

23 January 2019

Mr Sam Wagener
Wagener.sam@gmail.com

Ref: H201808196 and H201808627

Dear Mr Wagener

Response to your request for official information

I refer to your requests of 4 December 2018 and 18 December 2018 to the Ministry of Health (the Ministry) under the Official Information Act 1982 (the Act).

Details of your requests are itemised in Appendix One.

On January 9 2019, the Ministry asked you to provide evidence that you meet the requirements stated in section 12 of the Act:

“As set out in section 12 of the Official Information Act 1982, if you wish to pursue obtaining information not in the public domain, you may be asked to provide evidence that you meet the requirements of the Act, set out below:

Section 12

(1) Any person, being—

(a) a New Zealand citizen; or

(b) a permanent resident of New Zealand; or

(c) a person who is in New Zealand; or

(d) a body corporate which is incorporated in New Zealand; or

(e) a body corporate which is incorporated outside New Zealand but which has a place of business in New Zealand,—

In this instance, the Ministry requests that you provide evidence to show that you meet the requirements as set out in section 12. The Ministry will proceed to processing your request once this has been received.”

The Ministry has not received a response from you to date. As a result, I have decided to cancel your request as the Ministry is not satisfied that it has been made in accordance with section 12 of the Act.

You have the right, under section 28 of the Act, to ask the Ombudsman to review any decisions made under this request.

Yours sincerely



Nick Allan
Manager OIA Services
Office of the Director-General

Appendix One

Reference: H201808196

Request made: 4 December 2018

"I am writing to request information on the following things under the FOIA.

I would like a list of all unapproved medications which have been specially imported for a patient/group of patients by any prescriber over the last 5 years. For reference of what I information I am requesting - any medicines supplied under the "Scenario Two" section of <https://www.medsafe.govt.nz/profs/RIss/unapp.asp>

The number of prescriptions dispensed for Cannabis related products which contain THC and/or CBD (no synthetic cannabinoids such as nabilone). If possible I would also like the information of how many prescriptions are given out by each doctor who has the approval to prescribe these products (without including the doctor's name and the patient name, naturally) and the indication for the prescription of these products given by the prescribing doctor. (Going back 5 years)

A list of medications seized at the border which were later released to a doctor after the patient importing them received a letter requiring them to get their doctor to contact Medsafe for the release of these medications. (Going back 5 years)"

Reference: H201808627

Request made: 18 December 2018 (Transferred to the Ministry of Health from the Pharmaceutical Management Agency (PHARMAC))

"Dear Pharmaceutical Management Agency,

My name is Sam Wagener, I am writing to request. under the official information act, the following information if it is available:

- The top 100 dispensed drugs in New Zealand for 2017 by community pharmacies (All strengths of the same medicine counted as one, e.g. Metoprolol 23.75, 47.5 etc would just be Metoprolol)

- The top 100 most expensive drugs (by how much money was paid in subsidies for the drug, not just the price of drug as listed in the schedule.)

- The number of prescriptions written for each different controlled medications (Both C and B and their respective subclasses) across all available doses for the respective products (e.g. for Oxycodone IR - I would like to know how many of the Oxynorm 5mg, 10mg and 20mg were prescribed) by primary care doctors throughout 2017

I hope this request is not too arduous and I understand commercial sensitivity concerns and as such would be fine with brand names being excluded (in fact I would prefer generic names.)"