which gives the payment rates for specified treatment providers (copy attached). ACC contributes this set rate as detailed in legislation. The treatment provider may charge a co-payment to the client.

*"2. I asked who the experts were and you failed to tell me. Will you please provide me with the names and qualifications of your research team which did the 2011 literature review of acupuncture..."*

ACC declines to provide the names and qualifications of the staff members who compiled the literature review as there is a need to protect people's privacy. We have also been unable to identify why the release of this information would be in the public interest. This decision complies with section 9(2)(a) of the Act.

*“...Please provide me with a copy of their [acupuncture] report,..”*

Please find attached a copy of the Pragmatic Evidence Based Review on “The efficiency of acupuncture in the management of musculoskeletal pain” which was referenced in our previous reply.

*“... any recommendations they made and any material which will help me understand their decision. Were members of your research team unanimous on each recommendation and if not so, please provide dissenting conclusions and reasons”*

The literature review does not contain recommendations or decisions, therefore this aspect of your request is declined on the basis that the documents alleged to contain it do not exist, or cannot be found. This decision complies with section 18(e) of the Act.

*“3. A) Other than for musculoskeletal pain, do you fund acupuncture for treatment of any other conditions? B) Do you limit payments for musculoskeletal pain to chronic neck and chronic shoulder pain? C) Do you fund acupuncture for non-chronic pain?..”*

ACC funds acupuncture for conditions where prescribed by the client’s medical professional. This includes conditions other than musculoskeletal pain, and for non-chronic pain.

*“...If the answers to any of these three questions is yes, please provide the scientific reasons for your decision to continue to do so.”*

As discussed, ACC relies on a client’s medical professional to determine the best course of treatment, and is obligated to ensure its decisions are in accordance with its governing legislation when making decisions on entitlements.

The Accident Compensation Act 2001 requires ACC to pay the cost of the claimant's treatment if the treatment is for the purpose of restoring the claimant's health to the maximum extent practicable, and the treatment is necessary and appropriate, and is provided by a “treatment provider” who is appropriately qualified.

Acupuncturists are defined as specified treatment providers under ACC legislation, and have been for at least 25 years. They are well established and recognised treatment providers in New Zealand and are used by many New Zealanders. Before an ACC client is able to receive ACC funded acupuncture they would need to have a claim accepted and then be referred for acupuncture by a health professional who is covered by the Health Practitioners Competence Assurance (HPCA) Act.

*“4. You have failed to address my questions in regard to chiropractic. Will you please do so as restated here: upon what scientific evidence do you continue to fund some chiropractic ‘modalities’ and exclude other chiropractic ‘modalities’...”.*

As previously covered, ACC relies on a client’s medical professional to determine the best course of treatment, and is obligated to ensure its decisions are in accordance with its governing legislation when making decisions on entitlements.

Chiropractors are covered by the Health Practitioners Competence Assurance (HPCA) Act. If a client has an injury that is covered by ACC they are able to visit a chiropractor to lodge a claim.

*"...What are the names and qualifications of the experts on whom you rely for such decisions. Please provide me with a copy of any report, any recommendations and any material which will help me understand your decision to continue funding chiropractic 'modalities'. Were your experts assessing chiropractic unanimous on each recommendation and if not so, please provide dissenting conclusions and reasons."*

These aspects of your request are declined because the documents alleged to contain the information sought do not exist, or cannot be found. This decision complies with section 18(e) of the Act.

**ACC is happy to answer your questions**

Please contact me at [Lisa.White@acc.co.nz](mailto:Lisa.White@acc.co.nz) if you would like to talk about the information provided. I will be happy to answer any questions or, if you have any concerns, work with you to resolve these. If you are still not happy, you may make a complaint to the Office of the Ombudsman. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsman  
P O Box 10 152  
WELLINGTON 6143

Yours sincerely



Lisa White  
**Senior Advisor, Government Services**