

21 June 2017

Mr Anthony Jordan
fyi-request-5861-3d2473b3@requests.fyi.org.nz

Dear Mr Jordan

Official Information Act Request

Thank you for your request of 11 May 2017, asking for the following information under the Official Information Act 1982:

"It has been noted very well publicly that ACC third party doctors and service providers are not investigated or that complaints don't come under the Health and Disability Commissioner or Medical Council.

- 1. who does ACC refer their concerns to when suspecting general misconduct or in breach of Claimants rights*
- 2. what cases in the last 15 years has ACC lodged a complaint about (without disclosing names but instead their profession)*
- 3. out of those complaints lodged, how many were upheld*
- 4. are there any pending complaints or concerns currently been investigated regarding any ACC accredited doctors/service providers that ACC themselves have initiated based on their own unease. If so what are their service to ACC".*

On 1 June 2017 we wrote to you to explain the limitations of the information we have in regards to referrals to regulatory bodies prior to 2010. We requested that the time period for the request be reduced to 2010-2017 and you wrote back on 2 June 2017 agreeing to this.

On 9 June 2017 we wrote to you again to advise you that we required an extension to 23 June 2017 to allow for a search through the large amount of information from 2010 onwards in relation to your request.

Our response

ACC will refer providers to their relevant regulatory authority if there is reason to believe that the health practitioner may pose a risk of harm to the public by practicing below the required standard of competence. This is governed by Section 34 of the Health Practitioners Competence Assurance Act 2003.

The relevant regulatory authorities include the Medical Council of New Zealand, Physiotherapy Board of New Zealand and Nursing Council of New Zealand, among others, depending on the profession of the provider.

ACC also supports clients to make complaints to the Health and Disability Commissioner, or to the relevant regulatory authority, where they have a concern or complaint regarding a provider.

Since 2010 ACC has referred 62 providers to their relevant regulatory authority or registration body. The professions of these providers are as follows: 1 Acupuncturist, 4 Chiropractors, 1 Counsellor, 2 Dentists, 12 General Practitioners, 1 Internal Medicine Specialist, 3 Nurses, 2 Orthopaedic Surgeons, 7 Osteopaths, 1 Pain Specialist, 22 Physiotherapists, 3 Podiatrists, 1 Psychiatrist and 2 Psychologists.

All of the referrals that ACC has made to regulatory authorities have resulted in some form of action. The response is determined by the regulatory authority and can range from an educational letter to removal of a health practitioner's Annual Practising Certificate.

There are currently 31 referrals from ACC still being investigated by regulatory authorities. The professions of these providers are as follows: 2 Chiropractors, 3 General Practitioners, 2 Nurses, 6 Osteopaths, 17 Physiotherapists and 1 Psychologist.

All of the providers referred to in this response deliver services under the Accident Compensation (Liability to Pay or Contribute to Cost of Treatment) Regulations 2003.

Queries or concerns

If you have any questions or concerns about the information provided, ACC will be happy to work with you to resolve these. Please address any concerns by emailing GovernmentServices@acc.co.nz or in writing to *Government Services, PO Box 242, Wellington 6140*.

If you're unhappy with ACC's response, you may make a complaint to the Office of the Ombudsman. 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

OIA Services
Government Engagement and Support