

19 February 2016

Colleen Morgan
Via email: fyi-request-3564-8046074a@requests.fyi.org.nz

Dear Ms Morgan

Official Information Act request

Thank you for your email dated 21 January 2016.

Your request

You asked for the following information under the Official Information Act 1982 (OIA):

The percentage of treatment injury claims made out of all claims submitted for all periods commencing 2005 up to 2015 and broken down into the following approved treatment providers:

- *acupuncturists*
- *audiologists*
- *chiropractors*
- *counsellors*
- *dentists*
- *medical laboratory technologists*
- *medical practitioners*
- *nurses*
- *nurse practitioners*
- *occupational therapists*
- *optometrists*
- *osteopaths*
- *physiotherapists*
- *podiatrists*
- *speech therapists*

Response

A treatment injury occurs when a person suffers a personal injury when undergoing treatment by a registered health professional (RHP). A registered health professional, is defined under the Accident Compensation Act 2001, Part 1, section 6;

- a) means a chiropractor, clinical dental technician, dental technician, dentist, medical laboratory technologist, medical practitioner, medical radiation technologist, midwife, nurse, [nurse practitioner], occupational therapist, optometrist, pharmacist, physiotherapist, or podiatrist; and
- b) includes any person referred to in paragraph (a) who holds an interim practicing certificate but only when acting in accordance with any conditions of such interim certificate; and

- c) includes a member of any occupational group included in the definition of “registered health professional” by regulations made under section 322.

The following approved providers, for which you have requested treatment injury statistics, are not recognised under the Act as RHP’s.

- acupuncturists
- audiologists
- counsellors
- speech therapists.

ACC’s no fault scheme

A change in the legislation in 2005 from “medical misadventure” to “treatment injury” is more aligned with ACC’s no fault scheme and as such we do not collect data pertaining to a treating provider’s profession. We are therefore unable to provide the data pertaining to this Official Information Act request in line with section 18€ of the Act.

However, we can provide data with respect to treatment injury contexts. A treatment injury context is the specialty or healthcare area that treatment was provided e.g. maternity. There are often multiple professional disciplines working within a single treatment context. For example within the maternity context, it is possible to have obstetricians and gynaecologists, midwives and nurses. The same can be said for most other treatment contexts. Likewise, a single professional discipline can work across multiple contexts e.g. nurses work across a range of contexts, including but not limited to, nursing, maternity, general surgery, emergency medicine and general practice etc.

Provided in table 1 below, is a list of treatment contexts which are used in treatment injury data capture. Should you require treatment injury data pertaining to one or more treatment contexts, then this information can be requested under the Official Information Act.

Table 1: Treatment contexts defined within treatment injury data

Treatment Context
Acupuncture
Ambulance
Anaesthesia
Appearance Medicine
Arterial Surgery
Cardiology
Cardiothoracic
Chiropractor
Dental
Dermatology
Dialysis
Ear, Nose And Throat (Ent)
Emergency Medicine
Equipment
General Medicine
General Practice
General Surgery
Gynaecology
Haematology

Laboratory
Maternity
Neurology
Neurosurgery
Nursing
Occupational Therapy
Oncology
Ophthalmology
Orthopaedics
Osteopathy
Other
Paediatric Medicine
Paediatric Surgical
Pathology
Pharmacy
Phlebotomy
Physiotherapy
Plastic And Burns
Podiatry
Psychiatry
Radiology
Radiotherapy
Rehabilitation
Rheumatology
Screening
Transplant Surgery
Urology
Vascular Surgery

If you have any questions about the information provided, ACC will be happy to work with you to answer these. You can contact us at GovernmentServices@acc.co.nz or in writing to *Government Services, PO Box 242, Wellington 6140.*

You have the right to complain to the Office of the Ombudsman about our decisions regarding your request. You can call them on 0800 802 602 between 9am and 5pm on weekdays, or write to *The Office of the Ombudsman, PO Box 10152, Wellington 6143.*

Yours sincerely

Government Services