

15 April 2019



Anthony Jordan
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Dear Anthony

Your Official Information Act request, reference: 0053904

I refer to your email of 18 March 2019, asking for the following information under the Official Information Act 1982 (the Act):

1. *What process does the ACC use to Assess a Mental Injury in someone with a Diagnosed Post-Concussion Syndrome/Mild Traumatic brain injury*
2. *What process does the ACC uses to Diagnose a Mental Injury in someone with a Diagnosed Post-Concussion Syndrome/Mild Traumatic brain injury
As an example, i.e. One assessor? Multiple Disciplinary Panel? A Collective of Neuro specialists? Etc.*
3. *Where a Dual Diagnosis of Mental Injury and Concussion impairments exist, what processes are used to Assess and Diagnose, in order to separate the two impairments by percentage of Impairment.*

Process used to assess a mental injury

ACC's process for assessing a mental injury requires an assessment by a clinical psychologist or psychiatrist who confirms any mental health diagnosis. They are the ones to establish any link between the client's condition and the covered physical injuries, or a traumatic work place event. The assessment is reviewed by an ACC Psychology Advisor, who makes a recommendation as to whether the clinical criteria for mental injury are met. The case owner then makes a decision regarding cover for the mental injury.

Process used to diagnose a mental injury

For someone to lodge a claim with ACC they must have a diagnosis. ACC does not make the diagnosis, it is the role of the health practitioner who sees the client and then records the diagnosis on the ACC45 form. That form is subsequently lodged with ACC and this commences the claim process. As advised above, ACC relies on the external provider to diagnose any mental health conditions and provide evidence of the link between the diagnosed condition and the covered physical injury, or a traumatic work place event.

Mental Health Injury Guidelines have been established for health practitioners and this information is available in the public domain via the following link:

www.moh.govt.nz/notebook/nbbooks.nsf/.../0757c6a4f02fb1a5cc257a6d00812e59.

Dual diagnosis of mental injury and concussion

ACC does not have any process to deal with this situation. Your request is therefore refused under section 18(g) of the Act.

It is the role of a qualified health professional to assess the percentage impairment of a covered injury. It is a complex process and is based on the American Medical Association (AMA) Guide to the Evaluation of Permanent Impairment (Fourth Edition). The assessor is trained in the application of the AMA Guides.

The AMA Guide is publicly available from Amazon at a cost. The User Handbook to the AMA Guides is available via the following website: <http://hazelarmstronglaw.co.nz/the-acc-user-handbook-to-the-ama-guide-to-the-evaluation-of-permanent-impairment/>.

If you have any questions, you can email me at GovernmentServices@acc.co.nz.

If you are not happy with this response, you also have the right to seek an investigation and review of this decision, by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Yours sincerely



Emma Coats
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Government Engagement & Support